

**STATE OF LOUISIANA**  
**EXECUTIVE DEPARTMENT**  
**BATON ROUGE**

**EXECUTIVE ORDER NO. EWE 94-5**

- WHEREAS,** the Chief Justice of the Louisiana Supreme Court, the Speaker of the House of Representatives, and the President of the Senate have asked that a Task Force be created and charged with studying and making recommendations for reform of Louisiana's indigent defense system; and
- WHEREAS,** Louisiana is committed to addressing the problems of crime and criminality, and in ensuring the safety of its citizens; and
- WHEREAS,** Louisiana is committed to studying and improving its criminal justice system; and
- WHEREAS,** the prosecution of persons who are charged with committing crimes is governed by federal and state principles of due process and equal protection; and
- WHEREAS,** the judicial system is becoming overburdened by increasing numbers of serious criminal cases in need of prosecution and timely disposition; and
- WHEREAS,** Louisiana's system of criminal justice allows the State to impose penalties for serious crimes ranging from imprisonment at hard labor to capital punishment in circumscribed situations; and
- WHEREAS,** the prosecution of crime in Louisiana can only occur when the judicial system has the resources to conduct trials of persons accused of crime, and when indigent defenders have the resources to adequately defend indigent persons accused of committing crimes; and
- WHEREAS,** the United States Constitution, the Louisiana Constitution, and federal and state jurisprudence require that indigents accused of crime be provided with effective legal assistance; and
- WHEREAS,** our constitution requires that the legislature provide ". . . a uniform system for securing and compensating qualified counsel for indigents"; and
- WHEREAS,** a number of knowledgeable citizens and experts contend Louisiana's indigent defense system lacks adequate funding and managerial uniformity; and
- WHEREAS,** legal attacks on Louisiana's indigent defense system have resulted in court decisions which call into question the adequacy and effectiveness of that system; and
- WHEREAS,** the prosecution of serious criminal cases has been halted in some instances because of inadequate funding and representation; and
- WHEREAS,** a number of indigent defense counsel throughout Louisiana maintain caseloads far in excess of national standards; and
- WHEREAS,** making improvements to Louisiana's indigent defense system will reduce the number of expensive and duplicative retrials; and



**WHEREAS**

the establishment of a Task Force that would be charged with studying and making recommendations for reform of the indigent defense system would further comprehensive efforts to improve Louisiana's criminal justice system.

**NOW THEREFORE**

**I, EDWIN W. EDWARDS**, Governor of the State of Louisiana, by virtue of the authority vested in me by the Constitution and laws of the State of Louisiana, do hereby create and establish the Louisiana Task Force on Indigent Defense, and do hereby order and direct as follows:

**SECTION 1:**

The Louisiana Task Force on Indigent Defense is hereby established.

**SECTION 2:**

The task force shall be composed of twenty (20) members, including a chairperson, appointed in the following fashion:

1. five (5) members appointed by the Governor, namely: Al Donovan, Executive Counsel to the Governor; Camille F. Gravel; Victor Bussie; Daniel Juneau; and Leah Guerry;
2. the Chief Justice of the Louisiana Supreme Court, The Honorable Pascal F. Calogero, Jr., and four (4) members appointed by the Chief Justice, namely: 2nd Circuit Court of Appeal Judge Charles A. Marvin; 19th Judicial District Court Judge Bonnie Jackson; Orleans Parish Criminal District Court Judge Calvin Johnson; and 8th Judicial District Court Judge Douglas H. Allen;
3. the President of the Senate, The Honorable Samuel B. Nunez, Jr., and four (4) members appointed by the President, namely: Senator Donald G. Kelly; Senator Armand J. Brinkhaus; Senator Larry S. Bankston; and Senator Dennis R. Bagneris, Sr.; and
4. five (5) members appointed by the Speaker of the House of Representatives, namely: Representative Joseph Accardo, Jr., Representative Audrey A. McCain; Representative Raymond Lalonde; Representative Charles A. Riddle, III; and Representative Steve Windhorst.

**SECTION 3:**

the Chief Justice of the Louisiana Supreme Court has agreed to and shall serve as chairperson of the task force and the President of the Senate has agreed to and shall serve as co-chairperson of the task force.

**SECTION 4:**

The duties of the task force shall include, but are not limited to:

1. studying and evaluating present inadequacies in Louisiana's provision of indigent defense services;
2. making recommendations to all three branches of state government for reform of the indigent defense system;
3. recommending both short and long term solutions to the problems of providing indigent defense services;
4. making recommendations for immediate,

supplemental and long term financing;

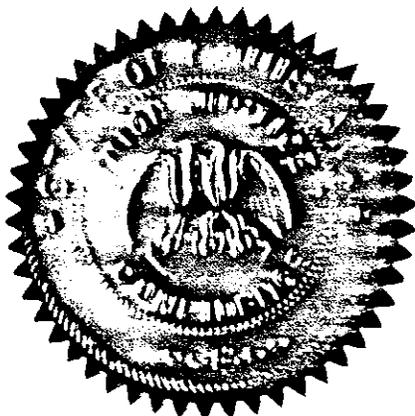
5. submitting to the Governor a preliminary written report of its findings and recommendations within ninety (90) days of the date of execution of this executive order; and
6. submitting to the Governor written reports of its findings and recommendations as the situation warrants, or as requested by the Governor.

**SECTION 5:** The task force is authorized to receive or accept grants, donations, contributions or appropriations from public and private sources and is further authorized to expend any funds made available from these sources to carry out the purpose of the task force.

**SECTION 6:** All departments, commissions, boards, agencies and officers of the state or any political subdivision thereof are authorized and directed to cooperate with the Louisiana Task Force on Indigent Defense in implementing the provisions of this executive order.

**SECTION 7:** This executive order shall be effective upon signature.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 11th day of February, 1994.



*Edwin W. Edwards*  
EDWIN W. EDWARDS  
GOVERNOR

ATTEST BY  
THE GOVERNOR

*Joseph S. Kitter*

SECRETARY OF STATE