

CRIMINAL JUSTICE

PUBLIC DEFENDER

AGENDA

January 22, 2020

Committee Members: Supervisors **SEEBER**, Leggett, Beaty, Diamond, Driscoll, McDevitt, and Shepler

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 per Supervisor Seeber to allow discussion on Bail Reform by the District Attorney Jason Carusone and Sheriff James LaFarr
2. Request to fill Vacant Position – 3<sup>rd</sup> Assistant Public Defender
3. Request to fill Vacant Position (original form expired on 1/1/2019) – Legal Clerk
4. Request to Create/ Request to Fill New Position – Coordinating Assistant Public Defender
5. Request to Create/ Request to Fill New Position – 9<sup>th</sup> Assistant Public Defender
6. Request to Amend an Existing Contract - LexisNexis
7. Request for New Contract – Mentoring Services
8. Request Approval for Out-of-State Travel/ Authorization to Attend Meeting or Convention – Charlotte, NC – Brian D. Pilatkze, Esq. 1<sup>st</sup> APD
9. Request Approval for Out-of-State Travel/ Authorization to Attend Meeting or Convention – Las Vegas, NV – Marcy I. Flores, Esq. PD

IV. Referrals/Pending Items:

None

V. Discussion Items:

Overview and/ or Questions on ILS updates/ 2019-2020 State Budget/ Historic Criminal Justice Reform (please refer to email sent to Supervisors on April 1, 2019)

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

VII. Motion to adjourn

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Attachments:

Notice of Intent to Fill – 3<sup>rd</sup> APD

Notice of Intent to Fill – Legal Clerk (re-newal)

Request to Create/ Notice of Intent to Fill – Coordinating APD

Request to Create/ Notice of Intent to Fill – 9<sup>th</sup> APD

Request to Amend Existing Contract – Lexis Nexis/ Original Resolution

Request for New Contract/ Accompanying Grant

Request to Travel – Charlotte, NC

Request to Travel – Las Vegas, NV

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an existing funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a new position. For complete instructions on the procedure to be followed, see the reverse of this form.

DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Warren County Public Defender Payroll Dept. No: 6.01 A.1171
Title of Position: 3rd Assistant Public Defender Base Salary of Position: \$69,891 Grade: 3
Filling at Step # (If Known):
Budget code and title: A.1171 110 (Public Defender Salary - Regular) Union Non-Union
This position is vacated due to: Retirement Resignation Termination Promotion Other
Employee No./Last Name: Date of Vacancy:
Is this position mandated? Yes No Is the position reimbursable? Yes No
Source of reimbursement: Federal % State 100 % Other %

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list Competitive-no list (hiring would be provisional) Non-Competitive Other
Actual Impact to Budget Report will be provided monthly by Human Resources Director.
Candidate's qualifications must be approved by Personnel Officer prior to hiring.
Human Resources Director has approved this form when initialed. 1-15-20

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

The Administrator has no objection to the filling of the vacancy.
The Administrator objects to the filling of the vacancy.
Administrator Signature Date 1/21/20

BUDGET OFFICER COMPLETES THIS SECTION

The Budget Officer has no objection to the filling of the vacancy.
The Budget Officer objects to the filling of the vacancy.
Budget Officer Signature Date 1/22/20

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Criminal Justice
The committee has no objection to the filling of the vacancy.
The committee objects to the filling of the vacancy.
In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.
In the case of an emergency, Committee Chair objects to the filling of the vacancy.
Ranking Committee Member Signature Date 1/22/20

# RESOLUTION REQUEST FORM NO. 12

Schedule "A"

## NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. For complete instructions on the procedure to be followed, see the reverse of this form.

### DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Warren County Public Defender Payroll Dept. No: 6.01 A.1171  
Title of Position: Legal Clerk Base Salary of Position: \$30,520.00 Grade: 5  
Filling at Step # (If Known): \_\_\_\_\_  
Budget code and title: A.1171 110 (Public Defender Salary - Regular) Union  Non-Union   
This position is vacated due to:  Retirement  Resignation  Termination  Promotion  Other  
Employee No./Last Name: \_\_\_\_\_ Date of Vacancy: \_\_\_\_\_  
Is this position mandated?  Yes  No Is the position reimbursable?  Yes  No  
Source of reimbursement:  Federal \_\_\_\_\_%  State 100%  Other \_\_\_\_\_%

### CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list  Competitive-no list (*hiring would be provisional*)  Non-Competitive  Other \_\_\_\_\_  
Actual Impact to Budget Report will be provided monthly by Human Resources Director.  
Candidate's qualifications must be approved by Personnel Officer prior to hiring. 2/11/20  
Human Resources Director has approved this form when Initialed. 1/14/20

### COUNTY ADMINISTRATOR COMPLETES THIS SECTION

- The Administrator has no objection to the filling of the vacancy.  
 The Administrator objects to the filling of the vacancy.

Administrator Signature [Signature] Date 1/20/20

### BUDGET OFFICER COMPLETES THIS SECTION

- The Budget Officer has no objection to the filling of the vacancy.  
 The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature L. B. M. [Signature] Date 1/21/20

### SUPERVISORY COMMITTEE COMPLETES THIS SECTION

- Name of Committee Criminal Justice  
 The committee has no objection to the filling of the vacancy.  
 The committee objects to the filling of the vacancy.  
 In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.  
 In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature [Signature] Date 1/22/20

RESOLUTION REQUEST FORM NO. 12

Schedule "A"

NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an existing funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a new position. For complete instructions on the procedure to be followed, see the reverse of this form.

DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Warren County Public Defender Payroll Dept. No: 6.01 A.1171
Title of Position: Legal Clerk Base Salary of Position: \$30,520.00 Grade: 5
Filling at Step # (If Known):
Budget code and title: A. 1171 110 (Public Defender Salary - Regular) Union [x] Non-Union [ ]
This position is vacated due to: [ ] Retirement [ ] Resignation [ ] Termination [ ] Promotion [ ] Other [x]
Employee No./Last Name: Date of Vacancy:
Is this position mandated? [ ] Yes [x] No Is the position reimbursable? [x] Yes [ ] No
Source of reimbursement: [ ] Federal [ ] % [x] State 100 [ ] Other [ ] %

CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

[ ] Competitive-active eligible list [ ] Competitive-no list (hiring would be provisional) [ ] Non-Competitive [ ] Other
Actual Impact to Budget Report will be provided monthly by Human Resources Director
Candidate's qualifications must be approved by Personnel Officer prior to hiring.
Human Resources Director has approved this form when Initialed. [Signature] 5/29/19 5/29/19

COUNTY ADMINISTRATOR COMPLETES THIS SECTION

[x] The Administrator has no objection to the filling of the vacancy.
[ ] The Administrator objects to the filling of the vacancy.

