

DEVELOPMENT TRENDS OF PLEA BARGAINING IN CRIMINAL PROCEDURE

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Abstract: Plea bargaining plays a crucial role in the criminal justice system. This article examines the regulation of plea bargaining across several nations, evaluates its advantages and limitations, and identifies global trends in its development and improvement to enhance its effectiveness in criminal procedure.

Keywords: Plea bargaining; plea agreement; criminal procedure

XU HƯỚNG PHÁT TRIỂN CỦA THỦ TỤC MẶC CẢ THỨ TỘI TRONG TỔ TỤNG HÌNH SỰ

Tóm tắt: Mặc cả thú tội có vai trò rất quan trọng trong hệ thống tư pháp hình sự. Bài viết nghiên cứu mặc cả thú tội trong pháp luật một số quốc gia; đánh giá những ưu điểm, hạn chế của thủ tục này và chỉ ra xu hướng phát triển, hoàn thiện thủ tục mặc cả thú tội trên thế giới, từ đó góp phần nâng cao hiệu quả áp dụng thủ tục mặc cả thú tội trong tố tụng hình sự.

Từ khóa: Mặc cả thú tội; thương lượng nhận tội; tố tụng hình sự

Introduction

Plea bargaining - also referred to as “negotiated guilty pleas,” “plea negotiations,” or “leniency mechanisms” - is not only a procedural institution within criminal proceedings but also a principle governing the resolution of criminal cases. More broadly, it has evolved into an alternative mode of disposition that may substitute for the traditional adjudicatory process, which otherwise requires full compliance with procedural stages and the participation of all procedural actors. Within this mechanism, the offender agrees to plead guilty in exchange for a lesser charge, a reduced sentence, or other legal benefits. This approach aims to enhance the efficiency of investigation, prosecution, and adjudication; shorten the overall time required for criminal case resolution; alleviate the judicial system’s workload; and safeguard the legitimate interests of all parties involved.

Plea bargaining is a relatively new legal institution that has been widely implemented and is of significant importance in criminal procedure across many jurisdictions worldwide. Nevertheless, the nature and extent of its application vary markedly between the two major legal traditions: The Common Law and the Civil Law systems. In Common Law jurisdictions such as the United States, the United Kingdom, Canada, and

Australia, plea bargaining is the predominant mechanism for the disposition of criminal cases, substantially reducing the burden on the court system. In contrast, in Civil Law countries such as Germany, France, and Italy, where the principles of truth-seeking and fairness are prioritised, this institution is approached more cautiously. It tends to be more limited in scope and application, with stricter procedural safeguards to ensure the protection of fair-trial principles¹.

1. Plea bargaining in selected jurisdictions

1.1. In the Common Law system

The United States is the leading jurisdiction in the adoption and development of plea bargaining, where it serves as the primary mechanism for the disposition of over 90% of criminal cases. Rather than proceeding to trial under the ordinary adjudicatory process, more than 97% of federal cases and 94% of state-level cases are resolved through this mechanism, thereby significantly reducing the court system’s workload. *The United Kingdom* adopts a more flexible approach,

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¹ Paolini, G., Kantorowicz-Reznichenko, E., & Voigt, S., “Plea bargaining procedures worldwide: Drivers of introduction and use”, *Journal of Empirical Legal Studies*, 2023, <https://doi.org/10.1111/jels.12406>.

focusing primarily on sentence reductions for defendants who cooperate with investigative authorities. Meanwhile, although *Scotland* and *South Africa* do not employ an American-style plea bargaining model, both jurisdictions maintain systems that allow for sentence mitigation for early guilty pleas. Specifically, Prosecutors are authorised to propose a reduction of up to one-third of the sentence if the defendant admits guilt at an early procedural stage.

