

## The Right to Confront Witnesses, but not Necessarily at Trial: Predicting a Judge-focused Remedy in

*Williams v. Illinois*]

39 Rutgers L. Rec. 75 (2012) | [WestLaw](#) | [LexisNexis](#) | [PDF](#)

In a recent New York Times op-ed piece, Stanford Law Professor Jeffrey Fisher predicted the outcome of *Williams v. Illinois*, a case pending in the Supreme Court of the United States. Professor Fisher has argued that "a logical application of the law produces an easy answer" in *Williams*. The Confrontation Clause of the United States Constitution's Sixth Amendment requires all persons who are "witnesses against" a criminal defendant, including lab analysts whose reports are not being offered into evidence at trial, to testify in court. We should trust Professor Fisher's analysis of *Williams*. After all, his argument in *Crawford v. Washington* was the genesis for the string of United States Supreme Court cases that give criminal defendants expanded rights under the Confrontation Clause.

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