

Dear Board members, colleagues and local government officials,

Less than six years ago, at a time when ILS consisted of no more than Joe Wierschem and Tammeka Freeman and me, we chose to place at the top of our office letterhead the words **Improving the Quality of Mandated Representation Throughout the State of New York**. To some that message might have seemed premature, bold, even quixotic. We couldn't know. What we did know is that it was our responsibility under section 832 of the Executive Law: and what we also knew is that we intended to take that responsibility literally and very seriously. We did not intend to rest until the mission had been accomplished. We set to work in cooperation with every provider of mandated representation, every county and New York City to gradually and irrevocably improve the quality of mandated representation for people who could not afford to retain counsel.

Today, we are at once thrilled and humbled to know that the fiscal year 2017-2018 state budget authorizes our Office and Board to prepare plans for every New York county, plans that replicate the pathbreaking right to counsel reforms in assigned criminal defense cases that are already being established in the five counties involved in the *Hurrell-Harring* settlement agreement. As stated in the April 7 Division of the Budget press release:

“To ensure fair and equal representation for all accused individuals, the FY 2018 Budget includes resources to develop the framework through which the state will fund one hundred percent of the costs necessary to extend the reforms provided for in the *Hurrell-Harring* settlement to all 62 counties in New York.”

We are grateful to Governor Cuomo, Speaker Heastie, Majority Leader Flanagan and their staffs; to Assemblywoman Fahy and Senator DeFrancisco who have championed the cause of equal justice in the Legislature; to Jonathan Gradess and his NYSDA colleagues; to Mark Williams and the Chief Defenders Association of New York; to Steve Acquario and all NYSAC members and staff; to NYSBA's President Claire Gutekunst and staff, to all the local, state and national organizations who supported the vital principles of equal justice and public defense independence; to former ILSB Chair Jonathan Lippman, current Chair Janet DiFiore and members of the Board; and to many others too numerous to name.

This is big news. This is a huge responsibility; one that we cherish and one that we have already begun working to fulfill. When I communicated the news to a renowned national right to counsel leader, he immediately responded: “That's the news everyone has been waiting to hear....Just terrific news!”

We are in the process of advertising the position of chief statewide implementation counsel, and the convening of a statewide meeting to share information about the process by which we will prepare these plans by the December 1, 2017 deadline. We will have more information on these developments within the next couple of days. We appreciate your participation and we pledge our cooperation.

Finally, we do understand that these reforms, just as the lawsuit reforms, are limited to criminal defense representation. Parental representation is an equally significant component of legally mandated representation; but it is not part of the lawsuit settlement nor of this new grant of authority. To those who practice in this area or who have funding responsibility for it, let me assure you that we will not neglect our responsibility to improve the quality of representation in this aspect of mandated representation as well.

Our best to all,

Bill

William J. Leahy