1.2. In the Civil Law system

Although the European legal tradition does not traditionally encourage guilty-plea negotiations - favouring public trials and emphasising formal inquiry and judicial investigation - many countries have begun to adopt certain forms of plea negotiation to expedite the resolution of criminal cases. *France* applies plea bargaining cautiously, consistently emphasising the preservation of legal principles and ensuring transparency throughout the proceedings. *Germany* employs a tightly regulated form of guilty-plea negotiation known as "Absprachen," which was formally recognised in 2009. The 2009 legislation codified this mechanism under strict conditions: Negotiations must take place publicly in court; the parties may not negotiate over the degree of culpability; and the judge retains the authority to reject any agreement deemed unfair. *Italy* amended its Code of Penal Procedure in 1988 to introduce a plea-negotiation mechanism known as "Patteggiamento". Unlike the U.S. model, patteggiamento does not allow negotiations over the charges but only over a sentence not exceeding 5 years of imprisonment. The judge may reject the agreement if it is considered unfair, and a successful agreement does not result in a criminal record for the defendant. Statistics indicate that between 1990 and 1998, patteggiamento accounted for approximately 17-21% of cases before minor-offence courts and 34-42% before intermediate courts². *Spain* also employs a similar consensual mechanism,

² Thaman, S. C., "Plea-Bargaining, Negotiating Confession and Consensual Resolution of Penal Cases", *Electronic Journal of Comparative Law*, 11(3)/2007.

with estimates suggesting that 15-30% of cases are resolved through negotiated agreement³.

1.3. In other jurisdictions

Countries like Russia, China, Japan, and several Latin American states have introduced various adaptations of plea bargaining or consensual case-resolution mechanisms to enhance procedural efficiency and reduce the workload of the criminal justice system. In *Russia*, criminal procedure reforms initiated in 2001 introduced a form of plea bargaining applicable primarily to minor and medium-gravity offences. However, the practical implementation of this mechanism has encountered significant challenges⁴. In *China*, plea bargaining is reflected in a leniency system that rewards confessions and the acceptance of punishment. This mechanism constitutes an essential component of China's criminal justice reform and was formally institutionalised in the Penal Procedure Law in 2018, following a pilot phase conducted in 18 cities. *Japan* began applying plea bargaining in 2016, primarily in cases involving corruption and economic crimes. Meanwhile, *Bulgaria* previously implemented a consensual criminal case resolution mechanism, which accounted for approximately 36.6% of criminal cases between 2000 and 2005⁵. Although *Latin American countries* traditionally belong to the civil law tradition, they have been significantly influenced by the Anglo-American model. Over the past two decades, several countries, including *Argentina* and *Chile*, have undertaken criminal procedure reforms and introduced plea-bargaining mechanisms to mitigate sentences, while maintaining strict judicial supervision. *Argentina* applies a hybrid model that combines elements of the U.S. and European approaches, permitting limited plea bargaining for minor and medium-gravity offences, subject to judicial approval. A comparative study conducted in *Argentina's* Tierra del Fuego province indicates that 81.69% of cases resolved through

³ Thaman, S. C., *ibid.*

⁴ Semukhina, O. B., Reynolds, K. M., "Plea bargaining implementation and acceptance in modern Russia: A disconnect between the legal institutions and the citizens", *International Penal Justice Review*, 19(4)/2009, p. 412-441, <https://doi.org/10.1177/1057567709352314>.

⁵ Thaman, S. C., *op. cit.*

plea bargaining resulted in convictions, a rate substantially higher than the 67.02% conviction rate observed in cases adjudicated through ordinary trial procedures⁶. By contrast, certain countries such as *Brazil* and *Mexico* continue to impose strict limitations on the use of plea bargaining due to concerns regarding potential abuse, coercion, and violations of defendants' rights.