Administrator Signature [Signature] Date 5/31/19

BUDGET OFFICER COMPLETES THIS SECTION

[x] The Budget Officer has no objection to the filling of the vacancy.
[ ] The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature Frank E. Thomas Date 5/31/19

SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Criminal Justice & Public Safety

[x] The committee has no objection to the filling of the vacancy.
[ ] The committee objects to the filling of the vacancy.
[ ] In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.
[ ] In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature [Signature] Date 5-31-19

# ***RESOLUTION REQUEST FORM NO. 11***

## ***Request to Create New Position***

**DEPARTMENT NAME:** Warren County Public Defender

**DATE:** 01/14/2020

- (a) Title of Requested Position: **Coordinating Assistant Public Defender**
- (b) Annual Base Salary (and Grade if Applicable): **TBD (\$72,074 - \$92,623)/ Grade 4**
- (c) Effective Date for New Position:\* **02/24/2020**  
\*Please do not backdate unless the purpose is to correct an error.
- (d) List Any Position in the Department's Table of Organization Being Deleted as a Result of this Request: (Include annual salary and grade if applicable):
- (e) Where are Funds in the Budget for this Position? List Budget Code, Object Code, Full Title and Amount:  
**A.1171 110 (Public Defender Salary - Regular)**
- (f) Has Personnel Officer Reviewed and Approved of the New Position Title? (This is necessary **BEFORE** bringing the request to committees.)  
**Yes**
- (g) Is this a mandated position? If so, please explain:  
**No**
- (h) Is there expected revenue from this position? If so, please explain:  
**No**

Warren County Public Defender's Office has an opening for an attorney.

Please contact Public Defender Marcy Flores with a resume and a writing sample at:

[floesm@warrencountyny.gov](mailto:floesm@warrencountyny.gov) or at Warren County Public Defender's Office, 1340 State Route 9, Lake George, NY 12845. (518)761-6207. Fax number (518) 761-6208.

#### **Coordinating Assistant Public Defender**

- Salary of a range of \$72,074- \$92,623 with full county benefits.
- Work involves representing clients assigned by the Public Defender in criminal court proceedings. This involves representation through all stages of the proceeding following arrest and at the initial court appearance. Work is performed under the general supervision of the Public Defender with wide leeway allowed for the exercise of independent judgment. The attorney does work related to the case as required. The cases involve filing demands, motions, preparing for hearings, conducting hearings, evaluation of the case and plea bargaining. The attorney would also conduct legal research, prepare for trials and conduct the trial. Will be supervising other attorneys filing demands, motions, preparing for hearings, conducting hearings, evaluation of the case and plea bargaining. The attorney would also supervise other attorneys conducting legal research, preparing for trials and conducting the trial.
- Must be able to work nights and weekends as needed.
- Knowledge of family court law, criminal law and court proceedings would be necessary for the applicant.
- The ability to communicate effectively both orally and in writing is mandatory.
- The applicant must possess a NY State law license and have at least five years of experience as an attorney in the fields of criminal law.
- The applicant must possess a valid NYS driver's license.
- The position is subject to the approval of the Board of Supervisors.

*Warren County is an EOE/AA Employer*

# RESOLUTION REQUEST FORM NO. 12

Schedule "A"

## NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. For complete instructions on the procedure to be followed, see the reverse of this form.

### DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Warren County Public Defender Payroll Dept. No: 6.01 A.1171  
Title of Position: Coordinating Assistant Public Defender Base Salary of Position: ~~TBD (672,074-802,633)~~ Grade: 4  
Filling at Step # (If Known): \_\_\_\_\_ \$ 94,475 Budgeted  
Budget code and title: A.1171 110 (Public Defender Salary - Regular) Union  Non-Union   
This position is vacated due to:  Retirement  Resignation  Termination  Promotion  Other  
Employee No./Last Name: \_\_\_\_\_ Date of Vacancy: \_\_\_\_\_  
Is this position mandated?  Yes  No Is the position reimbursable?  Yes  No  
Source of reimbursement:  Federal \_\_\_\_\_ %  State 100 %  Other \_\_\_\_\_ %

### CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list  Competitive-no list (*hiring would be provisional*)  Non-Competitive  Other \_\_\_\_\_  
Actual Impact to Budget Report will be provided monthly by Human Resources Director.  
Candidate's qualifications must be approved by Personnel Officer prior to hiring. NO  
Human Resources Director has approved this form when Initialed. NO 1-15-20

### COUNTY ADMINISTRATOR COMPLETES THIS SECTION

- The Administrator has no objection to the filling of the vacancy.  
 The Administrator objects to the filling of the vacancy.

Administrator Signature [Signature] Date 1/21/20

### BUDGET OFFICER COMPLETES THIS SECTION

- The Budget Officer has no objection to the filling of the vacancy.  
 The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature [Signature] Date 1/22/20

### SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Criminal Justice

- The committee has no objection to the filling of the vacancy.  
 The committee objects to the filling of the vacancy.  
 In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.  
 In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature [Signature] Date 1/22/20

# ***RESOLUTION REQUEST FORM NO. 11***

## ***Request to Create New Position***

**DEPARTMENT NAME:** Warren County Public Defender

**DATE:** 01/14/2020

- (a) Title of Requested Position: **9th Assistant Public Defender**
- (b) Annual Base Salary (and Grade if Applicable): **\$71,931/ Grade 3**
- (c) Effective Date for New Position: \* **02/24/2020**  
\*Please do not backdate unless the purpose is to correct an error.
- (d) List Any Position in the Department's Table of Organization Being Deleted as a Result of this Request: (Include annual salary and grade if applicable):
- (e) Where are Funds in the Budget for this Position? List Budget Code, Object Code, Full Title and Amount:  
**A.1171 110 (Public Defender Salary - Regular)**
- (f) Has Personnel Officer Reviewed and Approved of the New Position Title? (This is necessary **BEFORE** bringing the request to committees.)  
**Yes**
- (g) Is this a mandated position? If so, please explain:  
**No**
- (h) Is there expected revenue from this position? If so, please explain:  
**No**

# RESOLUTION REQUEST FORM NO. 12

Schedule "A"

## NOTICE OF INTENT TO FILL VACANT POSITION

This notice of intent is filed whenever a department head plans to fill an *existing* funded position in their budget that is vacated due to a retirement, resignation, termination or promotion. This notice may not be used for requests to create a *new* position. For complete instructions on the procedure to be followed, see the reverse of this form.

