

Indigent Defense Systems of the 50 States

State PD with Comm'n		State PD without Comm'n		State Comm'n, State Director		State Comm'n, Partial Authority		No State Comm'n		Elected PD (by Dist./Cir.)		Other
State	Year Est.	State	Year Est.	State	Year Est.	State	Year Est.	State	Prior Study Comm.	State	Year Est.	
CO	1969	RI	1941	KS	1981	NV	1971	AL	Yes	FL	1972	ND ¹
MD	1971	DE	1953	MA	1983	OH	1984	AZ	Yes	TN	1989	
HI	1972	NJ	1967	OK	1991	IN	1989	CA				
KY ²	1972	VT	1972	NC	2000	SC	1993	IL	Yes			
NH ³	1972	NM	1973	OR	2001	LA	1994	ID				
CT	1974	WY	1977	TX	2001	NE	1995	ME	Yes			
WI	1977	AK	1980	VA	2004			MI	Yes			
MO	1982	IA	1981					MS ⁴	Yes			
MN	1986	WV	1989					MT				
AR	1997							NY	Yes			
GA	2003							PA	Yes			
								SD				
								UT				
								WA	Yes			

¹ North Dakota provides indigent defense services through private attorneys who enter into contracts with the judiciary. Although the North Dakota Legal Counsel for Indigents Commission was created in 1981, it is largely an advisory body and lacks real authority. Following the work of an indigent defense task force of the State Bar Association, the North Dakota Legislature will be considering legislation in its 2005 session to create a new statewide authoritative commission tasked with improving the indigent defense system and considering the creation of regional public defender offices.

² The Kentucky Department of Public Advocacy was created in 1972, while the Public Advocacy Commission was created in 1982 (see KRS 31.010 and 31.015).

³ The New Hampshire Public Defender is a private, nonprofit corporation that was created in 1972 and is under the general supervision of the New Hampshire Judicial Council (see N.H. RSA 604-B:5). In addition, an all-volunteer Board of Directors oversees the program's operations.

⁴ Mississippi created a commission in 1998, but the legislation was later repealed.