2. Plea bargaining's advantages and disadvantages

2.1. Advantages

Reducing the burden on the criminal justice system and saving time, human resources, and costs: One of the most significant advantages of plea bargaining is its capacity to enhance the criminal justice system's operational efficiency by substantially reducing the number of cases that must proceed to trial. In case all criminal cases were required to undergo complete adjudicatory procedures, courts would face severe overload, leading to delayed proceedings and persistent case backlogs. The resolution of criminal cases through ordinary trial procedures may take several months or even years, whereas plea bargaining can shorten the process to just a few days. More than 90% of criminal cases in the United States are resolved through plea bargaining, thereby significantly alleviating the burden on the justice system and improving overall case-processing efficiency. Moreover, the criminal justice system operates under inherent constraints regarding the number of Judges, Prosecutors, defence counsel, court staff, and courtroom facilities. If every case were fully tried, the demand for personnel and infrastructure would exceed available capacity. Plea bargaining enables Prosecutors to allocate their limited resources more effectively by focusing on severe and complex cases rather than expending disproportionate effort on minor offences⁷.

Expediting case resolution and ensuring the timely administration of justice: Prolonged case backlogs may result in suspects and defendants being held in pre-trial detention for extended periods before adjudication,

while simultaneously undermining the effectiveness of prosecution as witnesses' memories fade and evidence becomes more difficult to collect or preserve. By facilitating the swift resolution of criminal cases, plea bargaining contributes to the timely administration of justice⁸.

Providing defendants with opportunities for sentence mitigation: Sanctions imposed on suspects or defendants through plea bargaining are often substantially less severe than the penalties they would be highly likely to face if the case were adjudicated through a full trial, particularly one involving a jury. In this respect, plea bargaining may yield outcomes more favourable to defendants than those rendered through ordinary adjudicatory processes.

Maximising the effectiveness of punishment and enabling broader prosecutorial enforcement: Although plea bargaining involves certain concessions regarding sentencing, it nevertheless enhances the overall effectiveness of punishment by ensuring that more offenders are held criminally accountable, rather than being overlooked due to systemic overload. If all cases were required to proceed to trial, Prosecutors would be compelled to prioritise only those supported by the most substantial evidence. In contrast, cases with weaker evidentiary foundations might be dismissed or left unprosecuted. Through plea bargaining, even cases supported by less robust evidence may result in convictions rather than being discontinued. Furthermore, given limited time and resources, Prosecutors can process only a finite number of cases within a given period if every case is fully adjudicated. Plea bargaining allows for the resolution of a larger volume of cases, thereby expanding the reach of criminal enforcement and reinforcing the principle that offenders must be held accountable under the law⁹.

Promoting cooperation among suspects and defendants and protecting victims' rights: In some instances, suspects or defendants may provide information about more serious crimes in exchange for a plea agreement. Such cooperation assists judicial

⁶ Thaman, S. C., op. cit.

⁷ Howe, S. W., "The value of plea bargaining", *Oklahoma Law Review*, 58(4)/2005, p. 599, <https://digitalcommons.law.ou.edu/olr/vol58/iss4/3>.

⁸ Howe, S. W., *ibid.*

⁹ Howe, S. W., *ibid.*

authorities in uncovering additional offences, apprehending accomplices, and dismantling criminal organisations¹⁰. At the same time, plea bargaining may serve to protect victims' rights, as victims may receive compensation or other forms of redress more promptly when cases are resolved through negotiated agreements.

2.2. Disadvantages

Lack of transparency in the negotiation process: Plea bargaining is often conducted through confidential negotiations between Prosecutors and defence counsel, with limited oversight from the courts or the public. This opacity creates risks such as favouritism, corruption, and undue influence from external factors¹¹. Specific transparency-related concerns include the absence of clear and objective criteria for determining sentence mitigation, which may allow discretionary decisions to be influenced by personal interests or bias; the lack of comprehensive records of negotiation processes in official case files, thereby limiting accountability and adequate supervision; and the potential for Prosecutors to favor defendants with greater political, social, or financial power, resulting in unequal application of the law.

