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The Impact of Plea Bargaining on Justice: Examining the Role and Implications of Plea Bargaining in the Criminal Justice System

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ABSTRACT

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Plea bargaining has become a cornerstone of modern criminal justice systems, significantly influencing case outcomes and court efficiency. This research examines the impact of plea bargaining on justice by analyzing its benefits, drawbacks, and broader implications for legal fairness. While proponents argue that plea deals reduce caseloads, expedite case resolution, and provide certainty in outcomes, critics highlight concerns about coerced confessions, unequal bargaining power, and potential miscarriages of justice. This study explores how plea bargaining may compromise the right to a fair trial, particularly for marginalized and underrepresented defendants. By reviewing case studies, empirical data, and legal analyses, the paper assesses whether plea bargaining upholds or undermines the core principles of justice. The research also considers reforms aimed at increasing transparency, ensuring voluntary agreements, and protecting defendant rights. Ultimately, this study provides a nuanced understanding of plea bargaining's dual role as both a pragmatic legal tool and a potential source of systemic inequity, prompting critical evaluation of its place in a just legal system.

Introduction

Plea bargaining is a central yet often contentious component of modern criminal justice systems, particularly in countries like the United States, where it plays a dominant role in resolving criminal cases. At its core, plea bargaining is an agreement between the prosecution and the defense, whereby the defendant agrees to plead guilty to a lesser charge or receive a reduced sentence in exchange for foregoing a trial. This practice, which emerged in the 19th century and gained momentum throughout the 20th century, was originally introduced as a pragmatic solution to increasing caseloads and the need for judicial efficiency. Over time, it has evolved into a widespread and institutionalized mechanism for adjudicating criminal cases, now accounting for the resolution of the vast majority of criminal prosecutions. In many jurisdictions, over 90% of criminal cases are settled through plea deals, underscoring the extent to which the criminal justice system has become reliant on this method of case disposition (Reyna et al., 2025).

The prevalence of plea bargaining has had profound implications for the functioning and perception of the justice system. On one hand, it provides a practical solution to overburdened courts, limited resources, and lengthy trial

processes. By facilitating quicker resolutions, it helps manage caseloads, reduces detention times for defendants awaiting trial, and can offer a degree of certainty for all parties involved. However, the very efficiency that makes plea bargaining appealing also gives rise to significant concerns about fairness, transparency, and the true delivery of justice (Newman, 2024). For defendants, especially those from marginalized or disadvantaged backgrounds, plea deals may be accepted under coercive circumstances—often without a full understanding of the consequences or access to robust legal representation. In some instances, innocent individuals may plead guilty out of fear of receiving harsher penalties at trial, a phenomenon known as the “trial penalty.”

Victims of crime are also impacted by plea bargaining, though their perspectives are not always central to the process. For some, plea deals can provide closure and expedite justice. For others, they may feel excluded from meaningful participation, particularly when the agreement appears to minimize the severity of the offense or disregards their needs for reparation and acknowledgment. Moreover, from a systemic perspective, reliance on plea bargaining can lead to disparities in sentencing, reduce transparency in judicial outcomes, and erode public trust in the legal system’s ability to hold individuals fully accountable through open and fair trials (Gurjar & Singh, 2024.).

These dynamics make the examination of plea bargaining not only necessary but urgent. As its use continues to grow, questions surrounding its impact on justice remain unresolved and controversial. Critics argue that it undermines the right to a fair trial and creates a two-tiered system where justice is negotiated rather than determined through impartial adjudication. Supporters, however, defend it as a necessary compromise in a system strained by limited resources and excessive caseloads. The debate often revolves around a core dilemma: whether plea bargaining serves justice by making the system more efficient or compromises it by sacrificing fairness and due process.

This research seeks to explore the complex role that plea bargaining plays in the criminal justice system, with a focus on its implications for justice at both the individual and institutional levels. Specifically, it aims to address two key questions: What are the implications of plea bargaining on justice, particularly with respect to fairness, equality, and accountability? And how can the practice be improved or reformed to better align with the principles of justice and due process? In pursuing these questions, the study will assess the advantages and drawbacks of plea bargaining from multiple perspectives, including those of defendants, victims, legal professionals, and the broader society. It will also explore potential reforms, such as increased judicial oversight, stricter ethical standards for prosecutors, and greater inclusion of victims’ voices in the negotiation process (Novokmet, 2024).

Ultimately, the goal of this research is to contribute to a more nuanced understanding of how plea bargaining functions within the criminal justice system and to evaluate whether its widespread use promotes or hinders the delivery of justice. By critically examining both its practical benefits and ethical challenges, this study aims to offer informed insights that can guide future policy and practice in the pursuit of a more equitable legal system.

