

Gideon v. Wainwright / Newspaper Analysis— Answer Key

Appointed Attorneys . . .

Fight By Florida Man Brings Change In Law

PANAMA CITY, Fla. (UPI)—Clarence Earl Gideon went off to prison two years and two days ago, convicted of breaking into a poolroom but convinced his poverty had cost him a fair trial.

Today, because he kept fighting in a prison cell for his belief that he had the right to a lawyer even though he couldn't pay for one, Gideon is free. And thousands of inmates of prisons in Florida and other states have the hope of new trials, with lawyers to defend them.

When he walked out of circuit court here Monday, the thin, graying Gideon, 52, left behind in his legal path a landmark decision of the U.S. Supreme Court, a new public defender law for Florida, and his own acquittal at a new trial.

A jury deliberated about 65 minutes after the one-day trial before freeing Gideon of breaking into a poolroom here on June 3, 1961.

"This is the happiest moment of my life," said the bespectacled Gideon, who began his legal fight alone but had the backing of attorneys general in 22 states when his case reached the federal high bench.

Asked For Attorney

Gideon, whose wife has divorced him and whose children are in foster homes, was convicted on Aug. 4, 1961, and sentenced to five years in prison. He had asked the court then for an attorney, but state law provided court-appointed attorneys only in capital crimes and some special cases.

"Before the trial, I hadn't thought much about it. I just took it for granted I would get a lawyer. I thought it was required under the Constitution," Gideon said Monday.

In Florida's state prison at Raiford, Gideon began his legal fight. He was able to find only a few law books in the prison library, but among the inmates he found men who had been through involved court cases, and some who knew a little of the procedures of the law.

"A little bit from one fellow, and something else from another man, and it started falling together," Gideon said.

The Florida Supreme Court turned down his plea for a new trial, which he based on the contention that he was convicted and sentenced without benefit of an attorney.

Gideon next penned, laboriously in longhand, a petition to the U.S. Supreme Court asking that an appeal be heard.

"No, I didn't try to use any legal language. I just tried to write it simple and say what I believed and make my points," said Gideon.

When the high court accepted his case, Washington attorney Abe Fortas—"one of the best in the country," Gideon calls him—was appointed to represent Gideon. As the case drew interest, attorneys general from 22 states which had public defender laws entered the case as "friends of the court." Gideon also drew help from the American Civil Liberties Union and bar associations.

The Supreme Court's decision in the case was a legal landmark, overturning the Florida Supreme Court and ordering a new trial for Gideon on the grounds of lack of a defense attorney. The court ruled he was entitled to one.

With the Gideon case as a mandate, the 1963 legislature passed a law providing public defenders for all of the state's judicial circuits.

Source: *The Chronicle*. (Pascagoula, Miss.), 07 Aug. 1963. *Chronicling America: Historic American Newspapers*. Lib. of Congress. <https://chroniclingamerica.loc.gov/lccn/sn87065526/1963-08-07/ed-1/seq-11/>.

Observe

1. What text do you notice first?

Student answers will vary but might include the headline, "Appointed Attorneys...Fight By Florida Man Brings Change In Law," PANAMA CITY, Fla, or "Asked For Attorney."

2. What do you learn just from the titles and subtitles?

You learn that a "Fight By Florida Man Brings Change In Law," and that he "Asked For Attorney."

3. Where and when was this article published? What is the significance?

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This article was published in Mississippi on August 7, 1963. The date is significant because *Gideon v. Wainwright* was decided on March 18, 1963 so this article is explaining the case to the public. It is significant that it was published in Mississippi because the last paragraph tells us that the state legislature has “passed a law providing public defenders for all of the state’s judicial circuits.”

Reflect

4. What can you tell about what was important at the time and place of publication?

By the headline and length of the article you can tell that this case was significant to the community.

5. What can you tell about the point of view of the people who wrote and published this article?

In the second paragraph it states, “And thousands of inmates of prisons in Florida and other states have the hope of new trials, with lawyers to defend them.” This seems to indicate a general agreement with the decision in *Gideon v. Wainwright*.

6. What do you learn about the importance of the decision in *Gideon v. Wainwright* (1963) from this article?

The article calls the decision “a legal landmark, overturning the Florida Supreme Court.” It also explains that as a result of the ruling the state legislature has “passed a law providing public defenders for all of the state’s judicial circuits.”

Question

7. What do you still wonder about this source?

Student answers will vary.