

By: Zaffirini

S.R. No. 264

#### SENATE RESOLUTION

WHEREAS, March 18, 2025, marks the 62nd anniversary of the landmark Supreme Court ruling in *Gideon v. Wainwright*, which found that under the United States Constitution, state courts must provide attorneys to indigent defendants in all felony cases; and

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

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

WHEREAS, That Act established the Task Force on Indigent Defense, which was elevated to permanent agency status as the Texas Indigent Defense Commission, to ensure the rights guaranteed in *Gideon v. Wainwright*, with the task force and the commission enabling many more people to receive public defense

services and earlier access to counsel, while also improving the quality of legal assistance provided; and

WHEREAS, The commission provides technical support to counties to develop and maintain quality, cost-effective public defense systems and offers financial assistance to meet the new requirements and to foster innovation in the way public defense services are provided; state grant funds administered by the commission have led to the creation of many new public defender offices and managed assigned counsel programs to provide public defense services in more than 82 counties; and

WHEREAS, The commission is actively working to address the rural attorney shortage crisis by establishing more rural regional public defender offices; by affirming essential principles of fairness and justice, the commission plays a crucial role in guaranteeing access to counsel for all; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 89th Legislature, hereby commemorate the 62nd anniversary of *Gideon v. Wainwright* and commend the Texas Indigent Defense Fund on its work to improve the administration of justice in this state.