Risks of infringing upon defendants' rights: Although plea bargaining may benefit both the criminal justice system and defendants, it also carries inherent risks of undermining defendants' procedural rights, particularly those of individuals with limited financial resources or insufficient legal knowledge. Such defendants may feel pressured to plead guilty to avoid the risk of more severe penalties if their cases proceed to trial. Empirical evidence from the United States indicates that the average sentence imposed on defendants in federal drug cases who accept plea agreements is approximately 5 years and 4 months, whereas defendants who proceed to trial receive an average sentence of 16 years¹². Moreover, defendants who enter plea agreements are often required to waive fundamental procedural rights, including

the right to a public trial, the right to remain silent, the right to confront witnesses, and, in some cases, the right to appeal, even where new exculpatory evidence may later emerge.

Risks of wrongful convictions and insufficient scrutiny of evidence: Plea bargaining may reduce incentives for rigorous examination of evidentiary sufficiency, as both Prosecutors and defendants tend to prioritise reaching a swift agreement over thorough investigation. This dynamic may lead to serious consequences, including defendants pleading guilty despite insufficient evidence establishing criminal liability, or Prosecutors experiencing diminished pressure to collect, verify, and present comprehensive evidence before the court. Empirical studies have demonstrated that a significant number of wrongful convictions are linked to plea bargaining, particularly in cases where defendants lack adequate information or are subjected to substantial psychological pressure¹³.

Risks of unfairness in sentencing outcomes: One of the most significant concerns associated with plea bargaining is the potential for disproportionate and inequitable sentencing. This risk arises primarily from the private nature of negotiations, the absence of a neutral third party during the bargaining process, and the limited involvement of victims. As a result, sentences imposed through plea agreements may fail to accurately reflect the nature and gravity of the offence; inadequate oversight and incomplete records may foster unequal enforcement of criminal law; and defendants with greater financial or legal resources may secure more lenient outcomes than more vulnerable defendants¹⁴.

Adverse impacts on criminal justice policy: Excessive reliance on plea bargaining may alter the criminal justice system's operations in ways detrimental to substantive justice. Prosecutors may be incentivised to prioritise cases that are easier to negotiate rather than

¹⁰ Howe, S. W., *ibid.*

¹¹ Bibas, S., "Plea bargaining outside the shadow of trial", *Harvard Law Review*, 117(8)/2004, 2463-2547, <https://www.jstor.org/stable/4093305>.

¹² Bibas, S., *ibid.*

¹³ Dervan, L. E., & Edkins, V. A., "The innocent defendant's dilemma: An innovative empirical study of plea bargaining's innocence problem", *Journal of Penal Law and Criminology*, 103(1)/2014, p. 01-48, <https://scholarlycommons.law.northwestern.edu/jclc/vol103/iss1/1>.

¹⁴ Turner, J. I., "Plea bargaining, discretion, and the legitimacy of criminal law", *Notre Dame Law Review*, 96(3)/2021, 1519-1570, <https://scholarship.law.nd.edu/ndlr/vol96/iss3/2/>.

to conduct in-depth investigations necessary to ensure fair adjudication. Furthermore, systemic dependence on plea bargaining may reduce institutional incentives for broader criminal justice reform, as negotiated resolutions offer a rapid means of case disposal without adequately addressing underlying structural issues related to defendants' rights and the pursuit of criminal justice¹⁵.

3. Development trends of plea bargaining in the world

3.1. Strengthening the legal framework and ensuring transparency

Despite being an essential instrument in criminal procedure, plea bargaining must be strictly regulated to minimise the risk of abuse and misuse. Accordingly, states should establish a clear and comprehensive legal framework that sets out in detail the conditions, procedures, and limits governing the application of plea bargaining. Particularly:

Clearly defining defendants' rights: Defendants should be guaranteed the right to legal counsel when participating in plea bargaining, thereby ensuring that they fully understand their procedural rights and legal interests, are protected from coercion, and are aware of the legal consequences arising from a guilty plea.

Enhancing transparency and reducing the risk of manipulation: Negotiation processes should be audio- or video-recorded, and statistical data on plea bargaining, such as plea rates and proposed sentencing outcomes, should be made publicly available. It aims to serve to enhance transparency, promote openness, prevent manipulation, and provide defendants and defence counsel with a reasonable basis for contestation, while also strengthening public and institutional oversight¹⁶.

