

R E S O L U T I O N

1 WHEREAS, March 18, 2025, marks the 62nd 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 unanimously reaffirmed the right of defendants to a fair
7 trial and recognized that our adversarial system of criminal
8 justice depends upon a fair contest between the prosecution and the
9 defense, and that this contest is an effective means of arriving at
10 just results only when both the prosecution and the defense are
11 adequately prepared and equipped to present their case effectively
12 under the law; and

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

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

1 WHEREAS, The commission also provides technical support to
2 counties to develop and maintain quality, cost-effective public
3 defense systems and offers financial assistance to meet the new
4 requirements and to foster innovation in the way that public
5 defense services are provided; state grant funds administered by
6 the commission have led to the creation of many new public defender
7 offices and managed assigned counsel programs to provide public
8 defense services in more than 82 counties, and the commission is
9 actively working to address the rural attorney shortage crisis by
10 establishing more rural regional public defender offices; and

11 WHEREAS, *Gideon v. Wainwright* marked a turning point in
12 American jurisprudence, and by affirming essential principles of
13 fairness and justice, the decision has played a crucial role in
14 guaranteeing access to counsel for all; now, therefore, be it

15 RESOLVED, That the House of Representatives of the 89th Texas
16 Legislature hereby commemorate the 62nd anniversary of *Gideon*
17 *v. Wainwright* and commend the Texas Indigent Defense Commission on
18 its work to improve the administration of justice in this state.

Smithee

H.R. No. 572

Speaker of the House

I certify that H.R. No. 572 was adopted by the House on April 17, 2025, by the following vote: Yeas 132, Nays 8, 2 present, not voting.

Chief Clerk of the House