

Dear ILS colleagues, Board members, Mandated Representation leaders and local government officials,

The attached one-page summary prepared by ILS Counsel Patricia Warth reports our agency budget result for the fiscal year that began two days ago. The total appropriation is \$261.27 million. This includes \$81 million in funding to support our annual quality improvement distributions and contracts. The appropriation also includes full funding for *Hurrell-Harring* Settlement implementation in the 5 counties (\$23.8 million). The third year of Statewide implementation under Executive Law 832 (4) is fully funded at \$150 million, and our State Operations budget of \$6.46 million enables us to add an Assistant Counsel position and an additional Grants Unit position. We were unsuccessful in our efforts to secure an additional five million dollars to improve the quality of parental representation and to secure funding for a Parental Representation Unit. Finally, the Legislature and Judiciary budget includes a \$47 million sub-allocation to ILS to continue funding to NYS institutional criminal defense providers for caseload standard implementation under the pre-existing NYC caseload caps.

The elephant in the room in this budget is the Governor's authority to reduce spending at several points during the fiscal year, should revenues fall short of anticipated expenditures. As one reporter has described it, this budget may be written more in pencil than in pen. Patricia has briefly outlined this new authority in the section **Budget Director's Authority to Adjust, Reduce, and/or Withhold Appropriations.**

It is not only state budget appropriations that are at risk as a result of this Covid crisis. County budgets are in peril as well, as I discussed in a call this morning with NYSAC Executive Director Steve Acquario. We will be scheduling audio or video conference calls with providers of mandated representation and county or city officials, on a regional basis where appropriate, to discuss both the state's and the localities' fiscal realities, to determine how we can continue to make progress in spite of the dire economic conditions that presently exist.

We are all in this crisis together. A public health crisis triggering a fiscal crisis. We all must work together, better than ever before. While this crisis is unprecedented, our approach to implementing statewide public defense reform – collaborating and consulting with every mandated representation provider and every local government – will continue. None of us can do this alone. We will face this challenge together, as we must if we are to have success.

We look forward to working with you, and we wish you good health.

Bill