

Indiana Legal Services, Inc

www.indianalegalservices.org

Getting an Attorney for a Criminal Case

Indiana Legal Services does not handle criminal law matters. ILS's main funder, Legal Services Corporation, does not allow ILS to handle criminal cases.

Where can I get help with a criminal case?

If you cannot afford to hire a private attorney to represent you, you can ask the court to appoint a Public Defender to represent you in a criminal case. In Indiana, Public Defenders are attorneys who are paid by the county to represent low-income persons in criminal matters.

You should contact the court where your criminal case is pending to ask what you need to do to request a public defender.

If you are eligible for a Public Defender and your county does not have a Public Defender Office, then the court will appoint a private attorney to represent you without charging you a fee.

Who is eligible for a public defender?

Lawyers are appointed in criminal cases for which you can receive a jail sentence. If you are charged with a traffic ticket or given a citation for a violation that does not carry a jail term, the court is not obligated to give you a public defender. (You can still ask for one, but the court is not required to give you one).

The court also must find that you cannot afford to hire your own attorney. You do not necessarily have to be unemployed to be eligible for a public defender; the court will determine based upon your circumstances whether the court thinks you can afford to hire your own attorney. You will need to give the court some information about your financial situation.

The court can also order you to pay some the expenses for your defense if the court thinks you can't afford to hire your own attorney but you can afford to pay some of the costs.

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