

Southern Center for Human Rights

83 Poplar Street, NW, Atlanta, Georgia 30303-2122
(404) 688-1202 Fax (404) 688-9440
E-mail: rights@schr.org Web Site: <http://www.schr.org>

Indigent Defense – Alabama

You have a right to a lawyer who will zealously represent you within the bounds of the law. This right is guaranteed by both the United States Constitution and the Alabama Constitution. If you qualify as indigent and cannot afford a lawyer, the state will appoint an attorney to represent you. Alabama does not have a statewide uniform system for the provision of indigent defense services. If you have not been appointed an attorney, you must contact the clerk of the court in the county where you have been charged to learn the process of appointment of counsel in that county. Do not, however, discuss the details of your case with the court clerk. Simply ask to know how you can request a court-appointed attorney.

The right to a lawyer includes the right to meet with the lawyer about your case. A lawyer appointed by the court is required to meet with you "promptly" after the appointment. You also have the right to have the lawyer answer any questions you have about the charges or the case, conduct an investigation of the charges, identify legal issues, file motions on your behalf (such as motions for bond or to suppress evidence), engage in plea negotiations with the prosecutors, and provide you with advice about what to do, as well as speak for you in court. Any conversations that the lawyer has with you are confidential.

If you have been appointed a lawyer, but have concerns or complaints about the representation, you may submit a complaint form to the Disciplinary Commission of the Alabama State Bar.

We hope that this information is helpful to you.