The Role of Plea Bargaining in the Criminal Justice System

Plea bargaining has become a cornerstone of the modern criminal justice system, shaping the resolution of the majority of criminal cases. Rather than proceeding to a full trial, plea bargaining allows defendants and prosecutors to negotiate a mutually agreeable outcome, typically resulting in the defendant pleading guilty to a lesser charge or receiving a reduced sentence. This process often involves intense discussions between the defense attorney and the prosecutor, aiming to find a middle ground that satisfies both legal sides while conserving judicial resources. There are two main types of plea bargains: charge bargaining, where the defendant pleads guilty to a less severe charge than the original, and sentence bargaining, where the defendant agrees to plead guilty in exchange for a lighter sentence. These negotiations can occur at various stages in the judicial process, often before the trial begins but sometimes even during trial proceedings (Junjunan & Lesmana, 2024). The benefits of plea bargaining are significant and often cited as justifications for its widespread use. One of the

primary advantages is the efficiency it brings to the judicial process. Trials are time-consuming, expensive, and resource-intensive. By resolving cases quickly through negotiated pleas, courts can avoid the strain of backlogged dockets, allowing judges and attorneys to focus their efforts on more complex or serious trials. For defendants, plea bargaining introduces an element of predictability into a system that can often be uncertain and intimidating. By agreeing to a plea deal, defendants can avoid the risk of harsher punishment that might result from a guilty verdict at trial. In many instances, plea bargains can also reduce the emotional and psychological toll associated with prolonged legal battles, offering a quicker resolution and an opportunity to move forward (Sullivan, 2024).

Despite these advantages, plea bargaining is not without its critics, and concerns about fairness and justice continue to provoke serious debate. One of the most pressing criticisms is the potential for coercion. Defendants—especially those who are vulnerable, under-informed, or lacking effective legal representation—may feel pressured to accept a plea deal even if they are innocent. The fear of receiving a much harsher sentence if convicted at trial can compel individuals to plead guilty to crimes they did not commit. This dynamic creates a troubling scenario where the emphasis shifts from truth-seeking to expediency, risking wrongful convictions and undermining public confidence in the justice system. The imbalance of power between the state and the defendant can further exacerbate this issue, making it difficult to ensure that plea decisions are truly voluntary and informed (Chin, 2024).

Another major concern is the possibility of unjust outcomes, particularly in cases where the plea deal does not reflect the actual severity or context of the crime. Prosecutors, driven by high caseloads or political pressures, may overcharge defendants initially to gain leverage in plea negotiations. As a result, even with a plea deal, the final conviction may not align with the facts of the case, leaving a permanent criminal record that carries long-term consequences for the defendant. Additionally, reliance on plea bargains can diminish the role of the jury trial, which is a fundamental safeguard in the justice system designed to protect individuals from arbitrary or biased decisions. When most cases are resolved without ever reaching a jury, the opportunity for public scrutiny and transparency in the judicial process is significantly reduced (Reumi & Polontoh, 2024).

In conclusion, plea bargaining plays a central role in the functioning of the criminal justice system, offering practical benefits in terms of efficiency, cost savings, and predictability for those involved. However, these advantages come with significant risks and ethical challenges. The potential for coercion, wrongful convictions, and unfair outcomes highlights the need for careful oversight and reform. Ensuring that plea agreements are truly voluntary, equitable, and consistent with the principles of justice is essential to maintaining the integrity of the legal system. While plea bargaining is unlikely to be eliminated, a more balanced and transparent approach can help address its flaws while preserving its practical value (Langer, 2024).

Implications of Plea Bargaining on Justice

Plea bargaining, as a widely used mechanism in the criminal justice system, carries significant implications for the various stakeholders involved—defendants, victims, and the broader justice system. While it is often justified as a practical solution to manage heavy caseloads and expedite legal proceedings, the deeper effects of plea bargaining reveal a complex intersection of efficiency, fairness, and justice.

For defendants, plea bargaining can have a profound influence on sentencing outcomes. In many cases, it offers the opportunity to receive reduced charges or lighter sentences in exchange for a guilty plea. While this can be advantageous for those seeking to avoid the risk of harsher penalties at trial, it can also pressure innocent individuals to plead guilty out of fear of a more severe sentence if convicted. This dynamic creates a potential tension between expediency and the pursuit of actual justice. Moreover, the focus on negotiating outcomes rather than fully examining the facts in a trial setting may limit the opportunity for true rehabilitation (Paolini, 2024). Without a comprehensive understanding of the defendant's background and the circumstances surrounding the offense, the resolution may not include tailored rehabilitative efforts that could help reduce recidivism.