Limiting the scope of application: Plea bargaining should be permitted only for specific categories of offences, and its use should be restricted in severe and particularly

serious cases. In addition, clear limits should be imposed on the maximum degree of sentence mitigation available through plea bargaining to avoid excessive disparities between sentences imposed pursuant to negotiated agreements and those imposed following ordinary trial procedures¹⁷.

3.2. Balancing power and protecting the parties involved

Reducing power imbalances between Prosecutors and defendants: To mitigate disparities in bargaining power, it is essential to strengthen defence counsel's role and require Prosecutors to disclose relevant evidence before proposing a plea agreement. Such disclosure is necessary to ensure the adequate protection of defendants' rights and to enable informed decision-making. In addition, the duties, powers, and responsibilities of Prosecutors should be clearly and comprehensively regulated, along with enforceable ethical standards, to prevent and limit abuses of prosecutorial discretion. In the absence of clear legal rules, plea bargaining may lead to inconsistent practices and inequitable outcomes¹⁸.

Protecting defendants: These safeguards may include independent review mechanisms, such as judicial scrutiny of plea agreements and requirements that Prosecutors demonstrate a sufficient evidentiary basis for the charges. Robust oversight mechanisms are necessary to ensure that defendants do not enter plea agreements involuntarily or under conditions that place them at an unfair disadvantage.

Protecting victims' rights: Victims should be afforded meaningful opportunities to participate in plea bargaining to safeguard their legitimate interests. This may include allowing victims to express their views on proposed plea agreements before judicial approval; granting victims the right to object to agreements that result in unduly lenient sentences disproportionate to the gravity of the offence; or developing restorative

¹⁵ Duce, Mauricio. (2024), "Plea bargaining and the risk of wrongful convictions: A comparative overview", *Research Handbook on Plea Bargaining and Penal Justice*, https://www.academia.edu/121961789/Plea_bargaining_and_the_risk_of_wrongful_convictions_a_comparative_overview.

¹⁶ Turner, J. I., "Transparency in plea bargaining", *Notre Dame Law Review*, 96(3)/2021, 973-1032, <https://scholarship.law.nd.edu/ndlr/vol96/iss3/2/>.

¹⁷ American Bar Association (2023), *ABA Plea Bargain Task Force releases report on fairness in plea bargaining*, <https://www.americanbar.org/news/abanews/abanews-archives/2023/02/plea-bargain-task-force>.

¹⁸ Bibas, S., "The hidden law of plea bargaining", *Columbia Law Review*, 118(5)/2019, 1303-1360, <https://columbialawreview.org/content/the-hidden-law-of-plea-bargaining>.

justice programs that facilitate dialogue and reconciliation between defendants and victims, thereby promoting fairness for all parties concerned.

3.3. *Enhancing the capacity of the criminal justice system*

It is necessary to specialise in training for Prosecutors, Judges, and Defence counsel in negotiation skills and ethical standards¹⁹. In addition, a multi-tiered oversight mechanism should be established, combining internal supervision within judicial institutions with external oversight by independent bodies or social organisations²⁰.

3.4. *Application of information technology*

Digitalisation of procedures: The digitisation of criminal procedure includes the use of online platforms for case management, documentation, and monitoring.

Blockchain and artificial intelligence (AI): Blockchain technology can ensure the immutability and traceability of plea agreements, while AI can analyse legal data, identify patterns, forecast trends, and support decision-making. Indonesia has developed a transparent, efficient, and cost-effective plea-bargaining model by applying blockchain technology. The use of blockchain allows all data, information, complaints, and reports to be securely recorded in sequential blocks, thereby providing legally reliable outputs and supporting public-interest-oriented decision-making by competent authorities²¹.

