

**Worksheet 6.1**

**Analyzing an Individual Jurisdiction's Laws Checklist**

Key Points When Analyzing Enforceability	Notes
<b>1. The location of the rights:</b> <ul style="list-style-type: none"> <li>▪ In the constitution, a statute, a rule, or all of them?</li> </ul>	
<b>2. Use of mandatory or permissive language:</b> <ul style="list-style-type: none"> <li>▪ Use of "may" or "shall"</li> <li>▪ Other language clues: "and" vs. "or"</li> </ul>	
<b>3. The types of crimes to which the rights attach:</b> <ul style="list-style-type: none"> <li>▪ Violent, felony, misdemeanor, juvenile</li> <li>▪ How many crimes?</li> </ul>	
<b>4. The scope of the definition of "victim."</b>	
<b>5. Explicit or implicit constraints on the timing of when the rights attach and how long they extend.</b> <ul style="list-style-type: none"> <li>▪ Language indicating the rights attach before or after charging</li> <li>▪ Language such as defendant or offender</li> <li>▪ Language creating an end point for rights – e.g., "throughout criminal justice proceedings."</li> </ul>	
<b>6. Explicit provision for or limitations on remedies.</b> <ul style="list-style-type: none"> <li>▪ Language such as "nothing in this section . . ."</li> </ul>	
<b>7. Prerequisites for the victim to qualify for the rights.</b> <ul style="list-style-type: none"> <li>▪ Report of crime</li> <li>▪ Contact information</li> <li>▪ Cooperation with law enforcement or prosecution</li> </ul>	