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Dear Dan,

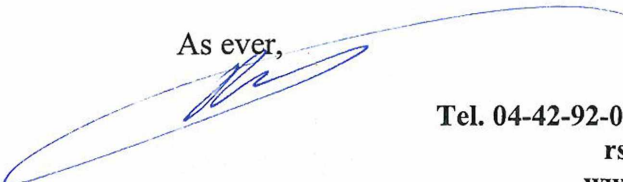
I did not think I would be writing you again so soon, but I am contemplating the filing of a case before the European Court of Human Rights in which I would contest a French procedural rule as a violation of the European Convention on Human Rights.

As you probably know, French law allows a party to join a criminal action as a "civil party" to seek damages from the person who committed the offense. The appeal period from the appellate court judgment to the French Supreme Court (Cour de Cassation) is five days from the date the decision is announced in court. The actual written opinion with the appellate court's reasoning is not available until several weeks later. I am thinking about contesting this procedure on the basis that (1) it is impossible to know whether to appeal prior to having the court's opinion and (2) five days is too short a period to allow consultation with one's client. In my case, the period included a weekend and one of the clients did not reside in France. There was effectively only three days which made it impossible to consult the client.

I have been questioning fellow lawyers on the internet, and the shortest appeals period I have found is 10 days in a Federal bankruptcy proceeding. Usually it is 30 days, as it is in France for that matter. I have discovered some very short delays (2 or 3 days) in prison proceedings where the prisoner must contest an incident within a very short period or waives his right to do so, but those are internal, administrative matters and do not involve courts.

I just thought you might have some thoughts or ideas about this, provided you have not disengaged completely from the law, which I rather doubt. On that subject, we may have to go back and argue *Jones v. Cunningham* and *Gideon* again, given the current administration's view about the right to counsel.

As ever,



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