Kendra Thibaut

PLS 4370

**Betts v Brady (1942)**

1. **Facts**

Betts was accused of robbery in Maryland. Before going through trial he requested an attorney because he could not afford one but was denied counsel for his case. Without an attorney Betts pled not guilty and was convicted of robbery. He then appealed to The Supreme Court and stated that he was wrongfully denied counsel.

1. **Issues raised in the case**

Does it violate the constitution if an indigent defendant is denied counsel?

1. **Reasoning of the court**

In a 6-3 decision, the majority opinion was written by Justice Owen Roberts, and found that Betts did not have the constitutional right to counsel. The Court went on to say that while the Fourteenth Amendment does guarantee the right to a fair trial, it does not say that a defendant has the right to appointed counsel if they cannot afford it.

1. **Concurring opinions-why?**

N/A

1. **Dissenting opinions-why?**

Justice Black dissented stating that denying an individual the right to counsel was not constitutional because it discriminates against those in poverty and therefore violates the Fourteenth Amendment Equal Protection Clause.