

CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE
PUBLIC DEFENDER
AGENDA
JANUARY 25, 2016

Committee Members: Supervisors Wood, Dickinson, Girard, Frasier, Brock, Seeber, Simpson, Venselow, Montesi, Braymer, MacDonald

I. Committee meeting called to order by Chairman

II. Motion to approve the minutes of the prior meeting

III. Action Agenda/New Business Items:

1. Request: to request authorization to amend county budget

Rationale: to authorize expenditure of funds from Office of Indigent Legal Services for Furniture and Membership & Dues

2. Request: to request authorization for OILS Distribution #6

Rationale: to authorize work plan to improve the quality of services provided under Article 18-B of the County Law and maintain Public Defender and Assigned Counsel services.

3. Request: to request to enter into executive session for a hiring/personnel matter

IV. Referrals/Pending Items:

None

V. Discussion Items:

None

VI. Privilege of the floor to discuss any additional item to come before the Committee

VII. Motion to adjourn

Attachments:

1. Resolution Request Form No. 7 and supporting Resolutions
2. Proposed budget for Distribution #6
3. OILS Distribution #6 Work Plan

RESOLUTION REQUEST FORM NO. 7

Request to Amend County Budget*

**If this is the result of a grant award, also complete and submit Form No. 5 or 6*

DEPARTMENT NAME: Public Defender

DATE: 1/20/2016

(a) Purpose of Amendment: To authorize expenditure of the funds from Office of Indigent Legal Services. Reference #C000252, Resolution No. 541 of 2012, Resolution No. 291 of 2015; #C000352, Resolution No. 374 of 2013

(b) Appropriation Code, Object Code, Full Title and Amount:

A1171 210 Furniture	3,000.00
A1171 427 Membership & Dues	1,300.00
A1171 110 Salaries-Regular	29,584.00
A1171 830 Social Security	1,834.00
A1171 831 Medicare	429.00

(c) Revenue Code (with title), and Amount:

A1171.3045 Public Defender Indigent Legal Services 36,147.00
Distribution

Warren County Board of Supervisors

RESOLUTION NO. 541 OF 2012

Resolution introduced by Supervisors Bentley, Kenny, Strainer, Monroe, Dickinson, Vanselow and Mason

AUTHORIZING SUBMISSION OF ITEMIZED BUDGET AND WORKPLAN AND EXECUTION OF CONTRACTS RELATIVE TO FUNDING AVAILABLE FROM THE NEW YORK STATE INDIGENT LEGAL SERVICES BOARD BY THE PUBLIC DEFENDER'S OFFICE

WHEREAS, earlier this year, the Indigent Legal Services Board for New York State authorized a distribution of funding to Counties and the City of New York for purposes of improving the quality of services provided pursuant to Article 18b of the County Law and the New York State Office of Indigent Legal Services invited proposals from New York Counties and the City of New York for distribution of these funds, and

WHEREAS, the Warren County Public Defender's Office proposed to improve the quality of services by upgrading communications and computer systems, upgrading office furnishings, providing certain Continuing Legal Education for attorneys, providing certain salary increases, providing for projected health insurance and retirement benefit cost increases, and providing for certain anticipated Assigned Counsel cost increases as more specifically set forth in the contract work plan and assigned a budget amount of One Hundred Sixty Thousand, Two Hundred Eighteen Dollars (\$160,218.00), and

WHEREAS, provided the New York State Office for Indigent Legal Services approves the plan, it is understood that a contract will be forwarded to the County for the expenditure of the funds in the manner identified, and that the Warren County Public Defender's Office will undertake the program described in accordance with the above, now, therefore, be it

RESOLVED, that the plan developed by the Warren County Public Defender be, and hereby is authorized and approved and the actions of the Warren County Public Defender and County Administrator in arranging for the timely submission of the same are hereby ratified, and be it further

RESOLUTION NO. 541 OF 2012

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RESOLVED, that the Chairman of the Board be, and hereby is authorized to execute a contract with the State of New York and/or the Office of Indigent Legal Services for the funding as described in the preambles of this resolution with a contract to be in a form approved by the County Attorney, and be it further

RESOLVED, the Warren County Public Defender's Office be, and hereby is, authorized to carry out the activities provided for in the plan with such activity to be completely paid for by the funds being provided by the Indigent Legal Services Board.

