



**Indigent  
Legal Services**

# Eighth Annual Report

INDIGENT LEGAL SERVICES BOARD

CALENDAR YEAR 2019

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## DIRECTOR'S SUMMARY

Calendar year 2019 was highlighted early on by the February release of the Interim Report of the Commission on Parental Legal Representation. This Commission, created by Chief Judge Janet DiFiore and led by former Presiding Justice Karen Peters, produced six critically important recommendations that are described in the Parental Representation section of this report.

Early April saw the appropriation of \$100 million in the State Fiscal Year 2019-20 budget for the second-year implementation of Executive Law § 832 (4), which extends the historic *Hurrell-Harring (HH)* Settlement reforms throughout the State. With this appropriation, the State demonstrated that it will fulfill its commitment to provide appropriate support and direction to the goal—and the constitutional imperative—of ensuring high-quality representation for every person accused of crime who cannot afford to retain counsel for their defense.

Another major step forward was the enactment of amendments to the County Law, which transferred responsibility for approving a county's Assigned Counsel Plan from the Office of Court Administration to the Office of Indigent Legal Services (ILS), effective as of April 1, 2019—thus fulfilling one of the Board's foremost priorities.

Also in April, our *HH* Implementation Unit reported that each of the 11 providers of criminal defense representation in the five lawsuit counties achieved compliance with the ambitious Caseload Standards that we established in December 2016.

At its June meeting, the Board approved the ILS Standards for Establishing and Administering Assigned Counsel Programs. These forward-looking Standards, which are essential to assuring excellence of representation by assigned private counsel, became effective as of July 1, 2019.

Mid-year, the Office lost two celebrated employees of long standing. In May, Counsel Joe Wierschem left ILS for a position with Prisoners Legal Services of New York in Albany. In June, Director of Research Andrew Davies took a position with the Deason Center for Criminal Justice Research at Southern Methodist University. While we advertised widely and interviewed many candidates, we did not have to look far to find extremely capable replacements for these esteemed contributors to our cause. Patricia Warth, who had led our successful *HH* Implementation Unit since its inception in 2015, became our Counsel, and Melissa Mackey was chosen as our Director of Research. We were equally fortunate in our search for a proven leader for our *HH* Implementation Unit. Nora Christenson, who had led our successful implementation of the Caseload Standards, was selected to succeed Patricia as Chief *HH* Implementation Attorney. I could not be more pleased with the selections of Patricia, Melissa, and Nora, and we are very proud of their performance.

June also brought the passage of legislation directing historic reforms to bail, discovery, and speedy trial laws, to take effect on January 1, 2020. This legislation was a momentous step toward a fairer criminal justice system in New York. For decades, clients were incarcerated pretrial on low-level offenses simply because they could not afford bail, and cases languished despite speedy trial mandates. Antiquated discovery laws meant defense attorneys were often in the dark until the eve of trial and could not properly prepare their cases or advise their clients. Thus, June's reforms

brought about critical changes to the justice system—changes that will make possible higher-quality defense representation. In the months leading up to the January effective date, ILS worked with defenders and stakeholders across the State to prepare for the changes to come, and defenders utilized ILS funds to ensure that every attorney had the opportunity for training.

In August, we contributed to the first Raise the Age (RTA) Task Force Report, highlighting the RTA listserv that we established to enable widely dispersed practitioners to share advice and information, as this beneficial but complex law approached its first full year of operation.

In September, the Board approved a budget request for FY 2020-21 that included an additional \$50 million for the third year of implementation of statewide public criminal defense reform, and \$5 million to support quality improvement for parental representation.

At the Board's September 20 meeting, Chief Judge Janet DiFiore and the Board honored outgoing Counsel to the Governor, Alphonso David, "for his extraordinary contributions to improving the quality of mandated representation in New York State, and for his invaluable support of the Office of Indigent Legal Services."

In October, the Chief Judge herself was awarded the prestigious Deming Cup by the Columbia Business School, thereby becoming the first government official to receive this coveted award. Also in October, Board member John Dunne was awarded the Haywood Burns Award by the NYSBA Committee on Civil Rights, in a ceremony at CUNY Law School, for his lifetime of service in the public interest—from his courageous actions as a negotiator at the Attica Prison in 1971, through a distinguished legislative career, national service as Assistant Attorney General for Civil Rights, and as a founding and essential member of the Boards of Prisoners Legal Services and ILS.