### DEPARTMENT HEAD COMPLETES THIS SECTION

Department: Warren County Public Defender Payroll Dept. No: 6.01 A.1171  
Title of Position: 9th Assistant Public Defender Base Salary of Position: \$71,931 <sup>awing</sup> \$109,891 Grade: 3  
Filling at Step # (If Known): \_\_\_\_\_  
Budget code and title: A.1171 110 (Public Defender Salary - Regular) Union  Non-Union   
This position is vacated due to:  Retirement  Resignation  Termination  Promotion  Other  
Employee No./Last Name: \_\_\_\_\_ Date of Vacancy: \_\_\_\_\_  
Is this position mandated?  Yes  No Is the position reimbursable?  Yes  No  
Source of reimbursement:  Federal \_\_\_\_\_%  State 100%  Other \_\_\_\_\_%

### CIVIL SERVICE STATUS AND HUMAN RESOURCES DIRECTOR APPROVAL

Competitive-active eligible list  Competitive-no list (*hiring would be provisional*)  Non-Competitive  Other \_\_\_\_\_  
Actual Impact to Budget Report will be provided monthly by Human Resources Director.  
Candidate's qualifications must be approved by Personnel Officer prior to hiring. 205/1/20  
Human Resources Director has approved this form when initialed. 1-15-20

### COUNTY ADMINISTRATOR COMPLETES THIS SECTION

- The Administrator has no objection to the filling of the vacancy.  
 The Administrator objects to the filling of the vacancy.

Administrator Signature [Signature] Date 1/21/20

### BUDGET OFFICER COMPLETES THIS SECTION

- The Budget Officer has no objection to the filling of the vacancy.  
 The Budget Officer objects to the filling of the vacancy.

Budget Officer Signature [Signature] Date 1/22/20

### SUPERVISORY COMMITTEE COMPLETES THIS SECTION

Name of Committee Criminal Justice

- The committee has no objection to the filling of the vacancy.  
 The committee objects to the filling of the vacancy.  
 In the case of an emergency, Committee Chair has no objection to the filling of the vacancy.  
 In the case of an emergency, Committee Chair objects to the filling of the vacancy.

Ranking Committee Member Signature [Signature] Date 1/22/20

## RESOLUTION REQUEST FORM NO. 4

### *Request for Extending, Rescinding or Amending Existing Contract*

DEPARTMENT NAME: Warren County Public Defender

DATE: 01/14/2020

- (a) Purpose of Contract Change:  
**Addition of New Users as Public Defender Attorney Staff increases.**
- (b) Resolution Number, or Numbers if Amended, which Authorized the Original Contract:  
**356 of 2018**
- (c) Name of Contractor:  
**RELX Inc. DBA LexisNexis**
- (d) Address of Contractor: **P.O. Box 9584**  
**New York, NY 10087-4584**
- (e) Contractor's Contact Person and Telephone Number:  
**(800) 543-6862**
- (f) Commencement Date of Extension:
- (g) Termination Date of Extension:
- (h) Payment Provisions: i) lump sum amount **TBD**  
ii) hourly rate amount  
iii) total amount not to exceed  
iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.)  
**Monthly**
- (i) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title\* and Amount: **OR** Capital Project **OR** Capital Reserve Project Number, and Title, and Amount:  
**A. 1171 426 (Public Defender - Subscriptions)**

Sample: A.1010 470 Legislative Board – Contract \$xx.xx  
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx

\*as listed in budget and LOGOS

# Warren County Board of Supervisors

## RESOLUTION NO. 356 OF 2018

RESOLUTION INTRODUCED BY SUPERVISORS LEGGETT, GERAGHTY, SIMPSON, WILD, MAGOWAN, DIAMOND, SOKOL, HOGAN, BRAYMER, DRISCOLL AND VACANT

**AUTHORIZING EXTENSION OF THE CURRENT AGREEMENT WITH LEXISNEXIS FOR A SUBSCRIPTION FOR A LAW LIBRARY RESEARCH SYSTEM AND AUTHORIZING CONTINUATION OF THE AGREEMENT FOR AN ADDITIONAL THREE YEAR TERM FOR THE PUBLIC DEFENDER'S OFFICE**

WHEREAS, the Public Defender has requested to extend the agreement with LexisNexis, P.O. Box 9584, New York, New York 10087 for a subscription for a law library research system for the Warren County Public Defender's Office until December 31, 2018 and to continue the agreement for an additional three year term commencing on January 1, 2019 and terminating on December 31, 2021 for the following amounts:

October 1, 2018 - December 31, 2018 - \$298 per month, not to exceed \$894;

January 1, 2019 - December 31, 2019 - \$355.12 per month, not to exceed \$4,261.44;

January 1, 2020 - December 31, 2020 - \$358.67 per month, not to exceed \$4,304.04;

January 1, 2021 - December 31, 2021 - \$362.25 per month not to exceed \$4,347, now, therefore be

it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute any and all documents necessary for extension and continuation of the agreement with LexisNexis for a subscription for a law library research system for the Warren County Public Defender's Office, as outlined above, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for this agreement shall be expended from Budget Code A.1171 426 Public Defender, Subscriptions.

# RESOLUTION REQUEST FORM NO. 3

## Request for New Contract

DEPARTMENT NAME: Warren County Public Defender

DATE: 01/14/2020

- (a) Is this a Result of a Bid or Request for Proposal?
- (b) Purpose of Contract:  
**To authorize the Warren County Public Defender's Office to enlist outside attorneys to mentor staff attorneys on cases, pursuant to a grant awarded to the office.**
- (c) Name of Contractor:
- (d) Address of Contractor:
- (e) Contractor's Contact Person and Telephone Number:
- (f) Has or will the Contract be provided, if so, please attach:
- (g) Commencement Date of Contract:
- (h) Termination Date of Contract:
- (i) Payment Provisions:
  - i) lump sum amount
  - ii) hourly rate amount
  - iii) total amount not to exceed
  - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title\* and Amount: OR Capital Project OR Capital Reserve Project Number, Title, and Amount:

Sample: A.1010 470 Legislative Board – Contract \$xx.xx  
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx

\*as listed in budget and LOGOS

ATTACHMENT C

WORK PLAN

OFFICE OF INDIGENT LEGAL SERVICES

STATEWIDE EXPANSION OF HURRELL-HARRING

APRIL 1, 2018 – MARCH 31, 2023

COUNTY OF WARREN

**Goals, Objectives, and Performance Measures**

On a semi-annual basis, each grantee/contractor shall provide the Office of Indigent Legal Services with a written progress report summarizing the work performed during each such semi-annual period. The reports shall detail the grantee/contractor's progress toward attaining the specific goals, objectives and key performance measures as outlined below along with any additional information that may be required by the Office. These program progress reports must be submitted October 31<sup>st</sup> for the period starting April 1<sup>st</sup> and ending September 30<sup>th</sup> and April 30<sup>th</sup> for the period starting October 1<sup>st</sup> and ending March 31<sup>st</sup>.