Warren County Board of Supervisors

RESOLUTION NO. 291 OF 2015

Resolution introduced by Supervisors Dickinson, Kenny, Monroe, Vanselow, Brock, Seeber and Simpson

AUTHORIZING EXTENSION AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES

WHEREAS, Warren County and the New York State Office of Indigent Legal Services entered into an agreement on October 23, 2012 for the provision of funds to assist the County in improving the quality of indigent legal services provided by the Warren County Public Defender's Office pursuant to Article 18-B of the County Law, and

WHEREAS, among other things, the agreement was for a term commencing June 1, 2012 and terminating May 31, 2015, and the Public Defender has requested that the termination date be extended to November 30, 2015 for an amount not to exceed One Hundred Sixty Thousand Two Hundred Eighteen Dollars (\$160,218), and the Criminal Justice Committee has recommended the extension, now, therefore, be it

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute an extension agreement with the New York State Office of Indigent Legal Services to extend the termination date to November 30, 2015, for the services described in the preambles of this resolution in a form approved by the County Attorney.

Warren County Board of Supervisors

RESOLUTION NO. 374 OF 2013

Resolution introduced by Supervisors Conover, Taylor, Sokol, Monroe, Bentley, Wood, Kenny, Merlino and Frasier

**AUTHORIZING SUBMISSION OF GRANT APPLICATION TO
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES
TO HIRE A PROJECT MANAGER TO MANAGE GRANT
APPLICATIONS AND ASSIST WITH SECRETARIAL DUTIES
IN THE PUBLIC DEFENDER'S OFFICE**

WHEREAS, the Public Defender is requesting to submit a grant application to the New York State Office of Indigent Legal Services to hire a Project Manager to manage grant applications and assist with Secretarial Duties in an amount not to exceed One Hundred Sixty Thousand Two Hundred Eighteen Dollars (\$160,218), for a term commencing June 1, 2013 and terminating May 31, 2016, now, therefore be it

RESOLVED, that the Chairman of the Warren County Board of Supervisors be, and hereby is, authorized to execute a grant application to the New York State Office of Indigent Legal Services to hire a Project Manager to manage grant applications and assist with Secretarial Duties in an amount not to exceed One Hundred Sixty Thousand Two Hundred Eighteen Dollars (\$160,218), for a term commencing June 1, 2013 and terminating May 31, 2016, in a form approved by the County Attorney, and be it further

RESOLVED, that upon notification of the grant award the Chairman of the Board of Supervisors be, and hereby is, authorized to execute the grant agreement and any modification, extension and/or any other necessary documents relative to the aforescribed grant program in a form approved by the County Attorney.

Proposal for OILS Grant
(to continue position created by C000352)

Warren County Public Defender
Budget

	<u>Year One</u>	<u>Year Two</u>	<u>Year Three</u>
<u>Personnel</u>			
Confidential Secretary			
Salary	\$32,621	\$32,621	\$32,621
Total Salary	\$32,621	\$32,621	\$32,621
Social Security	\$2,023	\$2,023	\$2,023
Medicare	\$473	\$473	\$473
Dental	\$288	\$288	\$288
Retirement	\$3,001	\$3,001	\$3,001
Total Fringe	\$5,785	\$5,785	\$5,785
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Personnel Subtotal	\$38,406	\$38,406	\$38,406
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Three-year Total			\$115,218

**OFFICE OF INDIGENT LEGAL SERVICES
THREE-YEAR DISTRIBUTION**

**COUNTY OF WARREN
WORK PLAN**

January 1, 2016 – December 31, 2018

Goal: To improve the quality of services provided under Article 18-B of the County Law and maintain Public Defender and Assigned Counsel services.

