

# CDAM

## Criminal Defense Attorneys of Michigan

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### Resolution

WHEREAS, the United States Supreme Court's 1963 decision in *Gideon v. Wainwright* recognized the states' responsibility to provide counsel to indigent persons in criminal proceedings that may result in a loss of liberty;

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

WHEREAS, making counties responsible for the provision, funding and administration of a public defense delivery system 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 funding of public defense has resulted 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 are the fundamental standards for a public defense delivery system which provides effective, efficient, competent, and ethical representation to persons in criminal proceedings who are deemed to be indigent;

WHEREAS, Michigan's trial-level public defense delivery systems currently fails to meet the Eleven Principles;

WHEREAS, Michigan's failing public defense delivery system must be reformed so that it provides fair and equal justice to everyone, maximizes public safety, and uses taxpayer dollars efficiently;

BE IT RESOLVED that the Criminal Defense Attorneys of Michigan supports the establishment of a state-funded public defense delivery system in Michigan that complies with the ELEVEN PRINCIPLES OF A PUBLIC DEFENSE DELIVERY SYSTEM.

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Adopted by the CDAM Board of Directors, November 13, 2008  
/s/ Margaret Sind Raben, President