



EXHIBIT A



Reports from Members

- In the City of St. Louis, Missouri, there are no attorneys provided for 70% of persons charged with misdemeanors.
- In all Missouri counties, the public defender is statutorily prohibited from representing indigent defendants, leaving virtually all defendants without counsel.
- In New Mexico, there are few lawyers being appointed for persons charged with municipal court violations, though persons routinely receive 6 month jail sentences.
- In New Orleans, Louisiana, the prosecutor routinely engages in uncounseled pleas prior to the defendant waiving his or her right to counsel. These unrepresented indigent defendants are then jailed when they are unable to pay the fine. Public defenders who are appointed in municipal court routinely carry caseloads in excess of 2,000.
- In Mississippi, appointment of counsel is “routinely” denied. Contempt and jail are routinely used to punish failure to pay. In fact, in Jackson, Mississippi, judges often use the term “pay or stay.” In Jackson, Mississippi, persons are routinely found guilty in absentia, and a warrant is issued, they are arrested, charged with contempt for failure to pay the fine and then jailed. There are many lower courts in the state that have no lawyers practicing in them and guilty pleas last a matter of seconds.
- In Colorado, with the exception of two jurisdictions, there are no lawyers in municipal court, and persons routinely go to jail for unpaid fines.
- In Kentucky, public defenders are representing only about 32% of the people charged with misdemeanors. Most of the remaining 68% of the people charged with misdemeanors are unrepresented and either engage in plea agreements with the prosecutor before waiving their right to counsel, or enter a naked plea to the court unaware of the consequences.
- In Lincoln, Nebraska, there is no counsel provided if the judge has no intent to jail. These uncounseled persons are then jailed if they fail to pay fines and fees. People lose their driver’s licenses when they fail to pay a traffic fine, with life altering consequences, such as loss of employment and housing.
- In South Carolina, there are no public defenders in 6 of the 46 counties in misdemeanor courts, and there are no public defenders in any municipal court.
- In North Carolina, Class 3 misdemeanors result in a fine only, but those persons are then routinely jailed for failure to pay the fine.
- In Augusta, Georgia, no lawyers are provided for probation revocations for failure to pay fines, and persons are routinely jailed for failure to pay the fine.
- In Birmingham, Alabama, no lawyers are appointed for the bad check docket, and persons are routinely jailed when they fail to pay restitution and attendant fees and fines.

- In Idaho, few persons charged with misdemeanors have counsel.
- In Iowa, public defenders handle only about 15% of the misdemeanor docket.
- In Arkansas, persons charged with misdemeanors are charged \$400 for the services of a public defender.
- In Nashville, Tennessee, 54% of the misdemeanants have no lawyer.
- In South Dakota, in only 1 of 62 counties does a public defender appear at first appearances.
- In Virginia, a person loses his or her driver's license for the failure to pay a fine, with life altering consequences, such as loss of employment and housing.
- In Florida, there is no lawyer provided for cases where jail time is not going to be imposed, and jail is routinely imposed for failure to pay the fine.