Program progress reports will continue until such time as the funds subject to this contract are no longer available, have been accounted for, and/or throughout the contract period. The first progress report may be waived if the final approval of the grantee/contractor's contract by the Office of the State Comptroller is within two months of the date such progress report would be due. (See Attachment D ["Payment and Reporting Schedule"] for written progress report reporting requirements in their entirety.)

**Goal**

Implement the provisions of Chapter 59 of the Laws of 2017, Part VVV, sections 11-13, providing that the Office of Indigent Legal Services shall implement a plan to extend statewide the benefits of the Hurrell-Harring settlement reforms.

**First Objective**

Ensure all eligible criminal defendants are represented by counsel at arraignment, provided that timely arraignment with counsel is not delayed pending a determination of a defendant's eligibility.

Key Performance Measures

1. The number of attorneys hired with this funding who provide representation at arraignment;

2. The number of arraignments handled by each attorney compensated with this funding; and
3. A brief description of all activities funded by this grant under this objective and how those activities have improved the provision of counsel at first appearance.

### **Second Objective**

Full compliance with the caseload standards issued by the Office of Indigent Legal Services.

#### Key Performance Measures

1. The number of attorneys hired with this funding and the dates of such hires;
2. The number of new cases opened by attorneys compensated with this funding;
3. The number of non-attorneys hired with this funding and the dates of such hires;
4. The name, and date of appointment, of the Data Officer or a description of progress toward appointment of a Data Officer; and
5. A brief description of all activities funded by this grant under this objective and how those activities have reduced caseloads.

### **Third Objective**

Implement initiatives to improve the quality of indigent defense such that attorneys receive effective supervision and training, have access to and appropriately utilize investigators, interpreters and expert witnesses on behalf of clients, communicate effectively with their clients, have the necessary qualifications and experience, and, in the case of assigned counsel attorneys, are assigned to cases in accordance with article 18-b of the county law and in a manner that accounts for the attorney's level of experience and caseload/workload.

#### Key Performance Measures

1. The number of training events supported by this funding;
  2. The number of attorneys whose attendance at training events was supported by this funding;
  3. The number of cases in which expert services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services;
  4. The number of cases where investigative services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services; and
- A brief description of all activities funded by this grant under this objective and how those activities have improved the quality of representation provided to clients.

## YEAR 1 BUDGET

### Public Defender's Office

#### Personnel:

- **Add a full-time Public Defender Coordinating Supervisor position.** This new position will be responsible for supervising attorneys and staff in criminal matters, coordinating and implementing planned improvements in indigent legal representation, attorney development and employee retention. This position is pro-rated for a three-month period; the fully annualized salary is \$74,880.
- **Add a part-time Investigator position.** This new position will perform investigative services on criminal cases and assist attorneys with trial preparation at an hourly rate of \$25 for 16 hours per week. This position is pro-rated for a three-month period; the fully annualized salary is \$20,800.
- **Add a full-time Social Worker position.** This new position will assist clients with substance abuse treatment, mental health services, victim counseling and other services at an hourly rate of \$20. This support aids in decreased violations of conditional discharges and probation as a result of compliance with treatment terms. This position is pro-rated for a three-month period; the fully annualized salary is \$41,600.
- **Add a part-time Data Entry Secretary position.** This position will be responsible for assisting with the administration of the office, including opening and closing case files and entering data into the Case Management System at an hourly rate of \$15 for 24 hours per week. This position is pro-rated for a three-month period; the fully annualized salary is \$18,720.
- **Add a Data Officer position.** This position will be filled by an existing employee within the Public Defender's Office and will serve as the liaison to Indigent Legal Services on behalf of Warren County's Public Defender's Office and Assigned Counsel Program. The Data Officer's primary function will be to work with ILS to operationalize the data requirements for up to 22 hours per month. To the extent Data Officer responsibilities are increased, current responsibilities will be shifted to other staff.
- **Provide funding for merit-based salary enhancements.** Salary enhancement will be made available to existing staff based on merit and for the purpose of retaining staff.
- **Provide funding for retention stipends.** Employees will receive small stipends and fringe based on years of service, reflective of increased responsibilities.
- **Provide Counsel at First Appearance (CAFA) stipends.** Stipends will be provided to attorneys for non-session weekly arraignments in the amount of \$472.50 per week and after-hour night arraignment in the amount of \$1,000 per year for one attorney.

**Contracted/Consultant:**

- **Provide funding for specialized services.** Services will include experts at an hourly rate of \$250; investigators at an hourly rate of \$55; interpreters at an hourly rate of \$75-\$150; and social workers at an hourly rate of \$75 to assist with case preparation and improve quality of representation.
- **Create a Mentor Program.** The Public Defender's Office will partner with a criminal defense attorney at an hourly rate of \$150 to provide mentoring services to attorneys.

**OTPS:**

- **Provide funding for incidental and operational expenses.** Expenses include:
  - Office furniture for new space to create functional environments for client meetings and trial preparation, as well as for the replacement of broken furniture in existing space
  - Computer equipment to allow attorneys to work remotely while making court appearances
  - Cell phones and internet to allow attorneys to work remotely and access the Case Management System while providing indigent legal representation, as well as to be accessible for on-call duty after hours and on weekends
  - Continuing Legal Education (CLE) for training and trial skills to improve the quality of representation for criminal cases
  - Public Defense Case Management System (PDCMS) licenses for two more users at \$500 per user, plus text and cell phone app features for existing staff for \$160 total
  - Professional association membership fees for 10 attorneys for NYSDA, NYSBA, WBA, NACDL, NYS Secure Pass, with fees ranging from \$25-\$145 per member
  - Books to provide attorneys with access to information regarding cross-examination, expert witnesses, confessions, mental health defense, search and seizure, and criminal procedure in New York
  - Client transportation to assist indigent clients with transportation to court and for case preparation meetings with their attorneys

**Assigned Counsel Plan**

**Personnel:**

- **Add a part-time Clerk position.** This position will assist with case assignments, data collection and grants for 20 hours per week.
- **Add a part-time Grants Manager position.** This new position will be a shared County employee. Responsibilities will include assisting in the administration of Assigned Counsel Program criminal defense grants and data collection for 20 hours per month.

- **Provide a salary increase to the Assigned Counsel Program Administrator for increased responsibility.** The salary increase will support the retention of the existing employee in the role and the additional responsibility of providing supervision to the Grants Manager.