Thanks to the excellent work of our staff, the stalwart support of our Board, the cooperation of every New York locality, and the funding provided by the Governor and Legislature, 2019 was a year in which very significant progress was achieved. Challenges of course remain, most especially the completion of statewide public criminal defense reform under Executive Law § 832 (4), and the implementation of the comprehensive reforms recommended by Chief Judge DiFiore's Commission on Parental Legal Representation. We eagerly look forward to meeting those challenges in the years to come.

*–William J. Leahy  
September 2020*

## I. HURRELL-HARRING IMPLEMENTATION

Since the 2015 court approval of the *Hurrell-Harring v. The State of New York* Settlement, ILS has worked with providers and officials in five counties—Onondaga, Ontario, Schuyler, Suffolk, and Washington—to implement historic reforms in the delivery of mandated criminal representation. The fourth year of implementation, 2019, was a period of significant milestones and continued progress in improving the quality of criminal representation in the five Settlement counties. The ILS *Hurrell-Harring* Settlement Implementation Unit (“HH Team”) also experienced a change in leadership in 2019. As set forth in the Director’s Summary, Nora Christenson was appointed as the new Chief.

### April 30, 2019: A Milestone

In 2019, the HH Team continued to work closely with public defense providers in the five counties (“*Hurrell-Harring* providers”) and county stakeholders to implement plans for meeting ILS Caseload Standards. These critical standards were issued in December 2016, pursuant to section IV(B) of the *Hurrell-Harring* Settlement. Efforts to implement the standards were made possible by \$19.1 million in State funding for caseload relief initially allocated in FY 2017-18 (and in each subsequent budget year).

Plans included hiring new attorney and non-attorney staff and increasing access to training, experts, mentors, second chairs, and other necessary resources. In addition, some plans called for implementing caseload overflow systems to allow primary providers facing the danger of exceeding Caseload Standards to “overflow” case assignments to the conflict providers. A significant milestone was reached on April 30, 2019: all *Hurrell-Harring* public defense providers were in compliance with ILS’s criminal caseload standards.

In total, caseload standard compliance resulted in: the creation of 66 new full-time attorney positions and 36 full-time non-attorney positions; strengthening internal program infrastructures, including hiring an additional six attorneys and 17 support positions in the Assigned Counsel Programs (ACPs); better attorney access to training and second-chair opportunities; enhanced use of non-attorney professionals like investigators, experts, and interpreters; and improved and newly created supervision and mentoring support programs. Reflecting on the value of these Settlement initiatives, one ACP leader wrote:

Thanks is owed to Indigent Legal Services . . . for making this kind of collaboration possible. I can attest that here in Suffolk County it certainly feels like a cultural change in the way in which we handle assigned cases. Attorneys are taking advantage of HH resources, and our clients are in good hands. I am proud to be a small part of the movement.

The HH Team also worked with providers to develop systems for caseload monitoring to ensure continued compliance with the ILS Caseload Standards. Thanks to Settlement funds, each *Hurrell-Harring* provider now has a case management system in place to collect data and case assignment information that allows for this monitoring. In the months since meeting ILS Caseload Standards,

the *HH* Team has supported each provider, as they adapted to their new infrastructures and resources and worked diligently to remain in compliance with the standards.

## Access to Justice:

### Counsel at Arraignment and Eligibility

ILS also continued to work with the *Hurrell-Harring* providers and county stakeholders to ensure that criminal defendants' access to justice remained unhindered. The *HH* Team monitored the counsel-at-arraignment programs in the five counties, as well as the application of the ILS Eligibility Criteria and Procedures and, when necessary, worked with stakeholders to address any issues. In 2019, data reported to ILS showed that 33,923 defendants in the five Settlement counties were screened for eligibility for assigned counsel in accordance with our eligibility standards. Moreover, ILS estimates that between July 2018 and June 2019, public defense attorneys in the five counties provided representation at more than 39,000 arraignments, missing fewer than 50. As noted in last year's report, three of the *Hurrell-Harring* counties have Centralized Arraignment Parts (CAPs). In 2019, a fourth—Schuyler County took steps toward finalizing its CAP.

