

Public Defender Legal Aid Eligibility New York

Do I Need to Hire a Lawyer for my New York Criminal Case?

If you've been arrested or given a desk appearance ticket, one of the first things you may wonder is "do I need to hire a lawyer?" Whether you can get a free (court appointed lawyer) in your New York Criminal Case depends greatly on your financial circumstances. In 1963, the Supreme Court in [*Gideon v. Wainwright*](#) said that individuals charged with a felony who cannot afford a lawyer must have one appointed. In 1965, the Court of Appeals in [*People v. Witek*](#) applied this to New York and expanded it to misdemeanors, if you qualify. New York taxpayers have long resisted paying for a lawyer for poor New Yorkers accused of a crime but this changed in the 1960s. After the [*Wainwright*](#) and [*Witek*](#) decisions, the State has struggled to determine eligibility which caused some people who were wealthy to receive a public defender but others who were poor to be forced to hire an attorney. A fairer solution was needed. In April, 2016, the State of New York issued the following eligibility guidelines.

I got arrested in New York. Do I need to hire a lawyer?

1. Consider how many assets you have (stocks, bonds, property)
2. Consider your income and take a look at the chart below

CriminalLawsNY need a lawyer? Take a look at this chart.

New York State Penal Law with penalties

<http://criminallawsny.com>

For more on eligibility for a public defender in New York including forms, [click here](#).