

What if my Defense Attorney asks me to sign something?



- You don't have to sign anything your Defense Attorney gives you.
- Before signing anything, you should ask:
 - "What am I signing?"
 - "What will happen if I sign it?"
- If you don't understand what you are signing, don't sign it.
- Sign papers only if you understand.

What do I do if I don't want the Defense Attorney you have?

- If you have a Private Defense Attorney:
 - Tell the defense attorney you don't want them anymore.
 - You should also tell the judge you don't want your Private Defense Attorney anymore.
 - Your Defense Attorney will also tell the Judge.
- If you have a Public Defender:
 - You can't pick your public defender.
 - Write a letter to the judge telling the judge

why you don't want your public defender.

- The Judge may decide you have to keep the same public defender.
- The Judge may decide you can have a new public defender.

THE CRIMINAL JUSTICE SYSTEM

RIGHT TO A LAWYER

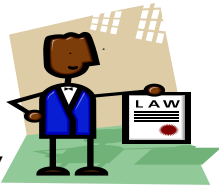


This brochure contains general information that is current through the date of publication (10-5-09). It should not be used as a substitute for legal advice. If you have questions about this information, then you should talk with a lawyer.

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“DEFENSE



ATTORNEYS”

If you get arrested or put in jail, you need a Defense Attorney. They help you understand the criminal justice system and what to do if you're put in it.

What is a “Private” Defense Attorney?

- A Private Defense Attorney works in a “Law Firm.”
- You have to pay money for a Private Defense Attorney.
- A Judge decides if you don't have enough money to pay for a Defense Attorney.
- If you have enough money to pay for a Defense Attorney, this is the Defense Attorney you must use.

What is a “Public Defender?”

- A Public Defender is a Defense Attorney who doesn't make you pay money. However, the state of Florida may make you pay at least \$50 - \$100 for a Public Defender.
- You have to fill out a form about how much money you have.
- If the Judge decides you don't have money to pay for an Attorney, the Judge will give you a Public Defender.

How does a Defense Attorney help me?

- A Defense Attorney understands what is happening to you better than anyone else.
- They will figure out if you did something against the law. They will figure out if you can be punished.
- Your Defense Attorney's job includes;
 - Listening to you,
 - Explaining things about your case to you,
 - Speaking for you in court,
 - Researching your case,
 - Giving you advice,
 - Telling the Judge, State Attorney, or Jury your side of the story.

When do I get a Private Defense Attorney?

- Since you pay for a Private Defense Attorney, you can get one any time.
- You, family, friends or other care providers have to contact a Private Defense Attorney.
- The Private Defense Attorney will tell you if and when they can help you.

When do I get a Public Defender?

- A Judge will talk to you the day after you're arrested.
- The Judge will ask you if you want an Attorney. You should say “yes.”
- The Judge will ask you questions about how much money you make.

- If you don't have a lot of money, the Judge will give you a Public Defender.
- You'll meet the Public Defender before or at your next court date.
- The Judge picks your Public Defender.
- The Public Defender will send you a letter telling you to come to their office.
- Meet with your Public Defender.
- If you don't meet with your Public Defender, it's very hard for them to help you.

What should I tell my Defense Attorney?

- Everything you tell your Defense Attorney is a secret.
- You might be nervous or scared to meet with your Defense Attorney, so you want to bring someone with you.



- It's okay to bring someone with you. But, if someone else is in the room when you talk to your Defense Attorney, what you say is not a secret. If it's not a secret, that can be bad for your Case.
- Tell your Defense Attorney about your disability. You may want to give your Defense Attorney permission to tell others about your disability.