

# STATE OF NORTH DAKOTA

## PROCLAMATION

### PUBLIC DEFENDER DAY

MARCH 18, 2020

WHEREAS, North Dakota values every one of its inhabitants, and all citizens are entitled to legal counsel when facing criminal charges, regardless of their ability to pay; and

WHEREAS, 57 years ago, Clarence Earl Gideon was charged with a crime, could not afford to hire a lawyer, and upon being tried without counsel was convicted and sentenced to five years in state prison; and

WHEREAS, Gideon submitted a handwritten petition to the United States Supreme Court, arguing that the United States Constitution bars states from sending poor people to prison without legal representation; and

WHEREAS, on March 18, 1963, the U.S. Supreme Court unanimously ruled Gideon's conviction and prison sentence violated the Sixth and Fourteenth amendments to the United States Constitution because he was not provided a lawyer; and on May 15, 1967, the Supreme Court further established the constitutional right to counsel for juveniles in delinquency proceedings in re Gault; and

WHEREAS, as a result of the Gideon and Gault decisions, all states now provide counsel to people facing criminal convictions and imprisonment who cannot afford a lawyer; and

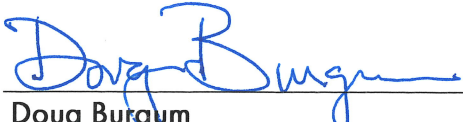
WHEREAS, since statehood North Dakota statutes have required appointment of counsel at public expense for indigents; and the North Dakota Commission on Legal Counsel for Indigents was legislatively established in 2005 to manage the delivery of indigent defense services in North Dakota; and


WHEREAS, the Commission on Legal Counsel's public defenders, administrative staff and contract counsel work tirelessly to meet the needs of clients; and

WHEREAS, public defenders, staff and contract counsel are essential to a fair and equal justice system under the United States' and North Dakota's constitutions.

NOW, THEREFORE, as Governor of the State of North Dakota, I do hereby proclaim  
March 18, 2020, PUBLIC DEFENDER DAY in the State of North Dakota.



  
Doug Burgum  
GOVERNOR

ATTEST:   
Alvin A. Jaeger  
SECRETARY OF STATE