



CRIMINAL LAW---INDIGENT SEEKS ASSIGNMENT OF COUNSEL FOR NONINDICTABLE
OFFENSE

Rodriguez v. Rosenblatt (New Jersey
Supreme Court, Docket No. 7514) by
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and Allen S. Zeller, Camden Regional
Legal Services.

Like State v. Conley and State v. Irrisary, noted in 24 State Clearing House Report 7-8 (November, 1970), this case seeks to establish the right of an indigent charged with a nonindictable offense to obtain appointed counsel. The indigent plaintiff was charged in Camden Municipal Court with a disorderly persons offense. Her request for assigned counsel was denied. She thereupon instituted suit in Superior Court, Law Division, against two judges of the Camden Municipal Court, seeking to compel them to assign counsel to her. After trial, the Superior Court dismissed plaintiff's complaint. An appeal to the Appellate Division followed, and prior to a hearing there the case was certified by the Supreme Court.

In her brief on appeal, the plaintiff argues that indigent persons charged with disorderly persons offenses have a right to assigned counsel under the Sixth Amendment and R. 3:27-2, that the Due Process Clause requires representation by counsel in nonindictable offenses where the accused faces loss of liberty, and that the Municipal Court's failure to assign counsel to Miss Rodriguez deprived that court of jurisdiction.

Brief.

