

GIDEON V. WAINWRIGHT:
PROTECTING THE RIGHT TO COUNSEL

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Process Paper

Legal cases are always very interesting and influential, so that's where I began my search for a topic. *Miranda v. Arizona* intrigued me, but my teacher recommended the *Gideon v. Wainwright* case because it started in Panama City, not far from where I live. As I researched this topic, I became astonished at how impactful the case was yet how little most people know about it. I chose the *Gideon* case to raise awareness of the powerful decision.

During the research phase, I collected several books on *Gideon v. Wainwright* and on the Supreme Court in general. These were great sources for specific, detailed information. Website articles proved to be helpful at summarizing and explaining key points, but beyond that they were not very useful. I did, however, discover many digital primary sources online such as articles and film. I also visited many of the sites of the *Gideon* case in Panama City, including the location of the poolroom where the crime happened and the courthouse where Gideon was tried. Most importantly, I interviewed all three of the prominent figures from the case who are still alive: Louie Wainwright (respondent), Bruce Jacob (Wainwright's attorney), and Abe Krash (assistant to Gideon's attorney). For comprehension help, I interviewed Nancy Daniels, a public defender, and Samuel Wiseman, a law professor.

I chose to present my research using a website because I believe this is one of the best tools for learning. A website is like an essay, a documentary, and an exhibit all in one. Visitors can not only read about the subject, but also experience it using media and interactive content. I wanted to create an entry that would teach the subject rather than just display it, so every square inch of my website is filled with elements designed to make it easier to learn. I used the NHD Weebly portal to make the website, but I also integrated my own coding and skills to create more dynamic content. All of this helped me make an attractive and highly educational website.

The Supreme Court's decision in *Gideon v. Wainwright* guaranteed the right to counsel for all indigent defendants charged with felonies and put the responsibility on states to ensure that these rights were recognized. The Constitution says that "in all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defence." However, before the *Gideon* case, poor citizens

did *not* enjoy this right. If a person couldn't afford an attorney, he had to defend himself. The Court found that counsel was a fundamental right necessary for a fair trial. States now had the responsibility of setting up public defender systems (or acceptable alternatives) to provide indigent defendants with this right, and prosecutors have the responsibility of presenting sufficient evidence and strong, just cases. This makes the legal system substantially fairer.