

Lafayette Daily Advertiser – 4/22/05,

“Plan for Reform of Indigent Defender Program Offered”

A task force appointed by the governor has arrived at what it considers to be methods of improving Louisiana's highly criticized indigent defender program. The program is asserted to be so bad that it unconstitutionally denies justice to the poor.

At the heart of the plan by the task force is a move to create an agency to oversee all public defenders in the state. Through legislative action, the task force would establish a new mission for the Louisiana Indigent Defense Assistance Board. It would move toward hiring, training and overseeing public defenders instead of simply struggling to fund the program.

Reform of the program is urgent. The National Legal Aid and Defenders Association says Louisiana's public defenders are often so overworked that they are unable to confer with their clients until shortly before a trial. A state Supreme Court decision now allows judges to halt a criminal trial if the defendant's counsel is not adequately supported.

Louisiana has the highest poverty rate in the nation, which accounts for the massive number of people who cannot afford attorneys. State government goes from one budget crisis to another, which explains the inadequate funding for the indigent defenders.

Gov. Kathleen Blanco added \$1.5 million to the budget of the agency responsible for dispensing funds to local indigent defenders boards. The problem is such, however, that more money is needed to relieve the overpowering load on local public defenders. National experts have told the task force that the state would have to pay about \$55 million per year to fund a reasonable indigent defense system. In these troubled economic times, reform will not happen quickly, but if Louisiana is going to uphold the right of all citizens to a fair trial, it must happen. In connection with the Supreme Court ruling on adequate representation, Justice Jeffrey P. Victory of Shreveport wrote that the duty of funding a working indigent defense system falls "squarely on the shoulders of the Legislature. ... The Legislature may be in breach of that duty."

The task force has made progress. Its first recommendations are not the total answer, but the forward movement must continue.