

GRAND RAPIDS BAR ASSOCIATION

PROPOSED RESOLUTION

WHEREAS, the United States Supreme Court's 1963 decision in *Gideon v Wainwright* imposed on the states the responsibility for providing counsel to indigent persons in any case that may result in a loss of liberty;

WHEREAS, the State of Michigan has abdicated this responsibility by placing the burden of providing counsel on its counties, providing virtually no state funding, or fiscal or administrative oversight;

WHEREAS, leaving counties responsible for the funding and administration of their public defense delivery systems places an undue hardship on many counties and results in an uneven quality of justice statewide;

WHEREAS, the State of Michigan's failure to provide fair and equal justice results in inadequate representation, wrongful convictions, improper sentencing, jeopardized public safety, and mismanagement of taxpayer dollars;

WHEREAS, the *Eleven Principles of a Public Defense Delivery System* (attached) were adopted by the Michigan Public Defense Taskforce in 2002, and by the State Bar of Michigan's Representative Assembly in 2002, and serve as the fundamental standards for a public defense delivery system to provide effective, efficient, quality, and ethical representation to those in criminal proceedings who cannot afford to hire an attorney;

WHEREAS, in Kent County the Public Defense Delivery System meets the *Eleven Principles* but does so without any resources from the state, relying solely on county funding and the integrity of those lawyers who undertake the representation of indigent defendants;

WHEREAS, Kent County has attempted to provide adequate funding and the financial strains on the Public Defense Delivery System will only continue without adequate state funding;

BE IT RESOLVED that the Grand Rapids Bar Association supports the *Eleven Principles* of a Public Delivery System and adequate state funding for all counties.

Dated: _____

Matthew L. Vicari, President