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**RESOLUTION IN SUPPORT OF THE
PROVISION AND COMPENSATION OF CONFLICT COUNSEL FOR INDIGENTS
November 29, 2011**

WHEREAS, the right to legal representation is a primary value of our individual liberties;

WHEREAS, providing full and effective legal representation to the indigent improves the system of justice in the United States, promotes standards of professionalism and enhances public perception and confidence in the courts and the quality of justice rendered by the court system;

WHEREAS, counsel provided to indigent defendants must be conflict-free and properly compensated in order for justice to be achieved;

WHEREAS, the American Bar Association's *Ten Principles of a Public Defense Delivery System* (2002) contain the most widely accepted and cited standards for the establishment and administration of public defense systems in the country. U.S. Attorney General Eric Holder termed the ABA's ten principles the "basic building blocks" of a properly functioning public defense system;

WHEREAS, the eighth of the ABA Ten Principles states, "Contracts with private attorneys for public defense services should never be let primarily on the basis of cost; they should specify performance requirements and the anticipated workload [and] provide an overflow or funding mechanism for excess, unusual, or complex cases"; and

WHEREAS, we have a significant professional responsibility to work to advance equal access to justice, especially for the poor;

THEREFORE, NOW BE IT RESOLVED,

That, the Kentucky Association of Criminal Defense Lawyers endorse the Findings and Recommendations of the *KBA Task Force on the Provision and Compensation of Conflict Counsel for Indigents* and urge the Governor and General Assembly to provide sufficient funding to ensure adequate compensation to allow attorneys the time and resources necessary to competently represent their contracted indigent clients in capital and noncapital cases.

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