

***PART ONE***  
**THE ORIGINS, GOALS AND DEVELOPMENT  
OF THE  
INDIGENT DEFENSE SYSTEM**

The first three chapters of this Article investigate the origins and development of the indigent defense system nationwide, focusing in particular on the institutional defender movement in New York City. Chapter One describes the movement to reform the administration of criminal justice, the early reliance on assigned counsel to provide representation for indigents, and the tension this created between the organized bar and proponents of a public defender. The institutional defense movement arising from this friction led to the establishment of a seminal, private, charitable agency in New York City, the Voluntary Defenders' Committee of the Legal Aid Society. This chapter describes the relationship of the Defenders' Committee to the organized bar, the courts, and the prosecution. It concludes by tracing the development of the Defenders' Committee from 1917 to 1959. Chapter Two explores the nationwide response of the indigent defense systems to *Gideon v. Wainwright*,<sup>39</sup> and examines in detail New York City's plan to provide for the mass representation of poor defendants through a "mixed system" of publicly funded institutional defenders and private attorneys. Chapter Three traces the national development of institutional defender and assigned counsel systems in the twenty years following *Gideon*. The analysis of New York City's indigent defense system progresses through four historical stages: the early years of the City's response; the reform attempts of the 1970s; the strike the Society's staff attorneys in 1982; and the condition of the City's indigent defense system in 1984-1985.

---

39. 372 U.S. 335 (1962).