Additionally, disparities can arise when plea deals vary significantly based on factors such as legal representation, socioeconomic status, race, or jurisdiction. Defendants with access to skilled legal counsel may negotiate more favorable deals, while others may accept harsher terms simply due to inadequate representation or a lack of understanding of their rights (Feeley & Greenspan, 2024).

Victims also experience the effects of plea bargaining, though their role in the process is often limited. In many jurisdictions, victims are not required to be consulted during plea negotiations, which can lead to feelings of exclusion or disregard. When victims are left out of this critical phase, the resolution may not align with their sense of justice or emotional closure. On the other hand, some victims may welcome a plea deal if it ensures a swift resolution and spares them the trauma of testifying in court. Thus, victim satisfaction in plea bargaining is not uniform—it depends largely on the nature of the crime, the victim's expectations, and the extent of their involvement in the decision-making process. The lack of consistent victim input can also influence public perception, as justice is often seen not only through the legal outcomes but also through the satisfaction of those personally affected by crime.

From the standpoint of the justice system, plea bargaining has a significant impact on operational efficiency and resource allocation. Courts rely heavily on plea deals to manage caseloads, reduce trial backlogs, and conserve limited judicial resources. Without plea bargaining, the system would likely be overwhelmed, leading to delayed trials and extended pretrial detentions. However, this dependence raises concerns about whether justice is being sacrificed for the sake of efficiency. The routine nature of plea deals may reduce the incentive to thoroughly investigate and litigate cases, potentially allowing miscarriages of justice to go unchecked. Furthermore, when plea bargaining becomes the norm rather than the exception, it can erode public confidence in the fairness and transparency of the legal system. Citizens may perceive that outcomes are negotiated behind closed doors rather than determined through open, adversarial proceedings. This perception can undermine trust in the system's ability to deliver impartial and just outcomes (McConville, 2024).

Overall, while plea bargaining serves practical needs within the criminal justice system, its implications for justice are far-reaching and complex. It shapes the experiences of defendants, potentially affects victim satisfaction, and fundamentally alters the functioning of the courts. Ensuring that plea bargaining does not compromise the core values of fairness, accountability, and transparency remains a critical challenge. Addressing this requires more consistent oversight, greater inclusion of victims, and safeguards to protect vulnerable defendants. Only through such efforts can the benefits of plea bargaining be balanced against its potential to distort the very principles it seeks to uphold (Duce, 2024).

Challenges and Controversies

Plea bargaining, while a cornerstone of many modern criminal justice systems, presents a host of challenges and controversies that raise critical questions about fairness, equity, and due process. One of the primary concerns centers around the issue of coercion and voluntariness. In theory, plea deals should be the result of informed and voluntary decisions by defendants. However, the power imbalance between prosecutors and defendants often leads to situations where individuals feel pressured to accept a deal regardless of their actual guilt. The threat of receiving a significantly harsher sentence if they go to trial can coerce even innocent defendants into pleading guilty. This dynamic undermines the principle of autonomy and the right to a fair trial, creating a justice process that may prioritize efficiency over truth. Furthermore, prosecutorial misconduct can exacerbate this problem. Prosecutors, wielding considerable discretion, may overcharge defendants or use the plea bargaining process to secure convictions quickly, without sufficient scrutiny or accountability. This lack of checks on prosecutorial power can lead to abuses that compromise the integrity of the judicial system (Li et al., 2024).

Closely tied to the issue of coercion is the problem of disparities and inequalities in the application of plea bargaining. Empirical observations suggest that racial and socioeconomic factors often influence outcomes in the plea process. Defendants from marginalized backgrounds, particularly racial minorities and individuals

living in poverty, are disproportionately affected by the systemic biases embedded within the criminal justice framework. These groups may lack access to quality legal representation and are often more vulnerable to pressure, making them more likely to accept unfavorable plea deals. In contrast, wealthier defendants may have the resources to negotiate better outcomes or afford private counsel who can mount a more robust defense. This creates a two-tiered system where justice is not uniformly applied, and the plea bargaining mechanism becomes a tool that perpetuates existing inequalities rather than correcting them. The cumulative impact on vulnerable populations is profound, leading to higher rates of incarceration, lifelong criminal records, and limited opportunities for social and economic mobility (Moffa et al., 2024).

