



**Andrew M. Cuomo**  
Governor

STATE OF NEW YORK  
**OFFICE OF INDIGENT LEGAL SERVICES**

STATE CAPITOL, ROOM 128  
ALBANY, NEW YORK 12224  
Tel: (518) 486-2028 Fax: (518) 474-5050  
E-Mail: [info@ils.ny.gov](mailto:info@ils.ny.gov)  
<http://www.ils.ny.gov>

**William J. Leahy**  
Director

**Joseph F. Wierschem**  
Counsel

**Improving the Quality of Mandated Representation Throughout the State of New York**

To: County Officials and Providers of Representation Under County Law article 18-B

From: William J. Leahy

Cc: County Executives

Re: 2014 Distribution of Three-Year State Quality Improvement Funds (Distribution #4)

Date: November 13, 2013

I want to share with you the very good news that we have secured approval by the Office of State Comptroller to continue supporting every county with Quality Improvement funding in an amount that allows every locality to retain the baseline level of state fiscal support for the provision of article 18-B legal services that it received in March, 2010; just prior to the enactment of Executive Law articles 832 and 833 which created the Indigent Legal Services Office and ILS Board. (Note: New York City is already receiving its baseline 2010 funding under last year's Distribution #2, so is not included in the current distribution of funds). Our unyielding position has been that it is both unfair and counterproductive to require any locality to do more to improve quality, without providing at least a stable and predictable level of state support for that effort. No locality should be put in that dilemma, and we are very happy that now, no locality will be. We are very grateful to Commissioner DiNapoli and Deputy Commissioner Grannis, and to the leadership of the Assembly and the Senate who have supported our insistence on providing a consistent level of support to every locality, as long as it works to maintain and improve the quality of this vital statutory and constitutional responsibility. We are also very grateful to the New York State Association of Counties (NYSAC) and its Executive Director Steve Acquario for their unstinting support.

On September 27, 2013, the ILS Board authorized the distribution of an additional \$22,083,978 over three years (\$7,361,326 per year) to the counties for the purpose of improving the quality of representation in their jurisdictions. The annual amount and the three-year total amount of state funding for which each county is eligible under this Distribution are set forth in the attachment hereto, along with the contract numbers that will be assigned to each county.

*Matthew Alpern*  
Director of Quality  
Enhancement,  
Criminal Trials

*Peter W. Avery*  
Manager of  
Information Services

*Angela Burton*  
Director of Quality  
Enhancement, Parent  
Representation

*Andrew Davies*  
Director of Research

*Tammeka Freeman*  
Executive Assistant

*Risa Gerson*  
Director of Quality  
Enhancement,  
Appellate and Post-  
Conviction Litigation

*Karen Jackuback*  
Grants Manager

*Joanne Macri*  
Director of Regional  
Initiatives

**Please note: In order to receive these funds, each county must engage in meaningful consultation with the leader of each provider of representation under article 18-B of the County Law, and as a result of that consultation must submit a three-year plan to the Office of Indigent Legal Services (Office) which demonstrates that the funding provided will be used to improve the quality of services under that law.** This submission must include a narrative describing how each component of the plan will improve the quality of services. Documentation of the required consultation with service providers may be required, in the discretion of the Office.

Once we are satisfied that the funding proposal is the product of meaningful consultation with the providers of services, and that the funds sought will be used to improve the quality of the services, the Office will recommend approval of the proposal as directed by the Indigent Legal Services Board. Once approved, the terms of the proposal will be formalized in a contract, which will include a Budget and Work Plan to govern the expenditures made pursuant to it. To expedite this process, I would ask you to include a fully developed Budget and Work Plan in your proposal, although this is not required. Our Grants Manager Karen Jackuback will work with you, should you need assistance in preparing these documents.

Please note that the contracts for this distribution will include the pertinent language of State Finance Law section 98-b (2) (b) that prohibits the supplanting of local funds.

**Important: Please begin now to consult with your providers of 18-B services, including the Administrator of your Assigned Counsel Program, in order to fashion a proposal for funding that will improve the quality of legal services.** We encourage proposals that build upon quality improvements already begun under our previous distributions of funds, as well as new ideas that arise in your conversations with the service providers. We look forward to working with you once again to use this funding in ways that serve both the quality of representation and the efficient use of public funds.

We recognize that the task of reconciling this funding opportunity with the three previous annual funding distributions you may have received, or are now in the process of applying for, can be both complicated and demanding. I want to assure you that every employee of this office, each of whom is named on this letterhead, is ready to assist you at any stage of this process. Indeed, in the weeks ahead, we will be reaching out to many of you whose concerns we have heard in the past, in order to offer our assistance. But please do not wait for a call from Albany: instead, we invite you to contact any one of us with whom you may have shared a conversation, or from whom you may have received a visit, so that we can help you craft a proposal that uses state funds most efficiently for the benefit of your programs, their clients and your county.

Please present your proposals electronically as soon as they are ready, or by the close of business on **January 31, 2014** to Karen Jackuback ([Karen.Jackuback@ils.ny.gov](mailto:Karen.Jackuback@ils.ny.gov)) and ILS Counsel Joe Wierschem ([Joseph.Wierschem@ils.ny.gov](mailto:Joseph.Wierschem@ils.ny.gov)). We look forward to working with you again this year to support and to improve the quality of mandated representation in your locality.