### Prepared for Change

With a total of \$23.8 million in *Hurrell-Harring* Settlement funds and ILS's guidance, the five counties have been able to erect solid structures to provide quality criminal representation. Further, ILS worked with each *Hurrell-Harring* provider to develop robust data-collection and reporting capacity. Together, these initiatives ensure that the *Hurrell-Harring* providers are capable of meeting whatever challenges arise. The passage of the 2019 reforms to bail, discovery, and speedy trial laws swiftly put that notion to the test. In the months leading up to the January 1, 2020 effective date for criminal justice reforms, the *Hurrell-Harring* providers prepared for drastic changes. They had funds for trainings on reforms. Using data the *HH* counties provided via Settlement requirements, the *HH* Team was able to project potential changes to arraignment patterns and staffing needs in order to assist providers in meeting new requirements for appearance tickets under CPL 150.20.

### Third Annual *HH* ACP Summit

In 2019, ILS continued to build its network of similarly situated ACP leaders and to provide a forum within which to brainstorm, strategize, and discuss best practices, as they transformed their ACPs into robust public defense providers. We hosted the third annual *Hurrell-Harring* ACP Summit in Albany. Everyone who attended the event welcomed continued collaboration and meetings. ILS acknowledged the tremendous progress each of the *Hurrell-Harring* ACPs made in two short years, thanks to State funding and dedicated leadership. As detailed in the following section, ILS is now working to effectuate these reforms in the rest of the State.

## II. STATEWIDE EXPANSION

As noted in last year's report, in December 2017, ILS submitted plans addressing how each locality could use State funding to effectuate statewide *Hurrell-Harring* criminal defense reform by April 2023. In FY 2018-19, \$50 million was appropriated in the State budget for the first year of statewide reform, and ILS began the process of implementing those plans. The Statewide Implementation Unit ("Statewide Team") turned to negotiating budget proposals and developing work plans with each locality for the first year of statewide implementation. In FY 2019-20, \$100 million was appropriated in the State budget for the second year of statewide reform. The Statewide Team completed the first year of negotiating budget proposals and developing work plans for each locality and then began a similar process for the second year of statewide reform. Chief Statewide Implementation Attorney Joanne Macri led the Team's work.

### Caseload, Quality, CAFA

The Statewide Team continued to make significant progress in achieving caseload reduction, quality improvement, and counsel at first appearance. Regarding caseload reduction, State funding and the collaboration of the Team and localities yielded significant hiring of new attorneys, upgrades in positions, and expansion of non-attorney staff. To advance the quality improvement mission, in 2019, the Statewide Team focused on supervision, training, access to non-attorney professional services, client communication, and attorney qualifications. The goal was to firmly establish the resources that would support quality representation. To reach that goal, the Statewide Team was guided by State and national criminal defense standards and *Hurrell-Harring* Settlement implementation in the five counties. As a result of these efforts, throughout the State, localities are taking advantage of ILS resources to increase supervisory capacity; provide a wide variety of training options for attorneys; bolster their investigation, expert, and sentencing resources; ensure that attorneys have the time and resources to communicate effectively with their clients; and support providers in recruiting and retaining qualified staff.

Finally, the Statewide Team continues to advance the ability of localities to provide Counsel at First Appearance (CAFA). By the end of 2019, nearly all localities had programs in place to provide counsel at all clients' initial arraignments. The lack of an attorney is the exception, rather than the unconstitutional norm that existed prior to the creation of ILS. These efforts have been aided by ILS's partnership with the judiciary and other stakeholders, as well as by the creation of Centralized Arraignment Parts. ILS has provided funding to compensate attorneys for the extra time they must remain on call, as well as for technology and other resources to support having attorneys at a client's initial appearance.

### Assigned Counsel Programs

The Statewide Team has made particularly strong progress in the development of Assigned Counsel Programs (ACPs). In July 2019, ILS issued comprehensive Standards for Establishing and Administering Assigned Counsel Programs, available on our website at [www.ils.ny.gov](http://www.ils.ny.gov). In accordance with the ACP Standards, localities have used statewide funding to commence the process of converting ACPs from unstructured, unmanaged ventures into structured, carefully

administered programs that can serve clients in a manner equivalent to the best public defender offices. In 2019, a majority of localities had administrators in place and were designating budget lines to funding quality improvement initiatives. The Team intends to further this progress by adding staff and resources and providing consultation to these programs.