Another significant area of concern is the lack of transparency and accountability in plea bargaining practices. The process often occurs behind closed doors, with little public scrutiny or formal oversight. Unlike trials, which are conducted in open court and are subject to procedural safeguards, plea negotiations are informal and largely discretionary. This opacity makes it difficult to ensure that deals are fair and consistent across similar cases. Without standardized guidelines or external review, there is a risk that decisions are influenced by subjective factors or expediency rather than justice. The absence of a clear framework also hinders meaningful evaluation of how plea bargaining impacts overall case outcomes and public confidence in the legal system. Calls for reform often emphasize the need for greater transparency, such as the documentation of plea agreements, judicial review of the bargaining process, and the establishment of oversight bodies to monitor prosecutorial behavior and outcomes (Kemp & Varona, 2024).

In summary, while plea bargaining serves an important functional role in managing caseloads and facilitating swift resolutions in the criminal justice system, its implementation is fraught with challenges that undermine its fairness and legitimacy. Coercion, disparities in treatment, and the lack of transparency collectively pose serious threats to the foundational ideals of justice. Addressing these issues requires not only procedural reforms but also a broader commitment to ensuring that plea bargaining does not become a mechanism of convenience at the expense of defendants' rights and societal equity. Efforts to safeguard voluntariness, reduce bias, and enforce accountability must be central to any attempt to refine or reform the plea bargaining process (Zhang et al., 2024).

Reforming Plea Bargaining

Plea bargaining, while a foundational component of many modern criminal justice systems, has long sparked debate due to its potential to undermine fairness and the rights of defendants. As the majority of criminal cases are resolved through plea deals rather than full trials, it becomes essential to ensure that the process aligns with the principles of justice and equity. Recognizing its central role, there has been growing momentum for reform aimed at addressing the systemic imbalances and abuses that can arise in the plea bargaining process. Reforming plea bargaining entails both implementing more robust structural guidelines and introducing innovative practices that protect defendants and enhance public trust in the legal system (Paolini et al., 2025).

One of the key areas for reform is the establishment of improved guidelines, oversight mechanisms, and judicial review. Currently, the discretion afforded to prosecutors during plea negotiations is vast and often unchecked, leading to inconsistencies and potential coercion. Standardized guidelines for offering and accepting plea deals could promote greater consistency and fairness. Oversight bodies could be introduced to monitor prosecutorial conduct and ensure that pleas are offered based on facts and appropriate legal standards, not merely as a means to expedite court dockets. In parallel, enhanced judicial review of plea agreements should be mandated. Judges must play a more active role in evaluating whether a plea deal is entered voluntarily, knowingly, and without undue pressure. Ensuring that each plea is scrutinized through a transparent and standardized judicial process would contribute significantly to protecting the rights of the accused and deterring unethical bargaining practices (Husin & Husin, 2024).

Another crucial reform lies in reinforcing protections for defendants. Many individuals, particularly those from marginalized or economically disadvantaged backgrounds, may accept plea deals without fully understanding

the long-term consequences or without access to competent legal advice. Strengthening the right to effective legal counsel during plea negotiations is a necessary step. Defense attorneys must be given adequate time, resources, and training to advise their clients properly. Additionally, efforts should be made to ensure that defendants are fully informed about the implications of their pleas, including potential collateral consequences such as loss of employment, housing, or immigration status. Measures such as requiring written and video-recorded confirmations that the defendant understands the plea and its consequences can add layers of protection and transparency. These steps can minimize the risk of coerced or uninformed pleas and contribute to more equitable outcomes (Tisdale & Votruba, 2024).

In terms of best practices, various jurisdictions have piloted or adopted successful reforms that could serve as models for broader implementation. Some courts have introduced early plea bargaining systems that bring defense and prosecution together under judicial supervision from the start of the case. This approach fosters a more balanced negotiation environment and reduces the likelihood of coercion. Other jurisdictions have implemented plea-tracking databases that analyze trends, disparities, and outcomes in plea deals, enabling more data-driven oversight and reform. Restorative justice approaches in some communities have also redefined plea negotiations by emphasizing accountability and victim participation rather than just efficiency. These innovative strategies show that it is possible to reconcile the expediency of plea bargaining with the broader goals of justice and fairness (Seseña et al., 2024).

The implications of such reforms are far-reaching for the justice system and all its stakeholders. For defendants, reforms promise greater protection of legal rights and more informed decision-making, particularly for vulnerable populations. For prosecutors and defense attorneys, clearer standards and improved transparency can build public trust and enhance professional accountability. Judges, too, would benefit from clearer guidelines and a more active role in ensuring fairness. Systemically, the adoption of these reforms can help correct racial and socioeconomic disparities that are often magnified in the plea process. A more equitable plea bargaining system could also alleviate some of the burden on overtaxed courts while delivering more just outcomes (Goncalves et al., 2025).