**Contracted/Consultant:**

- **Add a Supervising Attorney position.** The Assigned Counsel Program will contract with an attorney at an estimated hourly rate of \$150 to assist and advise the Assigned Counsel Program Administrator and 18-B panel attorneys.
- **Supplement the Rural Law Center Criminal Appeals contract.** This contract will allow for additional criminal cases on appeal beyond what is contained in the existing contract. The compensation will be approximately \$2,500 per additional case.
- **Provide funding for specialized services.** Services will include experts at an hourly rate of \$250; investigators at an hourly rate of \$55; interpreters at an hourly rate of \$75-\$150; and social workers at an hourly rate of \$75 to assist with case preparation and improve quality of representation.

**OTPS:**

- **Provide funding for office furniture and computer equipment.** These items will be provided to the new personnel in the Assigned Counsel Program to create workspaces.

## ***RESOLUTION REQUEST FORM NO. 15***

### ***Requesting Approval for Out-of-State Travel\****

*\*If the conference announcement or details are available in writing, please attach.*

**DEPARTMENT NAME: Warren County Public Defender**

**DATE: 01/14/2020**

- (a) Dates of Travel: **May 6 - 9, 2020**
  
- (b) Purpose (include complete name of any conference, school, etc.):  
**NACDL's 2020 Spring Meeting & Seminar - All The Wright Tools: Taking Flight with Your Defense From Arraignment to Acquittal**
- (c) City/Town & State:  
**Charlotte, NC**
  
- (d) Employee(s) Traveling (include title(s):  
**Brian D. Pilatzke, Esq. 1st Assistant Public Defender**
  
- (e) Is County paying the costs or is another Agency?  
**County - Reimbursed by ILS**
  
- (f) Mode of Transportation to be Use: **Mass Transportation**  
(County Vehicle or Mass Transportation)

***Please note: If County vehicle use is requested, upon resolution approval, please provide Fleet Manager Frank Morehouse with vehicle request form properly completed.***

SCHEDULE "A"  
**AUTHORIZATION TO ATTEND MEETING OR CONVENTION**

Check one:

- In-State (Must be approved by Department Head, County Administrator & Committee Chair)  
 Out-of-State (Requires Board resolution)

The Criminal Justice Committee hereby authorizes Brian D. Pilatzke, Esq.  
(Supervisory Committee) (Employee Name)

to attend NACDL's All The Wright Tools: Taking Flight with Your Defense From Arraignment to Acquittal  
(Name of meeting or organization)

at Hilton Charlotte Center City 220 East Third Street, Charlotte, NC on May 6 - 9, 2020  
(Address) (Dates)

Meeting/Convention Cost: \$309 Mode of transportation to be used: Mass Transportation  
(County Vehicle or Mass Transportation)

If the mode of transportation is not a county vehicle or mass transportation, please explain:  
 \_\_\_\_\_

**Proper documentation must be attached when submitting for approval.**  
 (Please check documents attached)

Notice of meeting or convention including cost. Total Cost of Travel \$ 1789.00  
(travel and meeting/convention cost)

**For Overnight Travel** Funding in Budget?  Y  N  
 Room rate \$ 199+\$29 GSA\* Rate \$ \$129

Meal costs - GSA\* per diem rate \$ \$56/ day Budget Code: A.1171 444 (Travel/ Education/ Conference)  
\* [www.gsa.gov](http://www.gsa.gov)

Date: 1-14-2020

*Mary D*  
 Department Head Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
 County Administrator Signature

Date: \_\_\_\_\_

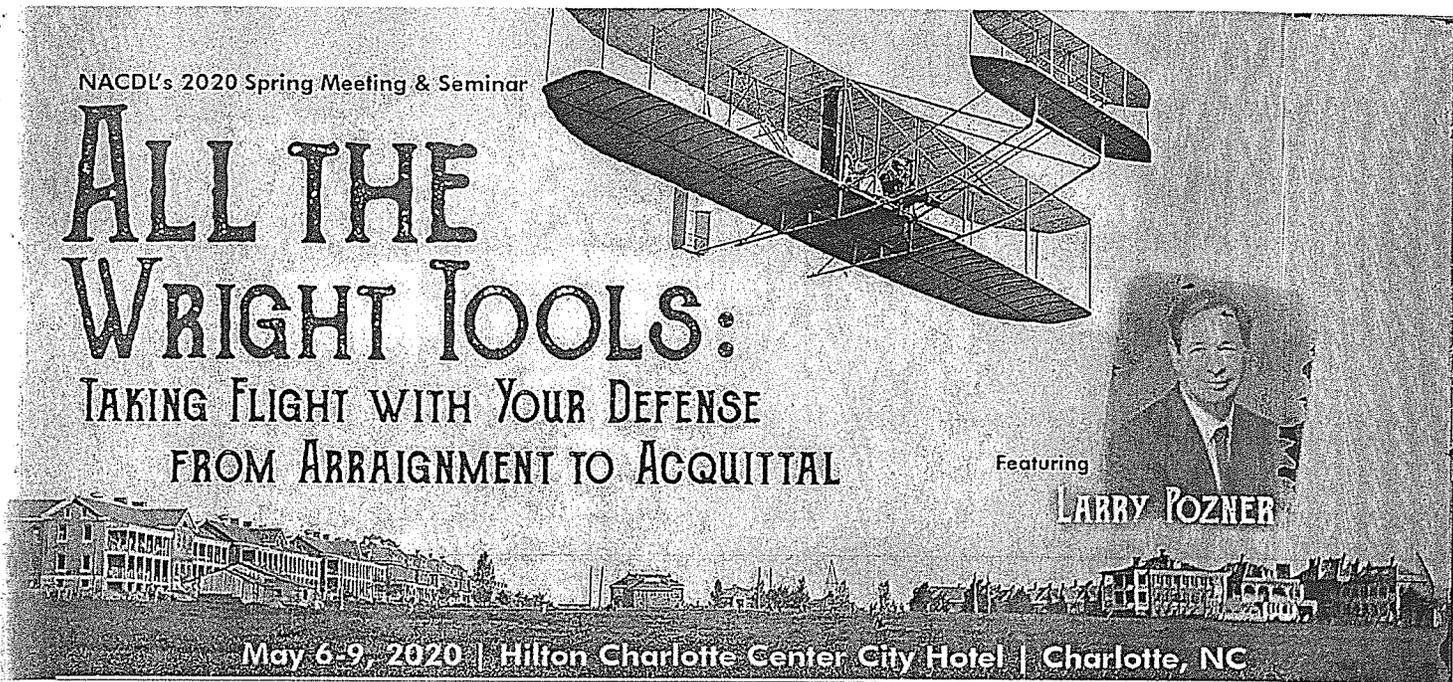
\_\_\_\_\_  
 Committee Chairman Signature

Please refer to the Warren County Travel Policy and County Vehicle Use Regulations for general policy guidelines.

