



In Gideon's Footsteps: The Ongoing Pursuit of Equal Justice for All

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Figure 1 Attorney General Eric Holder, Supreme Court Justice Elana Kagan and Former Vice President Walter Mondale discuss the legacy of the Gideon v. Wainwright case during a panel discussion at The Department of Justice.

Fifty years ago, this week, the Supreme Court issued its landmark decision in *Gideon v. Wainwright* – a decision that would forever change the criminal justice system of the United States.

In June of 1961, Clarence Earl Gideon was charged with breaking and entering with the intention of petty theft at the Bay Harbor Pool Room in Panama City, Florida. Unable to afford representation, Gideon petitioned the State of Florida for appointed counsel, but his request was denied. He was forced to provide his own defense and Gideon was found guilty. He appealed to the Florida Supreme Court. Denied, but undeterred, he wrote – in pencil and on prison stationery – another petition, this time to the U.S. Supreme Court.

In June of 1962, the Supreme Court granted Gideon’s petition. The following year on March, 18 1983, the Supreme Court ruled unanimously in Gideon’s favor. The Supreme Court’s decision affirmed that every defendant charged with a serious crime has the constitutional right to counsel, regardless of his or her financial resources. The case marked a momentous step in the United States’ pursuit of equality in the justice system.

The Department of Justice was pleased to host a commemorative event for the 50th Anniversary of *Gideon v. Wainwright*. Attorney General Eric Holder spoke passionately about the legacy of *Gideon*. He was then joined by former Vice President Walter Mondale and U.S. Supreme Court Justice Elena Kagan for a panel discussion on the topic.

Attorney General Eric Holder paid homage to the landmark decision and recognized its continued impact, as he noted the event served as a reminder of the work that remains unfinished:

“...Despite half a century of progress – even today, in 2013, far too many Americans struggle to gain access to the legal assistance they need. And far too many children and adults routinely enter our juvenile and criminal justice systems with little understanding of the rights to which they’re entitled, the charges against them, or the potential sentences they may face.”

The Justice Department is taking action to reduce these instances of inaccessible—or inadequate—legal representation for the citizens most in need. In fact, Attorney General Holder announced on at the event that the department will offer \$1.8 million to the cause of strengthening America’s public defense system. This comes in addition to the ongoing efforts of the Access to Justice Initiative, established by Attorney General Holder in 2010 to assure that quality legal representation is accessible to even the most vulnerable citizens, and other government and independent organizations with which the Justice Department is coordinating.

Both Attorney General Holder and Acting Senior Counselor for the Access to Justice Initiative Deborah Leff have cautioned on the unfortunate consequences that sequestration, which cut more than \$1.6 billion from the Justice Department’s budget, will have on the work to advance Gideon’s cause. Nevertheless, in her speech to the American Constitution Society for Law and Policy Convening, Acting Senior Counselor Leff said:

“...Despite the strains that we are going through and the cutbacks we are making, the Department of Justice is continuing its support for indigent-defense projects, because fulfilling Gideon’s legacy and ensuring the constitutional right to counsel are central to our mission.”

The anniversary of *Gideon v. Wainwright* should inspire all American citizens to reflect upon the significance of a justice system that grants each defendant the right to quality counsel, regardless of their financial circumstances.

In closing remarks, Attorney General Holder said:

“In the end, this may be the single most important legacy of Gideon: that it serves as a reminder of the obligation entrusted to every legal professional – not merely to serve clients or win cases, but to do justice. It stands as a testament to the fact that the structures and mechanisms of our legal system, far from being etched in stone, remain works in progress. And it’s a powerful example of how – in this great country – even the humblest hands can help to bend the arc of history just a little further toward justice.”

For more information about the department’s efforts to ensure effective legal assistance for all persons charged with crimes visit [justice.gov/atj/gideon](https://www.justice.gov/atj/gideon).