

ADVERTISEMENT

Editorial: Case grows clearer: Justice system fails the indigent

11:55 PM, Jan. 31, 2011 | 3 Comments

FILED UNDER

Opinion Editorials

A lack of state standards and little oversight over criminal defense services for the indigent, along with shamefully low pay for court-appointed attorneys, have made Michigan a McJustice state that fails to meet constitutional standards.

The system cannot be fixed by the current hodgepodge of poorly funded county programs. They now dispense discount justice with low-bid contracts or inadequate fixed fees for exams, pleas, motions and other legal tasks, regardless of how long court-appointed attorneys work. Attorneys too often settle for wages comparable to fast-food workers' or take more cases than they can competently handle.

Michigan must establish uniform standards and oversight of its public defense system -- and assure adequate funding. It is now one of only a handful of states that rely almost entirely on counties to pay for and run their public defender systems.

Shifting public defense spending from local governments to the state; creating, measuring and enforcing statewide standards for indigent defense; and adequately funding such a system were among the most important recommendations unveiled last week in a sweeping report on how to overhaul Michigan's court system.

"Delivering Justice in the Face of Diminishing Resources" summarizes the conclusions of the Judicial Crossroads Task Force of the State Bar of Michigan, a group of 125 lawyers, judges and criminal justice experts that has been studying how to create a more efficient and accessible court.

Michigan now ranks near the nation's bottom in per capita spending on indigent defense. The report notes that fixing the system won't be cheap but notes that "the cost of not fixing it is even greater."

Twitter
 Facebook
 Share
 Email
 Print
 A A A +

ADVERTISEMENT

TOP STORIES

[Snyder study ties state money woes to outsized public wages -](#)

[Storm to bring 12 inches of snow; tips to cope -](#)

[Dearborn mosque plot: How bar owner spotted the suspect -](#)

[SEE ALL TOP STORIES](#)

MOST POPULAR

1. [Storm to bring 12 inches of snow; tips to cope](#)
2. [Recruiting: Michigan focuses on six remaining targets for 2011 class](#)
3. [Dearborn mosque plot: How bar owner spotted the suspect](#)
4. [Snyder study ties state money woes to outsized public wages](#)
5. [Michigan boy, 8, killed in sledding accident](#)



[Baker's Keyboard Lounge through the years](#)



[Michigan's 2011 recruiting class](#)



[Detroit police video of precinct shoot-out](#)

MOST COMMENTED

[Snyder in financial report: State workers make twice as much as those in private sector](#) 286

[Sikh students can wear dagger in Plymouth-Canton schools, but with modifications](#) 240

[Massive snowstorm could dump 15 inches on region](#) 208

The Bar task force's recommendations on indigent defense -- the results of 18 months' work -- are in line with those made by the Michigan Campaign for Justice.

Unfortunately, a long line of governors and legislators in Michigan have looked the other way. When innocent people are convicted and others are convicted of unjustifiably serious offenses, it should concern everyone -- especially taxpayers who foot the bill for unnecessary incarceration. Getting it right at trial time is especially important today, when appellate courts practically rubber-stamp criminal convictions.

It's the state's responsibility to ensure that constitutional standards for indigent defense are met. Now that those who know the criminal justice system's shortcomings most intimately have shown them how, it's time for Michigan legislators and governor to act.

[Comments\(3\)](#) | [Share your thoughts »](#)

RELATED STORIES

MORE OPINION HEADLINES

[Guest Commentary: To boost economy, invest in science, tech education](#)

[Letters: Avoid fines; never drink and drive](#)

Selected for you by a sponsor:

METROMIX



Pics: Ferndale Blues Festival

More from Metromix

MOST POPULAR

1. Massive snowstorm could dump 15 inches on region
2. Football prospects who are still considering Michigan
3. Watch video released by Detroit police showing police station gun battle
4. Snyder in financial report: State workers make twice as much as those in private sector
5. Lions' Shaun Hill's dad dies after a fall at QB's home
6. State Police are analyzing bullets that may be tied to I-696 gunfire
7. Child pornography prosecutors: Victims are getting

SUBSCRIBE!



Sign up for home delivery today.

HIGH SCHOOL SPORTS

- Mick McCabe's boys, girls basketball rankings Jan. 31 roundup: Farmington Hills Mercy gets big win
- Mick McCabe: Matt Costello propels Bay City Western into top 10
- Mick McCabe: 'Ladies first' works for basketball doubleheaders
- Jan. 29 roundup: Divine Child boys, Country Day girls winners
- Eagles roll past Tractors for 10th victory

More from detroit.highschoolsports.net





LOCAL NEWS

- [Detroit](#)
- [Metro Detroit](#)
- [Wayne County](#)
- [Oakland County](#)
- [Macomb County](#)
- [Michigan](#)
- [Politics & government](#)
- [Rochelle Riley](#)

LIFE

- [Food](#)
- [Travel](#)
- [Health](#)
- [Shopping](#)
- [Crossword puzzle](#)
- [Comics](#)
- [Books](#)
- [Technology](#)
- [Relationships](#)
- [Detroit.MomsLikeMe.com](#)

SPORTS

- [Lions](#)
- [Tigers](#)
- [Red Wings](#)
- [Pistons](#)
- [Wolverines](#)
- [Spartans](#)
- [High School Sports](#)
- [Mitch Albom](#)
- [Michael Rosenberg](#)
- [Drew Sharp](#)
- [Free Press marathon](#)
- [Outdoors](#)

ENTERTAINMENT

- [Detroit Metromix](#)
- [Music](#)
- [Restaurants](#)
- [Movies](#)
- [Arts](#)
- [TV and radio](#)
- [Names & Faces](#)

AUTOS/BIZ

- [Auto news](#)
- [Auto reviews](#)
- [General Motors](#)
- [Ford](#)
- [Chrysler](#)
- [Detroit auto show](#)
- [Tom Walsh](#)
- [Mark Phelan](#)
- [Sarah A. Webster](#)
- [Susan Tompor](#)
- [Real estate](#)
- [Michigan business](#)

OBITS

- [Death Notices](#)
- [Submit a Death Notice](#)

CLASSIFIEDS

- [Cars](#)
- [Homes](#)
- [Jobs](#)
- [Rentals](#)
- [Shopping](#)
- [Advertise](#)

OPINION

- [Editorials](#)
- [Letters to the editor](#)
- [Commentary](#)
- [Mike Thompson cartoons](#)
- [Stephen Henderson](#)
- [Ron Dzwonkowski](#)
- [Brian Dickerson](#)
- [Editorial page blog](#)
- [Columnists](#)
- [MitchAlbom.com](#)

HELP

- [Advertise](#)
- [Archives](#)
- [Contact Us](#)
- [Subscriber services](#)
- [e-Edition](#)

FOLLOW US

- [Twitter](#)
- [Facebook](#)
- [Mobile](#)
- [RSS](#)
- [E-mail Alerts](#)
- [Text Alerts](#)

News | Jobs | Cars for Sale | Homes for Sale | Apartments for Rent | Real Estate | Shopping | Mom Groups



Copyright © 2011 www.freep.com. All rights reserved.

Users of this site agree to the [Terms of Service](#), [Privacy Notice](#), and [Ad Choices](#)