

# Right against self-incrimination in civil litigation.

## Section of Antitrust Law, ABA - Dems: The Fifth Amendment against self



Description: -

Civil procedure -- United States.

Self-incrimination -- United States.right against self-incrimination in civil litigation.

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### Chicago Tribune

This poses a certain predicament for counsel in that the negative inferences the civil jury may permissibly infer arising from the refusal to testify might jeopardize an otherwise winnable case, yet on the other hand, by invoking the Fifth, the litigant might avoid serious criminal consequences.

### Privilege against self

The five-Justice majority found that the suspect had failed to invoke his right to remain silent and also implicitly had waived the right.

### Privilege Against Self

Sullivan was reaffirmed in Garner v. Tucker, , 443—46 1974 ; Mincey v.

### Privilege Against Self

United States, , and United States v. What is this obsession on the Right with trying to ignore the 'elites'? New York, , was a 25-year-old foreigner with a history of emotional instability.

### Atty. Manuel J. Laserna Jr.: Right against self

A witness cannot claim the privilege on the grounds that an answer or document can incriminate a third party. Dennis, first of all, an impeachment trial is not a criminal trial. This is perfect for attorneys licensed in multiple jurisdictions or for attorneys that have fulfilled their CLE requirement but need to access resourceful information for their practice areas.

### The Privilege Against Self

You posted a lot of stuff. He cannot be required to be a witness either for the prosecution, or for a co-accused, or even for himself. If a Defendant refuses to answer questions or produce documents on the basis that testimony or production may incriminate him, the Court must conduct a hearing to determine whether the privilege is properly invoked.

### **Dems: The Fifth Amendment against self**

The Court says that since Salinas agreed to answer questions before he was arrested, he was not entitled to a Miranda warning nor could he invoke his right against self-incrimination.

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