

BOOK REVIEW

Federal Criminal Restitution

By Catharine M. Goodwin,
Jay E. Grenig, and Nathan A. Fishbach
Thomson West (2008)
Reviewed by Andy Purdy

Is there any issue left that an attorney can take for granted? If you think that restitution is such an issue, think again. If attorneys did not know it already, the release of *Federal Criminal Restitution*, the handbook by Catharine M. Goodwin, Jay E. Grenig, and Nathan A. Fishbach, assures them that not only is restitution worthy of their attention, it is an issue about which they can use all the help they can get. I recommend you add this handbook to your library. You will not regret it and your clients will be glad you did.

As the authors write in the Preface, “The judicial interpretation of [decades of statutory language regarding restitution] has become more nuanced and the factual settings for the underlying offenses have become more complex.” Significantly and to the benefit of practitioners, the goal of this book is “to present a step-by-step analysis for determining restitution, and to provide a framework for the sequential and logical analysis of restitution issues.” Fortunately, the book also bridges the gap between civil and criminal practice by contrasting “the advantages and disadvantages for the victim of seeking compensation through criminal restitution as opposed to civil litigation.”

The step analysis provides a grounding and compass for the practitioner. It is aptly characterized by the authors as a “narrowing funnel, or flow chart, guiding the analysis from the broadest perspective, that of the offense, down through the range of victims, and then through the victims’ harms, and then focusing ultimately only on those victims’ harms that are statutorily compensable as restitution.” Whether you have a policy or academic interest in restitution, or the imperatives of the practitioner or decision-maker, you will take heart in this resource.

One of the challenges in this subject area, and one of the benefits of the book’s

insights, is the importance of strategic and policy considerations in restitution advocacy. Those who represent victims’ rights and those who defend against those claims — including corporate counsel — will want to read this book and keep it handy as a reference guide.

The authors’ backgrounds — in the trenches of the courtroom, the insight and thoroughness of academia, and the policy and practical perspectives of the Administrative Office of U.S. Courts — are perfectly well-suited to have produced this work that will be a practical guide to effective restitution advocacy and decision-making. ■

About the Reviewer

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