

## Gideon v. Wainwright / Opinion Analysis—Answer Key

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**Justice Hugo Black wrote the Majority Opinion of the Court:**

**GIDEON v. WAINWRIGHT, CORRECTIONS  
DIRECTOR.**

**CERTIORARI TO THE SUPREME COURT OF FLORIDA.**

No. 155. Argued January 15, 1963.—Decided March 18, 1963.

Charged in a Florida State Court with a noncapital felony, petitioner appeared without funds and without counsel and asked the Court to appoint counsel for him; but this was denied on the ground that the state law permitted appointment of counsel for indigent defendants in capital cases only. Petitioner conducted his own defense about as well as could be expected of a layman; but he was convicted and sentenced to imprisonment. Subsequently, he applied to the State Supreme Court for a writ of habeas corpus, on the ground that his conviction violated his rights under the Federal Constitution. The State Supreme Court denied all relief. *Held*: The right of an indigent defendant in a criminal trial to have the assistance of counsel is a fundamental right essential to a fair trial, and petitioner's trial and conviction without the assistance of counsel violated the Fourteenth Amendment. *Betts v. Brady*, 316 U. S. 455, overruled. Pp. 336-345.

Reversed and cause remanded.

*writ of habeas corpus* is legal term for an order from a higher court asking for all records of a case so they can review it. A person applies (petitions) for a *writ of habeas corpus* when they ask a court to review their case.

**Source:** Hugo Lafayette Black and Supreme Court of the United States, "U.S. Reports: Gideon v. Wainwright, 372 U.S. 335. 1962," Periodical, <https://www.loc.gov/item/usrep372335/>.

## Constitutional Provisions

### **Sixth Amendment to the U.S. Constitution**

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence."

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## **14<sup>th</sup> Amendment to the U.S. Constitution, Section 1**

“... nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

### **Vocabulary**

1. Define the following terms below and others you are not familiar with in your own words. You may wish to consult a legal dictionary at <https://dictionary.law.com/> or <https://www.nolo.com/dictionary>.
  - a. counsel: [a lawyer](#).
  - b. federal: [the level of government that controls the United States as a whole rather than just a single state](#).
  - c. felony: [a serious criminal offense punishable by a prison sentence of more than one year](#).
  - d. fundamental right: [a right that is considered so important that the government must protect it](#).
  - e. indigent: [poor](#).
  - f. layman: [someone who is not an expert, not a professional in a field](#).
  - g. non-capital: [a crime for which the death penalty is not an option](#).
  - h. petitioner: [the person or group who appeal to a court to hear a case](#).
  - i. Other words you need to define: [Student answers will vary](#).

### **Observe**

2. What do you notice first about the words in this text?

[Student answers will vary but may include Gideon v. Wainwright, Corrections Director \(case name\), Certiorari to the Supreme Court of Florida, Argued January 15, 1963 – Decided March 18, 1963.](#)

### **Reflect**

3. Put this part of the opinion in your own words:

[Student answers will vary.](#)

4. What is the purpose of this piece of the opinion?

[The purpose of this piece of the opinion is to state the Supreme Court’s decision \(holding\) that assistance of counsel is a fundamental right and that Gideon’s trial was unconstitutional. It states that \*Betts v. Brady\* has been overruled.](#)

5. Who is the primary audience for this opinion?

The primary audience of this opinion is the parties involved in the case (Gideon and Wainwright/state of Florida) but also people in state governments who will now have to provide lawyers and lower court judges who will have to apply this ruling in their courtrooms.

## **Question**

6. What do you still wonder about this source?

Student answers will vary.