

SUPREME COURT OF LOUISIANA

State ex rel. Williams v. State

888 So. 2d 792 (La. 2004) · No. 04-0575 · Decided December 1, 2004

SUMMARY

The Louisiana Supreme Court addressed funding for experts and other services for an indigent death-row inmate represented by pro bono counsel in post-conviction proceedings. The court remanded for an evidentiary hearing and specific rulings on statutory funding requirements before reaching the equal protection and due process issues.

CASE DETAILS

COURT	Supreme Court of Louisiana
JURISDICTION	Louisiana
DECIDED	December 1, 2004
DOCKET	04-0575
DISPOSITION	remanded
PROCEDURAL POSTURE	A death-row inmate represented by pro bono counsel sought supervisory writs concerning the denial and unavailability of funding for experts and other services in state post-conviction proceedings. The Louisiana Supreme Court granted the writ, declined to decide the constitutional issues on the incomplete record, and remanded for an evidentiary hearing and ruling on the statutory funding issues.
STANDARD OF REVIEW	Supervisory review; the court required a developed evidentiary record before resolving the statutory and constitutional funding issues.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Louisiana
PARTIES	Jimmy Williams v. State of Louisiana

TOPICS

- state post-conviction relief
- administrative procedure act
- equal protection
- due process
- statutory interpretation

PRACTICE AREAS

- capital post-conviction litigation
- indigent defense funding
- administrative law
- constitutional law

QUESTIONS PRESENTED

1. Whether the Louisiana Indigent Defense Assistance Board violated statutory requirements by allocating funding for reasonably necessary expert and investigative services differently based on whether a capital post-conviction inmate was represented by Capital Post Conviction Project staff or pro bono counsel.
2. Whether the alleged funding system violated equal protection or due process.
3. Whether the record was sufficiently developed for the Louisiana Supreme Court to decide the statutory and constitutional funding issues.

HOLDINGS

1. The court could not decide the funding issues because the record lacked sufficient evidence concerning the Louisiana Indigent Defense Assistance Board's policies, resolutions, and funding practices.
2. The statutory funding issues must be addressed before the equal protection and due process issues.
3. The matter must be remanded for an evidentiary hearing, including testimony from a Louisiana Indigent Defense Assistance Board representative, followed by a specific ruling on the statutory funding issues and then consideration of the constitutional claims.

KEY QUOTATIONS

"We have repeatedly and consistently held courts should avoid constitutional rulings when the case can be disposed of on non-constitutional grounds." (797)

"The constitutional issues of equal protection and due process should only be reached after the court considers the statutory issues." (797)

FACTUAL BACKGROUND

Williams, an indigent death-row inmate represented by pro bono counsel, sought funding for experts and mitigation-related services to present claims in his state post-conviction evidentiary hearing. The Capital Post Conviction Project of Louisiana, funded through the Louisiana Indigent Defense Assistance Board, allegedly provided such resources to inmates represented by its staff attorneys but not to inmates represented by pro bono counsel. The district court found that requiring Williams to proceed without expert assistance would violate due process and equal protection, but stayed the proceedings rather than making a definitive constitutional ruling. The record did not adequately establish the Louisiana Indigent Defense Assistance Board's funding policies, resolutions, or compliance with the Administrative Procedure Act.

PROCEDURAL HISTORY

Williams was convicted of first-degree murder and sentenced to death; the Louisiana Supreme Court affirmed, and the United States Supreme Court denied certiorari. After a stay of execution and appointment of counsel, Williams filed state post-conviction proceedings and obtained funding for investigation, but later sought additional funding for experts for an evidentiary hearing. The district court awarded only part of the requested amount, the local indigent defender board stated that the funds were unavailable, and the district court stayed the proceedings while seeking guidance from the superior courts. Williams applied for supervisory writs, which the Louisiana Supreme Court granted.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The district court must conduct a prompt evidentiary hearing with testimony from a representative of the Louisiana Indigent Defense Assistance Board concerning its policies and resolutions for allocating funds in capital post-conviction proceedings, including any prohibition on funding experts for cases handled by pro bono counsel. The district court must determine whether any such policies or resolutions comply with the governing statutes and the Administrative Procedure Act, issue a specific ruling on the statutory issues, and then consider the equal protection and due process claims in light of that ruling.

CASES CITED

- State v. Williams, 708 So. 2d 703 (La. 1998)
- Williams v. Louisiana, 525 U.S. 838, 119 S. Ct. 99, 142 L. Ed. 2d 79 (1998)
- State ex rel. Williams v. State, 750 So. 2d 801 (La. 1999)
- State ex rel. Williams v. State, 872 So. 2d 1073 (La. 2004)
- State ex rel. Robertson v. Cain, 872 So. 2d 1073 (La. 2004)
- Ring v. State Department of Transportation and Development, 835 So. 2d 423, 427 (La. 2003)
- Blanchard v. State through Parks and Recreation Commission, 673 So. 2d 1000, 1002 (La. 1996)