



## **Administrative Office of the Courts**

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### **Press Release**

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**For Immediate Release**

### **Georgia's Indigent Defense Commission Accepts Study of Legal Rights of Poor Defendants Charged with Misdemeanors**

**Atlanta, June 9, 2003:** The Chief Justice's Commission on Indigent Defense has accepted a study on the legal representation offered to poor defendants in Georgia who face misdemeanor charges that carry the possibility of imprisonment. It was prepared by The Spangenberg Group, a nationally recognized consulting firm in West Newton, Mass.

The Commission requested the study following the U.S. Supreme Court's ruling in the case of *Alabama v. Shelton*, which held that a person who receives a suspended or probated sentence that can lead to imprisonment has a constitutional right to legal counsel. Suspended or probated sentences are frequently handed down in misdemeanor cases, tried mainly in Georgia's lower courts, such as state, municipal, magistrates and probate courts, though superior courts may hear such cases in counties lacking state courts. These courts hear thousands of cases each year involving misdemeanors such as traffic violations and bad checks.

The study finds that many Georgia courts are doing a good job in trying to deal with the effects of the Supreme Court's decision, even though it may prolong court proceedings. However, judges are also anxious for guidance on how to comply with the ruling in a cost-effective and efficient manner, given the complexities of Georgia's court system. The Commission will hold further hearings before issuing its own report.

This is believed to be the first study of the effects of the ruling in any state, according to The Spangenberg Group. The complete study, *Status of Indigent Defense in Georgia: A Study for Chief Justice's Commission on Indigent Defense Part II: Analysis of Implementing Alabama v. Shelton in Georgia*, can be found on [www.georgiacourts.org](http://www.georgiacourts.org), the website of the Administrative Office of the Courts of Georgia, which provides administrative support to the Commission.

It follows a previous study that formed the basis for the Commission's first report on the status of indigent defense in Georgia. That report led to legislation to create a new Georgia Public Defender Standards Council that will for the first time create statewide standards for the representation of individuals too poor to afford their own lawyers in Georgia's superior and juvenile courts. The legislation was hailed as a landmark for the state.

The Administrative Office of the Courts of Georgia (AOC), a state agency, provides support services to the judiciary for the efficient operation of the courts.

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