\*\*\*\*\*  
 Please check to request a fleet vehicle.  **REQUEST FOR USE OF FLEET VEHICLE**



- Filing Instructions:
1. Original with voucher to Auditor.
  2. Copy to Buildings & Grounds if fleet vehicle is needed.
  3. Copy to Clerk of the Board with Resolution Request form if out-of-State travel.
  4. Copy to Purchasing with Purchase Order, if required.
  5. Copy to Clerk of the Board if credit card will be used.
  6. Copy of executed form needs to be included in next agenda for reporting to oversight Committee.



# 2020 Spring Meeting & Seminar

Hilton Charlotte Center City, Charlotte, NC - CLE Credits: 14.3 General/1.0 Ethics

- [AGENDA](#)
- [FACULTY](#)
- [CLE](#)
- [HOTEL](#)
- [EXHIBITOR/SPONSOR](#)
- [SCHOLARSHIPS](#)

[PRICING](#)

[REGISTER ONLINE \(HTTPS://MEMBERS.NACDL.ORG/EVENTS/EVENT-REGISTRATION/?ID=670E4E3F-96A9-4F7C-BF22-478BDE8A87D0\)](https://members.nacdl.org/events/event-registration/?ID=670E4E3F-96A9-4F7C-BF22-478BDE8A87D0)

[REGISTER BY PDF \(/GETATTACHMENT/9A9292EC-5156-419B-9A8E-106D743BBDD95/2020%20SPRING%20CHARLOTTE%20REGISTRATIONAD%207022019%201220.PDF?LANG=EN-US\)](https://members.nacdl.org/events/event-registration/?ID=670E4E3F-96A9-4F7C-BF22-478BDE8A87D0)

[MATERIALS \(HTTPS://MEMBERS.NACDL.ORG/SPRING-RELATED-PRODUCTS\)](https://members.nacdl.org/spring-related-products)

## PROGRAM SUMMARY:

If you want to take flight with your defenses, you can't let your trial skillset stall out. To be the best defense advocates, we must eliminate the drag of status quo trial tactics by continuously learning, modernizing, and reinvigorating the design of our trial skills.

By attending NACDL's 2020 Spring Meeting & Seminar in Charlotte, you will not only learn the core principles of constructing a

Winning defense from arraignment to acquittal, but you will learn to fly with new and innovative advanced trial techniques from stars of criminal defense, like Larry Pozner on Cross-Examination. Some of the most experienced and brightest trial attorneys in their respective areas will let you in on the secrets of their success by demonstrating trial skills and techniques they've used and know to be the most effective way to help improve the likelihood of success at trial. This training will help you work your way through a case from A-Z with practical tips and important insights into how to manage your case from day one, beginning with effective bail strategies and pre-trial motions before moving through the entirety of trial, and ending with closing arguments and sentencing.

Get more lift out of your defenses; make your plans to join NACDL in Charlotte and be on your way to more "Not Guilty!" verdicts. Larry Pozner, a master of cross-examination, and co-author of "*Cross-Examination: Science and Technique*" (<https://store.lexisnexis.com/categories/area-of-practice/shop-by-jurisdiction-156/crossexamination-science-and-techniques-skuusku6893>) will be the featured speaker in a special 4-hour session.

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# AGENDA

The program agenda and faculty are subject to change.

**Wednesday, May 6, 2020**

3:00-6:00 pm Early Registration & Exhibits

**Thursday, May 7, 2020**

7:15 am Registration, Exhibits & Continental Breakfast

8:15 am Welcoming Remarks – NACDL President Nina Ginsberg (Alexandria, VA) & Program Chairs Marissa Elkins (Northampton, MA), C. Missy Owen (Charlotte, NC), and Sonya Pfeiffer (Charlotte, NC)

8:30 am *Pushing from All Directions: Bail Reform, Detention, and Pre-Trial Evidentiary Hearings* – Jake Sussman (Waverley, MA)

9:20 am *Creative Motions Practice: It's Not Just for Dancers* – Paul Rudof (Northampton, MA)

10:10 am Exhibits, Networking & Refreshment Break

10:30 am *Litigation Ethics: How to Fly High, Without Crashing and Burning* – Karen Clark (Phoenix, AZ)

11:30 am *Case Preparation and Investigation* – Bradley J. Bannon (Raleigh, NC)

12:30 pm Lunch break on your own

2:00 pm *Establishing Your Theme & Theory in Eight Easy Steps* – Andrea George (Spokane, WA)

2:50 pm *Voir Dire Techniques: De-selection, and the 15-Minute Voir Dire* – Martin Sabelli (San Francisco, CA) & Lisa Wayne (Denver, CO)

4:20 pm Exhibits, Networking & Refreshment Break

4:40 pm *In the Beginning...The Impact of Great Storytelling in Opening Statements* – Patrice Fulcher (Linthicum Heights, MD)

7:00 pm

Welcome to Charlotte Cocktail Reception

Silver Sponsors:



Bronze Sponsors:



Supporters:

- Attorneys Rob Heroy & Michael Green

**Friday, May 8, 2020**

7:15 am Registration, Exhibits & Continental Breakfast

8:00 am Morning Announcements - CLE Program Chairs

8:10 am *Pozner on Cross-Examination PART 1* - Larry Pozner (Denver, CO)

- The 4 Mental Shifts of Modern Cross
- The 3 Techniques That Control Witnesses

[WATCH] (<https://www.youtube.com/watch?v=4Bj-RYFTOLs&feature=youtu.be>) a 7-minute sample video of Larry Pozner's Presentation

9:00 am NACDL Committee Meetings Throughout the Day (Please see the committee meeting schedule online, or pick-up a detailed schedule at the NACDL registration desk)

10:10 am Exhibits, Networking & Refreshment Break

10:30 am *Pozner on Cross-Examination PART 2* - Larry Pozner (Denver, CO)

- The Chapter Method of Modern Cross
- Page Preparation That De-Risks Cross

[WATCH] (<https://www.youtube.com/watch?v=4Bj-RYFTOLs&feature=youtu.be>) a 7-minute sample video of Larry Pozner's Presentation

12:30 pm Lunch break on your own

2:00 pm	<i>Telling Your Story: Persuasive Direct Examination</i> – Edward J. Ungvarsky (Alexandria, VA)
2:50 pm	<i>Persuading the Factfinder With the Power of Story</i> – Natasha Silas (Atlanta, GA)
3:40 pm	Exhibits, Networking & Refreshment Break
4:00 pm	<i>Closing Arguments: Why Using Technology is Crucial to Communicating With a Modern Jury</i> – Erin Taylor (Charlotte, NC)
4:50 pm	<i>Sentencing</i> – Hon. Nancy Gertner (ret.) (Cambridge, MA)
5:40 pm	Seminar Adjourns

### Saturday, May 9, 2020

7:30 am	Exhibits
8:00 am	NACDL Committee Meetings (pick-up detailed schedule at NACDL registration desk)
9:00 am	NACDL Spring Board of Directors Meeting
1:00 pm	Enjoy Charlotte!

