

Participant Questionnaire About Prevalence of Suppression Practice

If you plan to attend the GBCDLA CLE on December 10, 2021, please take ~2 minutes to answer the following questions. You may return your answers in any form—print, answer on paper, and scan; mark answers in this document and email it back; or type your answers in the body of an email. Thanks!

1. Have you ever filed a written pretrial motion to suppress evidence *other than* under the Rules of Evidence—i.e., based on a violation of the Fourth, Fifth, or Sixth Amendment? (“Pretrial” refers to all cases, not just those headed to trial.)
 - a. Yes
 - b. No

2. What percentage of criminal defense attorneys would you estimate have *never* filed a motion to suppress?
 - a. 0–25%
 - b. 25–50%
 - c. 50–75%
 - d. more than 75%

3. Have you ever filed a motion to suppress *other than* in anticipation of trial?
 - a. Yes
 - b. No

4. What percentage of criminal defense attorneys would you estimate have never filed a motion to suppress *other than* in anticipation of trial?

a. 0–25%

b. 25–50%

c. 50–75%

d. more than 75%

5. What do you think are *the biggest actual* reasons more criminal defense attorneys don't file suppression motions more often? (Mark all that apply.)

a. Don't like/uncomfortable with motion practice

b. Unfamiliar with the applicable law (don't notice issues)

c. Unfamiliar/uncomfortable with procedure

d. Don't think to look for suppression issues

e. Think it's pointless (judge would deny regardless)

f. Think it would harm case (annoy judge/prosecutor)

g. Think it would harm practice (future appointments)

h. Feel like motions to suppress are just for trial cases

i. Laziness

j. Client is fine with opening plea offer