

A legal system in shambles is a blight on La.

Each of us has the right to be represented by an attorney in a court of law. But since the hurricanes hit last year, many defendants, especially poor defendants in Orleans Parish, haven't had access to legal representation, qualified or otherwise.

In fact, many do not even know if they have an attorney, according to a report by the Northwestern University School of Law.

In the report, courtrooms in Orleans are described by observing law students as such:

"Court is conducted in an assembly line fashion. ... Defendants frequently appear in court without the assistance of an attorney. Although the judges typically announce at the start of court that the public defender will be appointed for those who cannot afford a lawyer, in practice, there is rarely a formal appointment.

"While a public defender may be present in court during the proceedings, he rarely participates in the proceedings, rendering his presence meaningless. Public defenders typically do not obtain information from the detainees to present to the court, they do not make arguments to the court, and they do not explain the process to the detainees. Many detainees reported that they did not know what happened in court and were unaware of what to expect."

That is not what is supposed to happen in a court of law anywhere in the United States. But it happens like this all the time throughout Louisiana. Indeed, in 2004 a report by the National Legal Aid and Defender Association found that Louisiana's system of providing the poor with lawyers violates state and federal constitutional requirements.

That flawed system remains today.

Each person charged with a crime deserves a vigorous and qualified defense. Most poor defendants in Louisiana didn't get that prior to Hurricanes Katrina and Rita. Since then, especially in South Louisiana, that has only gotten worse.

"Staff working in the temporary misdemeanor court face a number of challenges. Space is limited," the report states. "Hearings that are supposed to be open are closed to the public, defendants are forced to sit on the floor, and the proceedings are chaotic. The judges and the court staff seem to be trying to make the best out of a difficult situation, but may inadvertently be compromising the rights of the detained men and women who appear in court."

Most of the detainees interviewed by the law students reported that they did not have a lawyer during bond hearings, never spoke to a lawyer, did not understand what happened in court and did not know what would happen next.

Louisianians should be outraged. The fact that too many of us are not is shameful.

With our state under reconstruction, and with our hopes high for a new and better Louisiana, we have an opportunity to transform a system in shambles. Let's make that a priority.