Ultimately, reforming plea bargaining is not about dismantling a tool that has value in managing caseloads and delivering timely justice. Rather, it is about recalibrating the system to better serve the foundational ideals of fairness, transparency, and due process. Through structured guidelines, robust oversight, stronger defendant protections, and innovative practices, plea bargaining can evolve into a mechanism that upholds not undermines justice (Little & Simpson, 2025).

Conclusion and Recommendations

The practice of plea bargaining plays a pivotal role in modern criminal justice systems, shaping not only the outcomes of countless cases but also the broader perception of justice itself. From the analysis undertaken, it is evident that while plea bargaining offers significant practical benefits—such as reducing caseloads, expediting judicial processes, and minimizing court expenses—it also raises critical concerns about fairness, transparency, and the overall integrity of justice. The research highlighted that plea bargaining, in many instances, leads to a compromise between legal efficiency and substantive justice. While it is a pragmatic tool for overloaded court systems, its usage often results in defendants, especially those from marginalized or less-privileged backgrounds, accepting pleas under duress or without fully understanding the implications, sometimes even when they are innocent.

One of the central findings from the examination is the disproportionate influence prosecutors wield in plea negotiations. Given their discretion to offer deals and determine charges, the balance of power tends to skew against defendants, potentially pressuring them into agreements that may not reflect the actual circumstances of the offense or the defendant's culpability. Additionally, the lack of judicial oversight in many plea bargaining processes further exacerbates the risk of unjust outcomes. This scenario can erode public trust in the justice

system, as outcomes may appear to be more a result of negotiation skills than of truth-seeking processes or legal merits. Furthermore, the analysis underscores that victims are often sidelined during plea deals, diminishing their role in the justice process and possibly leaving them dissatisfied with the resolution.

Given these findings, several recommendations emerge for improving the practice of plea bargaining. First, there is a pressing need for increased transparency and judicial oversight in plea negotiations. Ensuring that judges review and approve plea deals with careful scrutiny can help safeguard against coercion and ensure that the deals align with principles of justice. Courts could be required to assess whether the plea is being entered into voluntarily and whether there is a factual basis for the plea. Moreover, defense attorneys must be adequately equipped and resourced to provide competent legal counsel during plea negotiations. This includes proper training on ethical considerations and client rights, particularly when dealing with vulnerable defendants who may not fully comprehend the legal consequences of their decisions.

Second, to address the imbalance of power, prosecutorial discretion should be subject to clearer guidelines and accountability measures. By establishing standardized practices and perhaps even external oversight bodies, the justice system can mitigate the risks of arbitrary or discriminatory plea offerings. Alongside this, there should be a formal mechanism for victims to be informed and, when appropriate, to express their views on the plea agreement before it is finalized. This can help reintroduce a sense of participatory justice that is often lost in negotiated settlements.

Another area for reform is the creation and implementation of data-driven monitoring systems to evaluate the long-term outcomes of plea bargains. This includes tracking rates of recidivism, disparities in sentencing across different demographics, and patterns in prosecutorial behavior. Such data can inform continuous improvements and policy decisions while enabling more robust public accountability. In the realm of legal scholarship, further research should focus on comparative analyses of plea bargaining practices across jurisdictions to identify best practices and adaptable models. Interdisciplinary studies involving psychology, sociology, and criminology could also provide insights into how plea bargaining affects decision-making, perceptions of justice, and reintegration post-sentencing.

Ultimately, any reform efforts must aim to strike a balance between efficiency, fairness, and justice. While the expediency of plea bargaining is vital for the sustainability of court systems, it must not come at the cost of the core principles of due process and equality before the law. Fairness must be ensured not just procedurally but substantively, such that outcomes are perceived as just by all parties involved. Maintaining this balance requires constant vigilance, ethical commitment, and a willingness to adapt legal practices to evolving societal standards and understandings of justice.

In conclusion, while plea bargaining serves as a cornerstone of modern judicial efficiency, its implications on justice are profound and multifaceted. Addressing its limitations demands systemic reforms that enhance oversight, protect the rights of all stakeholders, and foster greater transparency. Only through such reforms can plea bargaining evolve from a mechanism of convenience to a truly equitable component of the criminal justice system—one that upholds the rule of law while respecting the dignity and rights of every individual it touches.

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