3.5. *Global trends and prospects*

Current global trends indicate continued expansion of plea-bargaining mechanisms across jurisdictions. Nevertheless, states adopting such mechanisms increasingly emphasise strict oversight measures to ensure transparency and fairness in criminal procedure. Empirical data suggest that

only a small proportion of criminal cases (approximately 2%) are actually adjudicated through complete trial proceedings, while the vast majority are resolved through negotiated mechanisms. Courts worldwide face the challenge of processing tens of thousands of cases, ranging from serious to minor offences. As a result, plea bargaining is likely to remain a dominant feature of criminal justice systems in the foreseeable future.

Common Law jurisdictions such as the United States and the United Kingdom continue to expand the use of plea bargaining while reinforcing judicial control, particularly by requiring judicial approval of plea agreements. In contrast, Civil Law jurisdictions in Europe (France, Germany) and Asia (Japan, South Korea) tend to adopt a more cautious approach, emphasising transparency, strict procedural safeguards, and limited applicability. These systems often restrict plea bargaining to specific categories of offences, particularly economic, high-tech, and transnational offences, to minimise the risk of abuse and protect the rights and interests of the parties involved.

Cross-border legal harmonisation and procedural convergence: In the context of globalisation and the increasing prevalence of transnational crimes, especially financial crimes, corruption, and war crimes, national legal systems must adopt more flexible approaches to enhance international cooperation in criminal proceedings. The growing adoption of plea bargaining across jurisdictions creates conditions conducive to harmonising legal frameworks, particularly in the handling of international crimes. This process may contribute to the emergence of international standards governing plea bargaining, thereby promoting fairness, efficiency, and legitimacy in the global enforcement of criminal law.

Conclusion

Plea bargaining originated in the United States' criminal justice system and has since evolved into an essential mechanism for enhancing procedural efficiency. In recent years, this mechanism has been adopted and adapted by numerous countries, reflecting the specific characteristics of their respective legal systems and resulting in varying degrees and

¹⁹ American Bar Association (2023), *Plea bargain task force report*, <https://www.americanbar.org/content/dam/aba/publications/criminaljustice/plea-bargain-tf-report.pdf>.

²⁰ Vera Institute of Justice (2020), *In the shadows: A review of the research on plea bargaining*, <https://vera-institute.files.svdcdn.com/production/downloads/publications/in-the-shadows-plea-bargaining.pdf>.

²¹ Sinaga, H. D. P., & Bolifaar, A. H. (2020), "Blockchain adoption for plea bargaining of corporate crime in Indonesia", *Proceedings of the 2020 International Conference on Information Management and Technology (ICIMTech)*, <https://dl.acm.org/doi/10.1145/3390566.3391680>.

forms of implementation. Plea bargaining has a profound impact on adjudication processes, criminal justice policy, and the protection of defendants' rights. On the one hand, plea bargaining alleviates pressure on the criminal justice system, conserves resources, and accelerates the resolution of criminal cases. On the other hand, it entails inherent risks related to fairness and the protection of defendants' rights, particularly where there is a potential for coercion or abuse of power by procedural authorities. Consequently, the implementation of plea bargaining requires robust oversight mechanisms to ensure the voluntariness of defendants' consent and to uphold the principles of fairness and transparency within the justice system.

The differences between Common Law and Civil Law systems in the application of plea bargaining are primarily reflected in the degree of flexibility afforded to negotiations, the role of judicial authorities, and the powers of procedural actors. While Common Law jurisdictions typically permit broader prosecutorial discretion in plea negotiations, Civil Law jurisdictions tend to adopt models characterised by stricter judicial supervision to limit potential abuses. In the context of globalisation, the interaction between these two legal traditions has become increasingly evident, with many countries adjusting their plea-bargaining frameworks to better accommodate practical needs and domestic legal conditions.

