

# ABA Journal

## LAW NEWS NOW

Criminal Justice

### Stop Prosecuting Many Misdemeanors, Defense Counsel Group Suggests

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By [Martha Neil](#), ABA Journal Online, 04/30/09

Cash-strapped courts throughout the country could save a significant amount of money if they simply stopped prosecuting nonviolent misdemeanor cases, a study by a national defense counsel group suggests in a national report yesterday.

Instead of seeking jail time, a system of civil fines and community service would be at least as effective and far less costly in many misdemeanor cases, says the National Association of Criminal Defense Lawyers in an [executive summary](#) (PDF) of its report.

This would also relieve burdensome caseloads on attorneys and judges that is preventing them from fulfilling their ethical obligations to provide full and fair trials to defendants in misdemeanor cases, the NACDL report contends. It calls for all defendants in misdemeanor cases who face potential jail time to be provided with legal representation.

A full copy of the [report](#) (PDF), *Minor Crimes, Massive Waste: The Terrible Toll of America's Broken Misdemeanor Court*, is provided by the NACDL.

#### **Additional coverage:**

[National Law Journal](#): "NACDL Report Blasts Misdemeanor Courts"

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