

R E S O L U T I O N

1 WHEREAS, March 18, 2023, marks the 60th anniversary of the
2 landmark Supreme Court ruling in Gideon v. Wainwright, which found
3 that under the United States Constitution, state courts must
4 provide attorneys to indigent defendants in all felony cases; and

5 WHEREAS, In Gideon v. Wainwright, the United States Supreme
6 Court reaffirmed the right of defendants to a fair trial and
7 recognized that our adversarial system of criminal justice depends
8 upon a fair contest between the prosecution and the defense, and
9 this contest is an effective means of arriving at just results only
10 when both the prosecution and the defense are adequately prepared
11 and equipped to present their case effectively under the law; and

12 WHEREAS, Because the assistance of counsel is essential to
13 effectuate a meaningful defense when faced with prosecution by the
14 state, the 77th Legislature passed the Fair Defense Act of 2001 to
15 better ensure that the constitutional rights of all Texans would be
16 more reliably safeguarded; and

17 WHEREAS, That Act established the Task Force on Indigent
18 Defense, which was elevated to permanent agency status as the Texas
19 Indigent Defense Commission, to ensure the rights guaranteed in
20 Gideon, with the task force and the commission enabling many more
21 people to receive public defense services and earlier access to
22 counsel, while also improving the quality of legal assistance
23 provided; and

24 WHEREAS, The commission provides technical support to

1 counties to develop and maintain quality, cost-effective public
2 defense systems and offers financial assistance to meet the new
3 requirements and to foster innovation in the way public defense
4 services are provided; state grant funds administered by the
5 commission have led to the creation of several new public defender
6 offices and managed assigned counsel programs to provide public
7 defense services in more than 70 counties; and

8 WHEREAS, Affirming essential principles of fairness and
9 justice, the commission plays a crucial role in guaranteeing access
10 to counsel for all; now, therefore, be it

11 RESOLVED, That the House of Representatives of the 88th
12 Legislature hereby commemorates the 60th anniversary of Gideon v.
13 Wainwright and commends the Indigent Defense Commission on its work
14 to improve the administration of justice in this.

Smith

H.R. No. 579

Speaker of the House

I certify that H.R. No. 579 was adopted by the House on March 16, 2023, by a non-record vote.

Chief Clerk of the House