

## *50<sup>th</sup> Anniversary of In re Gault*

*In 1967, the U.S. Supreme Court ruled in the case of In re Gault that children facing juvenile delinquency proceedings have a constitutional right to defense counsel.*

In the 1960s, the United States Supreme Court recognized, in a series of landmark cases, that youth in delinquency court are entitled due process guarantees comparable to those provided to adult criminal defendants. The most significant of these cases, *In re Gault*, 387 U.S. 1 (1967) held that youth facing delinquency proceedings have a right to counsel.

The *Gault* Court reasoned that juveniles facing “the awesome prospect of incarceration” need counsel for the same reasons that adults facing criminal charges need counsel: “to cope with problems of law, to make skilled inquiry into the facts, to insist upon regularity of the proceedings, and to ascertain whether [the client] has a defense and to prepare and submit it.” Yet today, too many justice-involved youth enter into plea agreements without consultation with an attorney and without having a complete picture of the lifelong direct and collateral impacts of a juvenile court adjudication, including incarceration.

**For a child, access to justice at its very core *requires access to counsel.***

<b>GETTING READY FOR GAULT</b>	
<b>ACCESS TO COUNSEL</b>	<b>QUALITY OF REPRESENTATION</b>
<ul style="list-style-type: none"> <li>◆ EARLY ACCESS TO COUNSEL</li> <li>◆ PRESUMPTION OF INDIGENCE</li> <li>◆ RESTRICTION ON WAIVER</li> <li>◆ CONTINUOUS REPRESENTATION</li> <li>◆ DETENTION TO POST-DISPOSITION</li> <li>◆ DATA COLLECTION</li> </ul>	<ul style="list-style-type: none"> <li>◆ LEADERSHIP: JUVENILE OFFICE, UNIT, CHIEF</li> <li>◆ STANDARDS OF PRACTICE AND PERFORMANCE REVIEWS</li> <li>◆ SUPERVISION TO ENSURE REASONABLE CASELOADS</li> <li>◆ ONGOING TRAINING</li> <li>◆ SPECIALIZATION &amp; PROMOTION</li> </ul>