### III. IMMIGRATION ASSISTANCE

ILS continues to support six Regional Immigration Assistance Centers (“Centers” or “RIACs”) in Western NY, Central NY, the Capital District/Northern NY, the Hudson Valley, New York City, and Long Island. The work of the Centers, which were established in 2015, is a critical component of the ILS mission to improve the quality of mandated representation. The Centers are responsible for ensuring that providers statewide have access to resources needed to provide effective representation in advising non-citizen clients regarding potential immigration consequences of criminal convictions, as required by *Padilla v. Kentucky*, 559 US 356 (2010). In addition, the RIACs offer resources regarding the immigration implications of adverse findings in Family Court.

#### Crucial Role

The RIAC services are critical for several reasons. Non-citizens constitute an estimated 22% of the State’s population. Immigration law is complex and harsh. Changes to these laws have dramatically raised the stakes for non-citizens to be subjected to deportation and removal from the country for a wide array of crimes. Even a minor offense by a non-citizen who has lived most of his or her life lawfully in the community can result in mandatory deportation. Thus, it is critical for counsel to have relevant information to avoid unintended and devastating immigration consequences for non-citizen clients. The RIAC attorneys possess the immigration, criminal defense, family law, and appellate expertise needed to provide legal support to defenders. Advice—which is available throughout the plea and trial process and in appellate and post-conviction proceedings—is often offered in the form of detailed, written advisals. Each year, trainings are provided throughout the State, not only to institutional providers and 18-B counsel, but also to the judiciary.

#### Innovative Approaches

Adapting to the evolving immigration landscape, meeting regional needs, and developing creative initiatives have been strengths of the Centers in the inaugural grant period. For example, in Western NY, the Center instituted a program in which the counties flag all potential non-citizens upon intake and then notify the RIAC about the case and the assigned attorney. The Central NY RIAC worked with Oneida and Onondaga counties to create an intake referral procedure that increased their referral rate by 300%. The Capital Region RIAC led a training at the NY Court of Appeals on Family Court and immigration. The Hudson Valley Center has maximized the value of the case management system, so that case information is available at a moment’s notice; and this has been extremely useful for conducting research into similar situations of non-citizens and similar charges. In New York City, the RIAC conducted trainings regarding the presence of Immigration and Customs Enforcement (ICE) in State courthouses; helped to ensure that defense attorneys were prepared to represent clients targeted by ICE; and provided advice on Deferred

Action for Childhood Arrivals (DACA) matters. The Center in Long Island partnered with the Immigrant Advocates Response Collaboration, a coalition of more than 60 nonprofit organizations that supports immigrant communities in NY and coordinates rapid responses to federal immigration policy changes. Such partnerships exemplify the coordination by all the RIACs among many of their community's stakeholders to help protect the rights of our non-citizen neighbors.

## IV. QUALITY ENHANCEMENT: CRIMINAL DEFENSE TRIALS

In 2019, the work of Quality Enhancement for Criminal Defense Trials focused on four main areas: (1) development and implementation of training programs; (2) plans for an ILS statewide forensic practice work group; (3) consultation for complex felony cases; and (4) assisting the Statewide Implementation Team. Quality Enhancement for Criminal Defense Trials efforts are led by Director Matt Alpern.

### Training Programs

Training programs were developed for criminal defense providers, the New York State Defenders Association, and the State Legislature. Among the cutting-edge topics covered were the discovery reforms to take effect on January 1, 2020 and their ethical implications. An innovative “Train the Trainers” program in Westchester County was geared to providing guidance to mentors, as well as pretrial and trial practice skills guidance to mentees. The Criminal Defense Director also helped create a curriculum for Cornell University’s Inaugural Defender Program, which planned to place college and law students as interns with assigned counsel attorneys in Tompkins County in 2020.

### Forensic Resources and Consultation

The Director did extensive research and planning in anticipation of the creation of a statewide forensic practice work group, which will consist of experienced defenders from throughout New York who have created forensic practice units or serve as regional training leaders. The mission of the group, to be launched in 2020, will be to help improve forensic practices throughout the State by using attorneys with relevant expertise to assist public defense programs that do not possess developed forensic practice units in aggressively litigating these issues. Further, the forensic group will create statewide forensic resources. In addition to advancing the use of forensic resources, the Criminal Defense Director continued to provide individual consultation to attorneys in several counties handling complex felony cases. Finally, the Director worked closely with the Statewide Team, exemplifying one of the great strengths of the ILS—the flexibility and collaborative nature of staff in working across multiple teams and providing help wherever it is needed most.

