

Warren County Board of Supervisors

RESOLUTION NO. 733 OF 2006

Resolution introduced by Supervisors Tessier, Bentley, O'Connor, Stec, Kenny, Mason and VanNess

AMENDING RESOLUTION NO. 272 OF 2004, AMENDING NEW YORK COUNTY LAW SECTION 722-B (ASSIGNED COUNSEL) PLAN - POLICIES TO STIPULATE THAT MATTERS EXTENDING BEYOND A SIX MONTH DURATION WILL BE SUBJECT TO INTERIM BILLING- ASSIGNED COUNSEL

WHEREAS, Resolution No. 272 of 2004 authorized that the Warren County Board of Supervisors approve and adopt the Assigned Counsel Plan Policies, as presented at the meeting, and authorized implementation of said policies as of April 16, 2004, and

WHEREAS, it has been recommended that a revision be made to the Assigned County Plan Policies to include the stipulation that matters that extend beyond a six (6) month duration will be subject to interim estimates/accounting of amount outstanding to date to be submitted by June 30th and December 31st, now, therefore be it

RESOLVED, that the Assigned Counsel Plan - Policies be revised to reflect the interim estimates/accounting of amount outstanding to date to be submitted by June 30th and December 31st as set forth in the annexed Schedule "A".

NEW YORK COUNTY LAW §722-B(ASSIGNED COUNSEL) PLAN - POLICIES

Pursuant to New York State County Law §722-b and through Local Law No. 4 of 2003, this county established a Public Defender's Office. The County will continue to utilize the plan of the Warren County Bar Association to furnish representation to handle conflicts in representation by the Public Defender's Office. To that end, Warren County promulgates the following plan policies:

1. In order to be considered for assigned counsel assignments, the attorney must be a member in good standing with the Warren County Bar Association. Each attorney must keep the Assigned Counsel Administrator informed of any changes to their address or telephone as well as their ability to take assignments.

2. All bills, following the conclusion of representation on a particular matter, shall be submitted by the assigned counsel directly to the trial judge for review and signature.

3. The assigned counsel is solely responsible for obtaining the court's review and approval of all **final** bills (vouchers) and transmitting such vouchers to the Assigned Counsel Administrator. Said vouchers are to contain all the pertinent information and be submitted within forty-five days following the disposition of said matter to the Public Defender Administrator/Coordinator.

4. If a matter continues from one year to another, by December 31 of each year of representation, the assigned counsel shall submit to the Administrator the following: (A) an estimate as to the cost of the remaining representation and (B) an interim accounting of the amount outstanding to date. In

addition, the assigned counsel may submit to the Administrator an interim bill for payment which has been approved by the trial Court.

5. Should any matter that extends beyond six (6) months in duration be subject to an interim estimates/accounting of amount outstanding to date to be submitted to the Administrator by June 30th and December 31st of that year.

6. Should any attorney fail to comply with the procedures set forth the preceding four paragraphs, their name will be removed from the assigned counsel panel list until such time as they are in compliance with the above procedures.