## FACULTY

**EATURING:** Larry Pozner (<http://www.rplaw.com/larry-pozner/>) (Denver, CO)

- Bradley J. Bannon (<https://www.pathlaw.com/sample-page/bradley-j-bannon/>) (Raleigh, NC)
- Karen Clark (<http://www.adamsclark.com/>) (Phoenix, AZ)
- Patrice Fulcher (Linthicum Heights, MD)
- Andrea George (<https://www.fdewi.org/attorneys.html>) (Spokane, WA)
- Hon. Nancy Gertner (ret.) (<http://www.nancygertner.com/>) (Cambridge, MA)
- Paul Rudof (<https://elkinslawllc.com/attorneys/paul-rudof/>) (<https://elkinslawllc.com/attorneys/paul-rudof/>) (Northampton, MA)
- Martin Sabelli (<http://www.sabellilaw.com/>) (San Francisco, CA)
- Natasha Silas (<http://www.ncdc.net/staff>) (Atlanta, GA)
- Jake Sussman (<https://thejusticecollaborative.com/jake-sussman>) (Waverley, MA)
- Erin Taylor (<https://www.linkedin.com/in/erin-taylor-5b08497/>) (Charlotte, NC)
- Edward J. Ungvarsky (<https://ungvarskylaw.com/learn-about-ed>) (Alexandria, VA)
- Lisa Wayne (<https://www.waynelawfirm.com/>) (Denver, CO)

## CLE INFORMATION

## ***RESOLUTION REQUEST FORM NO. 15***

### ***Requesting Approval for Out-of-State Travel\****

***\*If the conference announcement or details are available in writing, please attach.***

**DEPARTMENT NAME: Warren County Public Defender**

**DATE: 01/14/2020**

- (a) Dates of Travel: **April 2 - 4, 2020**
  
- (b) Purpose (include complete name of any conference, school, etc.):  
**NACDL's 13th Annual Forensic Science Seminar - Making Sense of  
Science: Forensic Science & the Law**
- (c) City/Town & State:  
**Las Vegas, NV**
- (d) Employee(s) Traveling (include title(s):  
**Marcy I. Flores, Esq. Public Defender**
- (e) Is County paying the costs or is another Agency?  
**County - Reimbursed by ILS**
- (f) Mode of Transportation to be Use: **Mass Transportation**  
(County Vehicle or Mass Transportation)

***Please note: If County vehicle use is requested, upon resolution approval, please provide  
Fleet Manager Frank Morehouse with vehicle request form properly completed.***

SCHEDULE "A"  
**AUTHORIZATION TO ATTEND MEETING OR CONVENTION**

Check one:

- In-State (Must be approved by Department Head, County Administrator & Committee Chair)  
 Out-of-State (Requires Board resolution)

The Criminal Justice Committee hereby authorizes Marcy I. Flores, Esq.  
(Supervisory Committee) (Employee Name)

to attend NACDL's Making Sense of Science: Forensic Science & the Law  
(Name of meeting or organization)

at Four Seasons Hotel, Las Vegas, NV on April 2 - 4, 2020  
(Address) (Dates)

Meeting/Convention Cost: \$309 Mode of transportation to be used: Mass Transportation  
(County Vehicle or Mass Transportation)

If the mode of transportation is not a county vehicle or mass transportation, please explain:

Proper documentation must be attached when submitting for approval.

(Please check documents attached)

Notice of meeting or convention including cost. Total Cost of Travel \$ 1963.50  
(travel and meeting/convention cost)

**For Overnight Travel**

Room rate \$ 199+\$29 GSA\* Rate \$ \$129

Funding in Budget?  Y  N

Meal costs - GSA\* per diem rate \$ \$61/day Budget Code: A.1171 444 (Travel/ Education/ Conference)  
\* [www.gsa.gov](http://www.gsa.gov)

Date: 1-14-2020

Marcy I. Flores  
Department Head Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
County Administrator Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Committee Chairman Signature

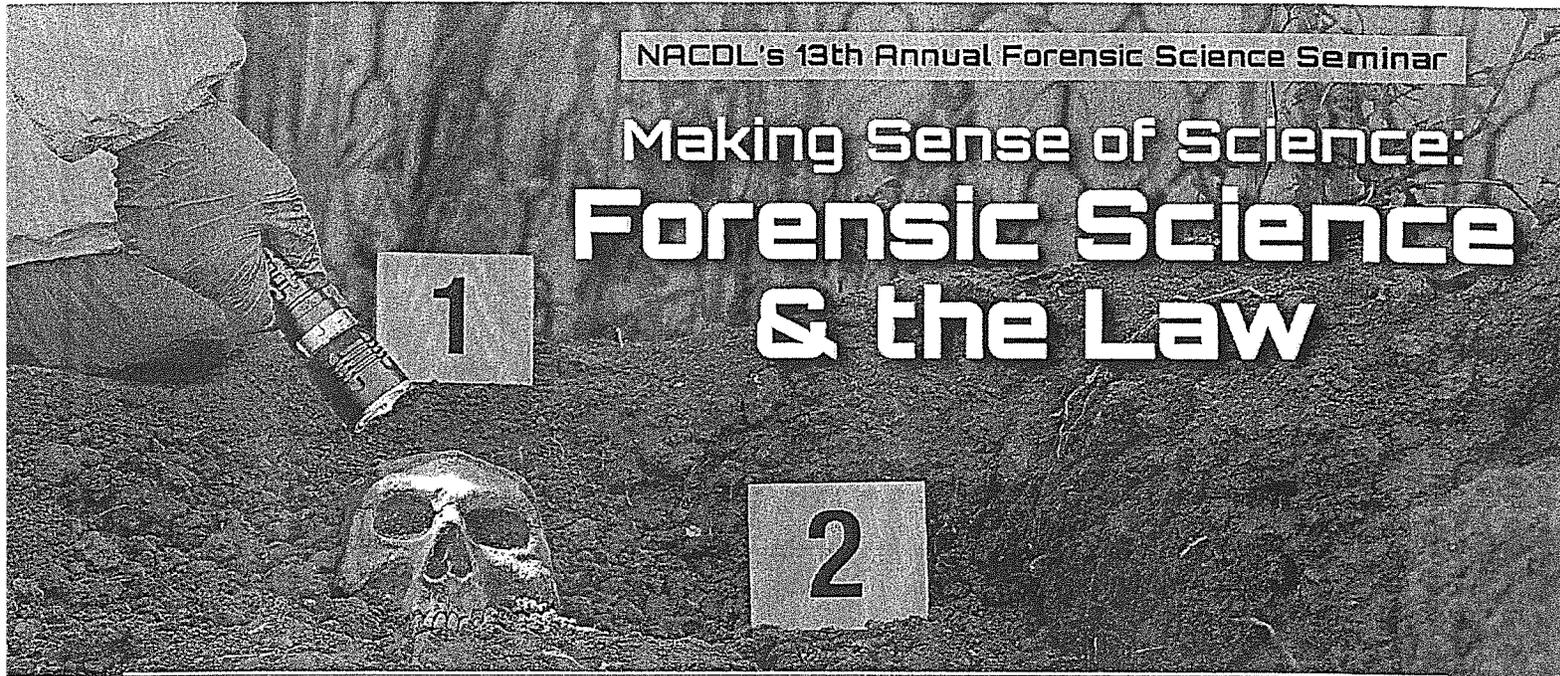
Please refer to the Warren County Travel Policy and County Vehicle Use Regulations for general policy guidelines.