## V. QUALITY ENHANCEMENT: PARENTAL REPRESENTATION

### Parental Representation Commission

Following an intensive fact-gathering and deliberative process, Chief Judge Janet DiFiore's Commission on Parental Legal Representation issued an Interim Report in February 2019. The report, which focuses on legal representation for parents in child welfare proceedings, was the product of the leadership of Commission Chair Hon. Karen K. Peters, former Presiding Justice, Appellate Division, Third Department, with vital support from the Commission members; Janet Fink, Deputy Counsel for Family Court at the Office for Court Administration (OCA); and Angela Burton, the ILS Director of Quality Enhancement for Parent Representation.

The Commission recommended: (1) access to counsel for parents during a child protective agency investigation and sufficiently in advance of the first court appearance; (2) establishment of a State Office of Family Representation to provide oversight of parental representation and development of a statewide network of institutional offices and contract attorneys to ensure the delivery of client-centered, interdisciplinary, holistic parental representation throughout the State; (3) development of uniform standards of eligibility for assignment of counsel in all Family Court proceedings, including a presumption of eligibility for assigned counsel in child welfare proceedings; (4) the development of caseload standards for attorneys representing parents in Family Court proceedings; (5) the assumption by the State of all costs associated with parental representation in child welfare proceedings; and (6) an increase in the hourly rates for assigned attorneys to \$150 per hour, with a mechanism for periodic review and adjustment.

Throughout 2019, the ILS Parent Representation Unit joined colleagues, both internal and external, to implement several of the Commission's recommendations. ILS worked with OCA to conduct a series of hearings regarding eligibility for assignment of counsel in Family Court matters. Additionally, ILS collaborated closely with a subcommittee of the Commission, including Judge Theresa Whelan, Professor Martin Guggenheim, and Janet Fink. The subcommittee's goal was to incorporate the information yielded from the public hearings, as well as the Commission's recommendation for a presumption of eligibility in child welfare proceedings, into comprehensive standards for determining eligibility for counsel in Family Court cases. Efforts in the area of caseload standards are discussed below in the Research section of this report.

### State Funding and Grants

In May 2019, ILS issued a request for proposals for an Upstate Model Family Representation Office; and in 2020, the grant was awarded to Westchester County. The demonstration project will be led by the Legal Services of Hudson Valley (LSHV), a nonprofit that provides a range of civil legal services. The ILS Parent Representation Unit and Research Director Melissa Mackey have been in regular contact with LSHV to develop lines of communication and establish protocols. The project will contribute to building support for the client-centered, interdisciplinary, holistic model of child-welfare parental representation recommended by the DiFiore Commission and is expected to provide further support for the efficacy of this model and for its adoption by New York State.

## VI. QUALITY ENHANCEMENT: APPELLATE REPRESENTATION

ILS's overall appellate mission is to effectuate the agency's Appellate Standards and Best Practices, which set forth aspirational guidelines for mandated representation in criminal and family law appeals. Appellate efforts are guided by the Director of Quality Enhancement for Appellate and Post-Conviction Representation, Cynthia Feathers.

### Appellate Defender Council

The ILS Appellate Defender Council, created in 2018, is a unique group devoted to quality in mandated appellate representation in New York criminal and family appeals. Many of the Council's 21 members lead institutional programs that provide appellate representation in such matters. The Council meets several times a year and seeks to address appellate issues of statewide importance and to provide insights about how to improve appellate representation.

A working group on training for trial attorneys joined forces with other defender groups to hold several CLE programs regarding preserving the right to appeal and issues for appellate review. Another working group created and offered an innovative two-day pilot training on criminal appeals in Albany, which will serve as a model for statewide training in 2020. Among the legislative reforms supported by the Council was an amendment to County Law § 722 (L. 2019, c. 446, § 1, eff. 11/8/19). Consistent with ILS Standards, this reform on post-conviction relief provides a right to counsel for a CPL 440.10 motion to set aside a conviction or 440.20 motion to set aside a sentence, where the attorney assigned to the direct appeal decides that such an application should be pursued.

