



The Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness

601 Commonwealth Ave, Suite 6200
P.O. Box 62545
Harrisburg, PA 17106-2545
717.231.3300, ext. 4138
pa-interbranchcommission.com

FOR IMMEDIATE RELEASE

General Assembly Passes, Governor Signs into Law Legislation Funding Reform of Indigent Defense Services in Pennsylvania

Act 34 Assigns Much-Needed Funding to the Provision and Reform of Indigent Defense in our Commonwealth, Funding for Which the Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness has Advocated Since its Inception

Harrisburg, December 20, 2023 – The Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness (“Interbranch Commission”) celebrates the passage and enactment of [Act 34 of 2023](#), which establishes a first-of-its-kind allotment of \$7.5 million for the funding of indigent defense reform in Pennsylvania. For nearly two decades, the Interbranch Commission has been working alongside stakeholders across the Commonwealth to advocate for this much-needed funding. There are many to thank for this long-fought victory, which takes a critical step toward ensuring equal access to our courts regardless of socioeconomic status. It paves the way for Pennsylvania to join nearly every other state in the nation in providing statewide and state-based funding for indigent defense services. “This bill was a long time coming. I look forward to working cooperatively with other stakeholders in the production of the proposed minimum standards, education and training, grant funding, and other resources the Committee will present to the Court for its review and approval,” said Maraleen Shields, Executive Director of the Interbranch Commission.

Act 34 of 2023

Act 34 was signed in the Pennsylvania Senate and House of Representatives and presented to

Governor Shapiro for his signature on Wednesday, December 13. The Act establishes within the state budget a set-aside of \$7.5 million. It also creates an Indigent Defense Advisory Committee within the Pennsylvania Commission on Crime and Delinquency (“PCCD”). Among other responsibilities, this Committee will draft and submit to the Supreme Court of Pennsylvania a plan for the adoption of minimum standards for the effective delivery of indigent defense services. Once the Court approves these standards, the Committee will then, via an Indigent Defense Grant Program, disperse funding to counties that demonstrate compliance with the standards, a process through which Pennsylvania will, for the first time, supplement individual county expenditures on indigent defense with state-based funding. The Executive Director of the Interbranch Commission is among the stakeholders assigned by Act 34 to serve as an *ex officio* member of the Committee.

Historical Context

The Interbranch Commission has diligently advocated for the funding and reform of indigent defense services in our Commonwealth for nearly two decades. In 1999, the Supreme Court of Pennsylvania appointed a special committee to study racial and gender bias in the Pennsylvania justice system. After three and a half years, that study culminated in a lengthy report containing nearly 200 recommendations to address inequities. The Interbranch Commission was specifically created to implement the recommendations from that report. An appreciable number of these recommendations focused on the provision of adequate indigent defense counsel by securing sufficient funding and other resources, statewide professional standards and oversight, and reliable, uniform statewide data collection. Recognizing that the impact of system deficiencies falls disproportionately upon racial and ethnic minorities, the Commission began convening – and continues to convene – numerous meetings with legislators and relevant stakeholders to secure funding and support for the recommended reforms. At the request of bipartisan legislative leaders,

the Commission also drafted and submitted a first-of-its-kind report, entitled [Memorandum in Support of Reform of the Provision of Criminal Indigent Defense Services in Pennsylvania](#), which sets forth a detailed plan for reform of Pennsylvania’s fragmented indigent defense system and contains an analysis of the costs and benefits of implementing those reforms.

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The Interbranch Commission for Gender, Racial, and Ethnic Fairness was established in 2005 by the three branches of Pennsylvania government. The purpose of the Interbranch Commission is to promote equal application of the law. The Interbranch Commission fulfills its purpose by implementing the recommendations from a 2003 study by the Supreme Court Committee on Racial and Gender Bias in the Justice System (“Committee”); investigating and implementing new initiatives that may not have been addressed by the Committee; suggesting ways to reduce bias in all three branches of Pennsylvania government; raising both public and professional awareness of its work; and increasing public confidence in Pennsylvania government.

For more information, press only:

Executive Director, Maraleen D. Shields, Esquire
(717) 231-3300
Maraleen.shields@pacourts.us

For more information on the Interbranch Commission:

<https://pa-interbranchcommission.com/>