



Mayor Michael A. Nutter
215 City Hall
Philadelphia, PA 19107

August 4, 2009

Dear Mayor Nutter,

Following discussion with our Board of Governors, the Philadelphia Bar Association is calling upon the City of Philadelphia to immediately reinstate payments to court-appointed counsel and arbitrators, irrespective of the status of the state budget.

We strongly believe that this failure to pay has the potential to deny the Constitutionally based right to counsel in criminal cases and halt the administration of justice in many civil cases.

We recognize the difficulties posed by this economy and are well aware of the budget constraints faced by government leaders. But just as police and firefighters are considered essential to peace and public safety, so too are court-appointed lawyers. The right to counsel is an absolute in our criminal justice system. Without court-appointed attorneys, our most vulnerable populations will be jeopardized, and our system of justice compromised.

The consequences of stopping payment to court-appointed counsel and arbitrators are extreme. Without payment, many attorneys simply cannot afford to take on court-appointed cases or participate as an arbitrator. Further, lacking the ability to pay for investigators and associated costs, many attorneys will seek continuances, with trials being delayed and further costs incurred.

As you know, justice delayed is justice denied.

We recognize that this is truly an emergency situation with many serious consequences. Nevertheless, we have an obligation to ensure that criminal defendants are provided with counsel and that all citizens have equal access to justice.

Speaking on behalf of our 13,000 members, we ask that you consider the fuller implications and immediately reinstate payment to court-appointed counsel and arbitrators.

Respectfully,

Sayde Ladov
Chancellor

Scott Cooper
Chancellor Elect

Rudy Garcia
Vice Chancellor

cc: City Council President Anna Verna
Chief of Staff Clarence Armbrister
Managing Director Camille Cates Barnett
City Solicitor Shelley Smith
Finance Director Rob Dubow
Deputy Mayor for Public Safety Everett Gillison
President Judge Pamela Dembe
President Judge Marsha Neifield
Court Administrator David Lawrence