### Decisions and DVSJA

A continuing ILS appellate initiative in 2019 was the ILS DECISIONS OF INTEREST—summaries of key decisions from the prior week, which are transmitted to public defense attorneys via the ILS appellate listserve. A new initiative in 2019 was ILS support for implementation of the Domestic Violence Survivors Justice Act. Among other things, the DVSJA provides for discretionary resentencing of incarcerated defendants who are survivors of domestic violence and meet certain criteria, under CPL 440.47 (L. 2019, c. 31, 3, eff. 8/12/19). The ILS appellate office served as a hub in providing information to pro se defendants and connecting defendants with counsel. In addition, ILS helped to establish, and provides support to, the DVSJA Task Force.

## VII. RESEARCH

### New Research Unit

In 2019, ILS appointed a new Director of Research, Melissa Mackey, and created a new structure for its research activities. Previously, Mackey was Senior Research Associate for the *Hurrell-Harring* Implementation Team. The Research Director oversees the day-to-day work of the

researchers for both the *Hurrell-Harring* and Statewide Teams. This allows for coordination of research activities across the agency, greater communication among researchers, and a more fluid exchange of ideas and new data-collection strategies. At the same time, the researchers maintain primary responsibility for their own team's specific data-reporting requirements, and the Research Director coordinates with each Chief Implementation Attorney to effectively allocate research resources and ensure timely completion of reports.

## Data Collection

Collecting accurate and complete data is critical to the mission of improving the quality of mandated representation. That quest began in 2013 with the release of ILS's report, *An Estimate of the Cost of Compliance with Maximum National Caseload Limits in Upstate New York*. The quest grew in importance in 2018, when County Law § 722-f was amended to give ILS the responsibility of collecting financial, workload, and other information relevant to mandated representation from providers and the counties and New York City. This amendment took effect in 2019. Thus, a milestone was reached in spring 2019, when ILS received complete 2018 expenditure, staffing, and caseload data from all 156 providers. The cooperation and collaboration of the public defense community in developing data policies and procedures has been essential in this progress. In 2019, providers assumed responsibility for collecting comprehensive expenditure data, as required in Part I of the new ILS-195 form, which ILS issued in accordance with its responsibilities under County Law § 722-f. Throughout the year, research staff fielded questions from providers and updated and expanded relevant FAQs on the ILS website to assist providers in their timely submission of accurate and complete data.

As part of the statewide implementation of the *Hurrell-Harring* Settlement, ILS must gather, and report to the State Division of Budget, data on statewide implementation efforts. In 2019, ILS created the Performance Measures Progress Report form originally intended to be filed by counties on a semi-annual basis. After reviewing the October 2019 Reports, ILS determined that individual providers were best equipped to provide comprehensive data and updated the form accordingly, effective April 2020.

## Data Officers

To assist providers in collecting and reporting financial, staffing, and caseload data, ILS has ensured that every county has a Data Officer. These officers are called upon to achieve a deep understanding of their county's public defense system, including financial eligibility, conflict procedures, and case management systems. Further, they serve as pivotal liaisons between the providers and ILS. In November 2019 in Albany, ILS hosted the first Data Officer Training. Data Officers, Chief Defenders, and Assigned Counsel Program Administrators attended the day-long event. Staff from the Washington County Public Defender Office and ACP described their data reporting practices and protocols instituted under the *Hurrell-Harring* Settlement. A new Data Officer listserve facilitates the sharing of updated data reporting information.

## Family Court Caseload Standards

Among the recommendations of the Interim Report of the Commission on Parental Legal Representation was a call for the State to “fund a study to determine appropriate maximum caseload standards for attorneys representing parents in Family Court proceedings.” This was achieved via a collaboration among ILS, the Office of Court Administration, and Welfare Research, Inc. (“WRI”). The WRI study had three phases: Timekeeping, where selected attorneys tracked their tasks related to parental representation proceedings for six weeks; Time Sufficiency, where more than 100 attorneys reported the time required to provide quality representation for each proceeding type; and a Delphi Panel, where 21 attorneys reviewed the findings of the first two phases and reached consensus regarding the average amount of time needed in each category. In 2020, ILS researchers will use the study findings to formulate proposed caseload standards.

