

# THE RIGHT TO COUNSEL IN OREGON

Report of Findings and Recommendations



## SIXTH AMENDMENT CENTER

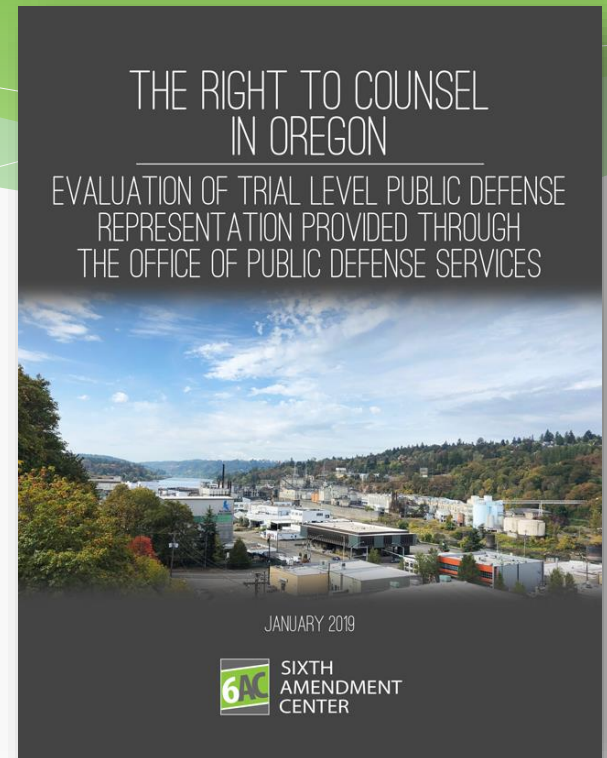
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# FINDINGS

1. Complex bureaucracy, little oversight
2. Flat fee compensation
3. PDSC lacks independence
4. No authority over justice & municipal courts

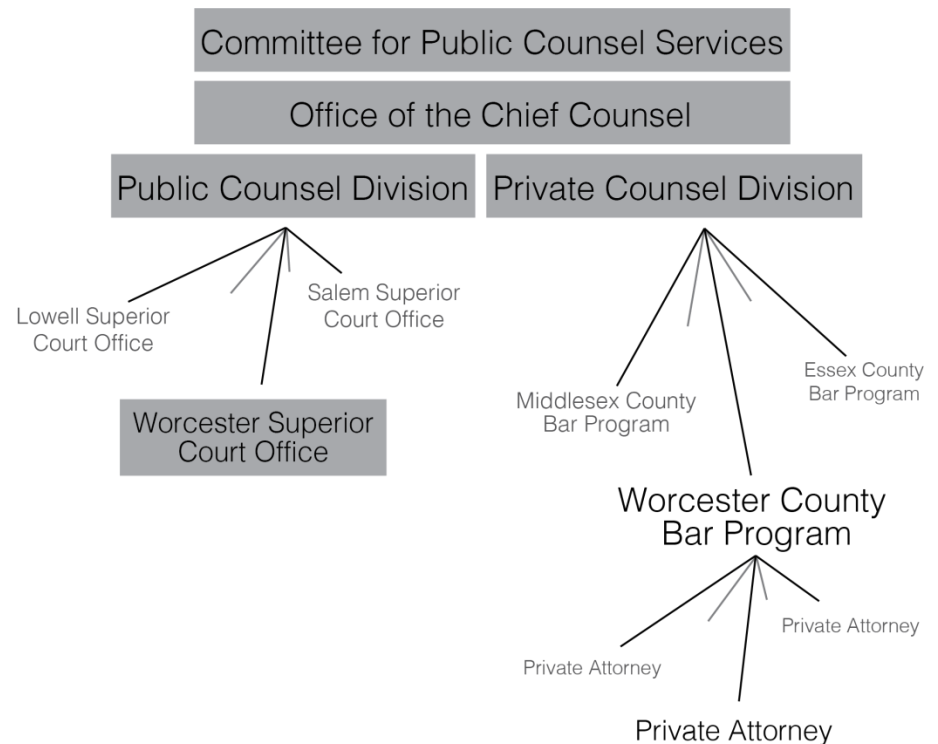


# Composition & Authority

- Independence: equal appointment by all three branches of government
- Commission should be 9 to 13 members
- No current judges, prosecutors, defense attorneys, law enforcement
- Diversity of constituencies represented on PDSC
- Broad standards-setting authority
- Oversight of all courts statewide

# MIXED Public/Private SYSTEM

- Abolish fixed fee contracting
- Hourly rate: actual overhead + reasonable fee
- Governmental public defender offices



# Gideon v. wainwright

“The right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries, but it is in ours.”