Task #1:

- To continue the services of the Program Manager/Confidential Secretary position created in Grant #3, Contract #C000352 which expires on 5-31-16. This position was created solely with funds from the Office of Indigent Legal Services in Grant #3- Contract C000352. Warren County has not expended any funds for this position during the pendency of Grant C000352 other than funds to be reimbursed under said contract. The funds requested would provide for the salary, for Medicare coverage, for dental coverage, for social security and for retirement costs associated with the continuation of this position in the Warren County Public Defender's Office

Performance Measure:

- Streaming of process of applying for Office of Legal Services Grants.
- Facilitate reports and processing of expenditures reimbursement for Office of Legal Services grants.
- Increase in receipt and processing of Office of Legal services grants for Warren County representation of indigent clients.
- Continuity of current services provided by Office of Legal Services supplied by grant C000352
- The confidential Secretary requires thorough knowledge of legal terminology, business procedures and accounting procedures with the ability to maintain confidentiality and carry out oral and written directions while drafting legal correspondence, memoranda and other materials. The Confidential Secretary will continue to demonstrate these skills.

Program Location:

- Office of the Public Defender, Warren County, 1340 State Route 9, Lake George, NY 12845

Task #2:

- To provide additional and administrative and secretarial support for Public Defender Attorneys.
- To take on additional responsibility of providing support services for the Public Defender Attorneys and the investigator.

Performance Measure:

- Increase in time the Public Defender Attorneys spend with clients.
- Handles tasks independently for the Public Defender allowing for the Public Defender to increased time spent with clients.

Program Location:

- Office of the Public Defender, Warren County, 1340 State Route 9, Lake George, NY 12845

Task #3:

- To expand case manager/paralegal support for the Conflict Family Court Defender at the Legal Aid Society of Northeastern New York.

Performance Measures:

- Number of individuals who received case management support as a result of the creation of this position.
- Impact on outcome of Family Court cases where case management services were received.

Program Location:

- Legal Aid Society of Northeastern New York, 4 New Street, Saratoga Springs, NY 12866.

Budget Form

County	Warren
Budget Contact Person's Name	Shamim Huq
Phone	518-689-6315
E-mail address	shuq@lasnny.org

Line Item	2016	2017	2018
	Year 1	Year 2	Year 3
Personal Service:			
Position (specify)			
Salary:			
Paralegal 0.25/0.25/0.25 FTE	\$ 10,259	\$ 10,345	\$ 10,388
Fringe Benefits:			
30%	\$ 3,078	\$ 3,104	\$ 3,116
Personal Service Subtotal	\$ 13,337	\$ 13,449	\$ 13,504
Contractual Services: (Expert)			
Contractual Subtotal	\$ -	\$ -	\$ -
Equipment (specify)			
Equipment Subtotal	\$ -	\$ -	\$ -
Other Than Personal Service (OTPS)			
OTPS ratio: grant FTE/LASNNY FTE			
Space @ 0.003/0.0028/0.0027	\$ 611	\$ 570	\$ 550
Equipment Rental @ 0.003/0.0028/0.0027	\$ 93	\$ 86	\$ 83
Office Supplies @ 0.003/0.0028/0.0027	\$ 283	\$ 264	\$ 254
Telephone @ 0.003/0.0028/0.0027	\$ 118	\$ 110	\$ 106
Travel	\$ 217	\$ 203	\$ 196
Training	\$ 178	\$ 166	\$ 160
Library @ 0.003/0.0028/0.0027	\$ 163	\$ 152	\$ 147
OTPS Subtotal	\$ 1,663	\$ 1,551	\$ 1,496
Miscellaneous			
Miscellaneous Subtotal	\$ -	\$ -	\$ -
TOTAL	\$ 15,000	\$ 15,000	\$ 15,000
TOTAL THREE-YEAR BUDGET			\$ 45,000