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Please check to request a fleet vehicle.  **REQUEST FOR USE OF FLEET VEHICLE**

Filing Instructions:

1. Original with voucher to Auditor.
2. Copy to Buildings & Grounds if fleet vehicle is needed.
3. Copy to Clerk of the Board with Resolution Request form if out-of-State travel.
4. Copy to Purchasing with Purchase Order, if required.
5. Copy to Clerk of the Board if credit card will be used.
6. Copy of executed form needs to be included in next agenda for reporting to oversight Committee.



# 2020 Forensic Science & the Law Seminar

Four Seasons Hotel, Las Vegas, NV - CLE Credits: 14 General/1.0 Ethics

- AGENDA
- FACULTY
- CLE
- HOTEL
- EXHIBITOR/SPONSOR
- SCHOLARSHIPS

PRICING

REGISTER ONLINE ([HTTPS://MEMBERS.NACDL.ORG/EVENTS/EVENT-REGISTRATION/?ID=894A8F70-8C33-49EF-9870-499763B6E5EF](https://members.nacdl.org/events/event-registration/?ID=894A8F70-8C33-49EF-9870-499763B6E5EF))

REGISTER BY PDF ([/GETATTACHMENT/23F1B1E3-B60E-41E4-8E89-3DCA47092C82/2020\\_VEGAS-FORENSIC\\_MAKINGSENSEOFFSCIENCE\\_AD\\_07172019\\_549.PDF?LANG=EN-US](https://members.nacdl.org/getattachment/23f1b1e3-b60e-41e4-8e89-3dca47092c82/2020_VEGAS-FORENSIC_MAKINGSENSEOFFSCIENCE_AD_07172019_549.PDF?LANG=EN-US))

MATERIALS ([HTTPS://MEMBERS.NACDL.ORG/FORENSIC-SCIENCE-RELATED-PRODUCTS](https://members.nacdl.org/forensic-science-related-products))

**Big Names. Big Science; a Big-Time CLE Experience!**

Don't miss this great opportunity for a no-nonsense, national networking CLE featuring the leading faculty in their respective fields. This two-day event is produced in partnership with the California Attorneys for Criminal Justice (CACJ).

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# AGENDA

The program agenda and faculty are subject to change.

**Thursday, April 2, 2020**

6:00-7:00 pm Early Registration & Exhibits

**Friday, April 3, 2020**

7:15 am Registration, Exhibits & Continental Breakfast

8:10 am Welcoming Remarks – NACDL President Nina Ginsberg (Alexandria, VA) & Program Chairs

8:20 am *SANE, Serology, and Other Significant Aspects of Forensics* – Laura Schile (Sun City, AZ)

9:20 am *Using Discovery to Critically Assess and Prepare to Attack the State's Expert* – Janis Puracal (Portland, OR)

10:20 am Exhibits, Networking & Refreshment Break

10:40 am *Forensic Anthropology & Human Skeletal Remains at Crime Scenes* – Dr. Frederick Snow, Ph.D (Knoxville, TN)

11:40 am *Pattern Cross-Examination of the Prosecution's Forensic Experts* – Michael Waddington (Evans, GA)

12:40 pm Lunch break on your own

3:10 pm *The Art of Deciphering Ancient Hieroglyphics ...or a Drug Evidence Lab Report: Where the Information Comes From and What You Need to Know* – Prof. Jasmine M. Drake, Ph.D. (Houston, TX)

4:10 pm Exhibits, Networking & Refreshment Break

4:30 pm *When Forensic Evidence Reveals the Bad Apple: A Case Study in Ethics & Prosecutorial Misconduct* – Justin Rosas (Medford, OR)

5:30 pm Adjourn for the day

7:00 pm Welcoming Reception

## Saturday, April 4, 2020

7:15 am Registration, Exhibits & Continental Breakfast

8:15 am Morning Announcements – Program Chairs

8:20 am *Making Science Simple: Techniques for Simplifying Complex Scientific Evidence With Storytelling in Summation* – Steven Epstein (Garden City, NY)

9:20 am *Cocaine Salt v. Base Determinations: The Science You Should Be Using at Sentencing* – Heather L. Harris, MFS, JD, D-ABC (Philadelphia, PA)

10:20 am Exhibits, Networking & Refreshment Break

10:40 am *Effective Advocacy in Shaken Baby Syndrome / Abusive Head Trauma Cases* – Katherine Judson (Madison, WI)

11:40 am *Confronting Inaccuracy in Arson Investigations* – John Lentini, CFI, D-ABC (Islamorada, FL)

12:40 pm Lunch break on your own

2:10 pm *Using Biomechanics in Criminal Cases* – Dr. Andre M. Loyd, Ph.D. (Plymouth, MN)

3:10 pm *Factors Affecting Latent Fingerprints* – Andrew Reitnauer (Sterling, VA)

4:10 pm *Winning Your Case With Electronic Evidence, Even When It's Not Directly Involved!* – Mark J. McLaughlin (Los Angeles, CA)

5:10 pm Seminar Adjourns until 2021

# FACULTY

- **Prof. Jasmine M. Drake, Ph.D.** (<http://bjmlspa.tsu.edu/faculty/jasmine-millican-drake/>) (Houston, TX)
- **Steven Epstein** ([https://barketepstein.com/our\\_team/steven-epstein/](https://barketepstein.com/our_team/steven-epstein/)) (Garden City, NY)
- **Alice Fontier** (<https://www.bronxdefenders.org/staff/alice-fontier/>) (Bronx, NY)
- **Heather L. Harris, MFS, JD, D-ABC** (<https://www.linkedin.com/in/hlhmfjsjd/>) (Philadelphia, PA)