



Supreme Court of Illinois

March 18, 2022

Statement from Chief Justice Anne M. Burke on the 59th Anniversary of *Gideon v. Wainwright*

Today we mark the 59th Anniversary of the U.S. Supreme Court's momentous decision that the Sixth Amendment of the U.S. Constitution requires states to provide attorneys for criminal defendants who cannot afford their own representation. Here in Illinois that determination remains a work in progress. The Illinois Supreme Court commissioned the Sixth Amendment Center to study indigent defense in our state. Their findings, [published in June 2021](#), detail a key shortcoming: that the state has delegated to the counties the responsibility for providing and overseeing attorneys to effectively represent indigent defendants. Because resources at the county level vary greatly, Illinois is without a mechanism to ensure adequate and effective assistance of counsel for indigent defendants exists across our state.

As Illinois approaches the January 1, 2023, date on which cash bail is abolished, it is imperative that all defendants have access to effective assistance of counsel prior to their initial bail hearings. The Court is committed to working with the legislature, all stakeholders and justice partners, including indigent defense counsel across Illinois, to ensure the critical recommendations of the Sixth Amendment Center are realized. Until that happens, the promise of *Gideon*, will be governed by the resources available in the county where a defendant is arrested.