Accordingly, careful research and context-sensitive regulation of plea bargaining are essential to strike an appropriate balance between procedural efficiency and the protection of the rights and interests of all parties involved. Comparative experience demonstrates that plea bargaining must be implemented in a controlled and safeguarded manner to ensure that criminal justice systems operate not only efficiently, but also reasonably and legitimately. For Vietnam, the adoption, regulation, and application of plea bargaining require careful consideration, inclusive institutional design, and practical implementation. Only within a transparent, fair, and efficient justice system can plea bargaining fully realise its potential to protect rights and uphold justice./.

LIST OF REFERENCES

1. American Bar Association (2023), *Plea bargain task force report*, <https://www.americanbar.org/content/dam/aba/publications/criminaljustice/plea-bargain-tf-report.pdf>;
2. American Bar Association (2023), *ABA Plea Bargain Task Force releases report on fairness in plea bargaining*, <https://www.americanbar.org/news/abanews/abanews-archives/2023/02/plea-bargain-task-force>;
3. Bibas, S., "Plea bargaining outside the shadow of trial", *Harvard Law Review*, 117(8)/2004, 2463-2547, <https://www.jstor.org/stable/4093305>;
4. Bibas, S., "The hidden law of plea bargaining", *Columbia Law Review*, 118(5)/2019, 1303-1360, <https://columbialawreview.org/content/the-hidden-law-of-plea-bargaining>;
5. Dervan, L. E., & Edkins, V. A., "The innocent defendant's dilemma: An innovative empirical study of plea bargaining's innocence problem", *Journal of Penal Law and Criminology*, 103(1)/2014, p. 01-48, <https://scholarlycommons.law.northwestern.edu/jclc/vol103/iss1/1>;
6. Duce, Mauricio. (2024), "Plea bargaining and the risk of wrongful convictions: A comparative overview", *Research Handbook on Plea Bargaining and Penal Justice*, https://www.academia.edu/121961789/Plea_bargaining_and_the_risk_of_wrongful_convictions_a_comparative_overview;
7. Howe, S. W., "The value of plea bargaining", *Oklahoma Law Review*, 58(4)/2005, p. 599, <https://digitalcommons.law.ou.edu/olr/vol58/iss4/3>;
8. Paolini, G., Kantorowicz-Reznichenko, E., & Voigt, S., "Plea bargaining procedures worldwide: Drivers of introduction and use", *Journal of Empirical Legal Studies*, 2023, <https://doi.org/10.1111/jels.12406>;
9. Rakoff, J. S. (2014), "Why innocent people plead guilty", *The New York Review of Books*, <https://www.nybooks.com/articles/2014/11/20/why-innocent-people-plead-guilty>;
10. Semukhina, O. B., Reynolds, K. M., "Plea bargaining implementation and acceptance in modern Russia: A disconnect between the legal institutions and the citizens", *International Penal Justice Review*, 19(4)/2009, p. 412-441, <https://doi.org/10.1177/1057567709352314>;
11. Sinaga, H. D. P., & Bolifaar, A. H. (2020), "Blockchain adoption for plea bargaining of corporate crime in Indonesia", *Proceedings of the 2020 International Conference on Information Management and Technology (ICIMTech)*, <https://dl.acm.org/doi/10.1145/3390566.3391680>;
12. Thaman, S. C., "Plea-Bargaining, Negotiating Confession and Consensual Resolution of Penal Cases". *Electronic Journal of Comparative Law*, 11(3)/2007;
13. Turner, J. I., "Plea bargaining, discretion, and the legitimacy of criminal law", *Notre Dame Law Review*, 96(3)/2021, 1519-1570, <https://scholarship.law.nd.edu/ndlr/vol96/iss3/2/>;
14. Turner, J. I., "Transparency in plea bargaining", *Notre Dame Law Review*, 96(3)/2021, 973-1032, <https://scholarship.law.nd.edu/ndlr/vol96/iss3/2/>;
15. Vera Institute of Justice (2020), *In the shadows: A review of the research on plea bargaining*, <https://vera-institute.files.svdcdn.com/production/downloads/publications/in-the-shadows-plea-bargaining.pdf>.