## VIII. ADMINISTRATIVE INFRASTRUCTURE

The *Hurrell-Harring* Settlement and its expansion to the entire State under Executive Law § 832 (4) significantly increased ILS’s responsibilities, requiring the hiring of several new staff members. In late 2018, ILS received the funding and authorization needed to bolster the Grants Unit, which is led by Jennifer Colvin, Manager of Grants Solicitation and Distributions, and to strengthen the supporting infrastructure. Christine Becker, the new Administrative Officer, worked closely with the Grants Unit and ILS Counsel. In early 2019, the Grants Unit doubled in size with the hiring of three new staff members, which has made extraordinary progress possible. Working with other ILS teams, the Grants Unit:

- Completed 140 distribution and competitive grant contracts, eliminating a backlog.
- Finalized and sent statewide contracts to all 52 counties and New York City.
- Managed the structured-payment contracts for the *Hurrell-Harring* Settlement, ensuring prompt payment and completing budget modifications needed to reflect programmatic changes.
- Timely processed all claims for payment received so that localities were promptly reimbursed for quality improvement programs.
- Completed all outstanding requests for contract budget amendments, which further facilitated reimbursement for quality improvement programs.
- Oversaw the technical aspects of the RFP process for the Upstate Model Family Representation Office grant.

In addition, the Grants Unit revamped its protocols to ensure that all claims for payments, contract proposals, and requests for budget modifications are tracked and timely processed. By the end of 2019, the Grants Unit was processing proposals in weeks, not months. The Unit also continued its commitment to supporting localities on the technicalities of grants management and helping local officials and providers understand what costs could be reimbursed and what documentation is needed for reimbursement.

## ILS Board Members\*

### **Hon. Janet DiFiore, Chairperson**

*Chief Judge NY Court of Appeals*

### **Michael G. Breslin**

*Former Albany County Executive*

### **Hon. Carmen Ciparick**

*Greenberg, Traurig LLP; Former Senior Associate Judge of the New York State Court of Appeals*

### **Hon. Sheila DiTullio**

*Judge of the Erie County Court, Buffalo*

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*Partner, Connors LLP, Buffalo*

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*Senior Counsel at Whiteman, Osterman & Hanna, LLP, Albany; Member, Kaye Commission (2004–2006)*

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*Former Tompkins County Administrator*

### **Suzette M. Melendez**

*Asst. Professor & Director of Children's Rights & Family Law Clinic, Syracuse University College of Law*

### **Leonard Noisette**

*Program Director, Criminal Justice Fund, Open Society Foundations, U.S. Programs; Executive Director, Neighborhood Defender Service of Harlem (1995–2008)*

## ILS Staff\*

### **William J. Leahy, Director**

**Patricia Warth, Counsel**

### **Jennifer Aguila**

*Statewide Implementation Paralegal*

### **Matthew Alpern**

*Director of Quality Enhancement for Criminal Defense Trials*

### **Peter W. Avery**

*Manager of Information Systems*

### **Christine Becker**

*Administrative Officer*

### **Jami Blair**

*Hurrell-Harring Implementation Attorney—Quality Enhancement*

### **Jessica Bogran**

*Hurrell-Harring Implementation Analyst*

### **Angela Olivia Burton**

*Director of Quality Enhancement for Parent Representation*

### **Patricia Cadrette**

*Assistant Grants Manager 1*

### **Luchele Chisunka**

*Statewide Implementation Analyst*

### **Nora Christenson**

*Chief Hurrell-Harring Implementation Attorney*

### **Alyssa Clark**

*Hurrell-Harring Senior Research Associate*

### **Lisa Coleman**

*Grants Administrator*

### **Jennifer Colvin**

*Manager of Grant Solicitation and Distribution*

### **Cynthia Feathers**

*Director of Quality Enhancement for Appellate and Post-Conviction Representation*

### **Dana Ferris**

*Assistant Grants Manager 2*

### **Tammeka Freeman**

*Executive Assistant*

### **Melissa Mackey**

*Director of Research*

### **Joanne Macri**

*Chief Statewide Implementation Attorney*

### **Lucy McCarthy**

*Assistant Counsel Parent Representation*

### **Amanda Oren**

*Statewide Implementation Attorney—Quality Enhancement*

### **Lisa Joy Robertson**

*Hurrell-Harring Implementation Attorney—Eligibility Standards*

### **Deborah Schneer**

*Hurrell-Harring Implementation Attorney—Counsel at First Appearance*

### **Marian Smith**

*Auditor*

### **Ummey Tabassum**

*Hurrell-Harring Implementation Research Specialist*

### **Claire Zartarian**

*Statewide Implementation Attorney—Counsel at First Appearance*

\*as of December 31, 2019