

# The Right to Counsel & The Criminal Justice Act

## 50 Years Later: Where Are We Now?

Following the Supreme Court's landmark decision in *Gideon v. Wainwright*, U.S. (1963), Congress passed the Criminal Justice Act of 1964 (18 U.S.C. sec. 3006A), the first federal law requiring appointment of counsel in federal criminal cases. Since the Act's passage, federal defender programs have been created in virtually all federal districts. Are they working? How have they been affected by sequestration? What is the future of the right to counsel?

Five knowledgeable panelists, moderated by United States District Court Judge Matthew F. Kennelly, will discuss these questions and more. The event will include clips from the HBO award-winning film, "Gideon's Army" ("If you're trying to rescue people from hell, you do have to go to hell to do it, right?"). It will also include rarely seen footage of the real Clarence Earl Gideon, his lawyer Abe Fortas, and others involved in his case, discussing his trial and Supreme Court victory.

Free event

**2 hours of CLE credit**

**Thursday, February 13, 2014**

2:00-4:00 pm

Ceremonial Courtroom  
United States Courthouse  
219 S. Dearborn Street  
Chicago, Illinois

## **Carol A. Brook**

Ms. Brook is the Executive Director of the Federal Defender Program for the Northern District of Illinois, where she has represented clients since 1976. She is past-president of the National Association of Federal Defenders and of the Illinois Association of Criminal Defense Lawyers. In 2006, she was selected to be a Harvard Law School Wasserstein Public Interest Fellow and in 2011, she was appointed by Chief Justice Roberts to serve on the Federal Judicial Conference's Advisory Committee on Criminal Rules.

## **Geoffrey Cheshire**

Mr. Cheshire is the Chair of the FBA Criminal Law Section and an Assistant Federal Public Defender with the Tucson office of the Federal Public Defender Office in Arizona. He is currently the Visiting Federal Defender at the United States Sentencing Commission in Washington, D.C. Mr. Cheshire has written on the history of the Criminal Justice Act for the Federal Bar Journal and will discuss that history to see whether we have strayed from the goals of the Act.

## **Judge Joan B. Gottschall**

During her long career, Judge Gottschall has been a partner at Jenner & Block, a Staff Attorney with the Federal Defender Program in Chicago, a United States Magistrate Judge, a Federal District Court Judge, and the head of Chicago's first federal re-entry program. Judge Gottschall writes and speaks often about her experiences and will discuss what she has seen in these various roles over the past three decades, sharing her thoughts on how our criminal justice system works and how it impacts our communities. Judge Gottschall is a long-time active member and past co-chair of the Chicago Bar Association's Alliance for Women as well as the Board of the Illinois Humanities Council. She is a recipient of the Chicago Bar Association's Justice Stevens Award for extraordinary integrity and lifelong service to the community.

## **Judge Matthew F. Kennelly**

Before his appointment to the court, Judge Kennelly worked as an attorney in private practice in Chicago. His law practice involved representing individuals and corporations in complex civil cases and criminal cases of all types, in both trial and appellate courts. In 1996, he was a co-recipient of the American Bar Association's *Pro Bono Publico* award, which is conferred on lawyers who have shown commitment to volunteer legal services for the poor and disadvantaged and was a co-recipient of a Public Interest Law Initiative citation for distinguished public service and of the Mexican-American Legal Defense and Education Fund's Community/Public Service award. Since his appointment to the bench, he has taught at Northwestern University School of Law and has lectured extensively on a variety of subjects. He serves as the 7th Circuit's representative on the Federal Judicial Conference's Information Technology Committee.

## **Jonathan Rapping**

Mr. Rapping is president and founder of Gideon's Promise, a nonprofit organization dedicated to training and support of public defender offices. He is the Director of the Honors Program in Criminal Justice at Atlanta's John Marshall Law School, and a Lecturer on Law at Harvard Law School Trial Advocacy Workshop. Attorney General Eric Holder has said of Gideon's Promise: "Under the leadership of remarkable men and women like Jon Rapping – [a small group of courageous, passionate, and extremely dedicated attorneys are] fighting to make a difference, one case at a time." Mr. Rapping was the first Training Director of Georgia's state-wide public defender system, and the Director of Training and Recruitment for the Orleans Public Defenders, rebuilding the public defender system in post-Katrina New Orleans.

## **Randolph Stone**

Professor Stone is Director of the Criminal & Juvenile Justice Project at the University of Chicago's Mandel Legal Clinic. He previously served as the Public Defender of Cook County and deputy director for the Public Defender Service for the District of Columbia. Professor Stone is a past chair of the ABA's Criminal Justice Section, a member of the Board of Directors of the Sentencing Project, and a member of the "Executive Session on Public Defense" sponsored by the U.S. Department of Justice, Harvard Law School and Harvard's JFK School of Government, a project designed to improve the quality of representation to the indigent. Professor Stone was a member of the 11-person American Bar Association committee that developed the well-respected and often-cited "Ten Principles of a Public Defense Delivery System" (2002).