



New York State Office of
Indigent Legal Services



Tenth Annual Report

INDIGENT LEGAL SERVICES BOARD

CALENDAR YEAR 2021

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Director's Summary

The Office of Indigent Legal Services (ILS) opened its doors in February 2011 with just one staff member: Director Bill Leahy. At that time, ILS was responsible for disbursing \$77 million to localities for improving the quality of mandated representation. Fast forward to June 2021, when Bill retired. By then, the ILS Office had grown to over 30 staff members and the responsibility for disbursing quality improvement funds had more than quadrupled to just over \$354 million.

This significant growth was not without challenges. Indeed, in its first year, ILS was met with legislative skepticism about the Office and a \$10 billion State budget deficit that fueled reluctance to adequately fund it. Subsequent years saw, among other events, the ongoing *Hurrell-Harring v. State of New York* lawsuit, which had been reinvigorated by a 2010 Court of Appeals decision; the Office of Court Administration funding for the 2010 Chief Administrative Judge rule setting criminal caseload standards in New York City but allowing the problem of overwhelming caseloads to persist in the rest of the state; the 2014 settlement of the *Hurrell-Harring* litigation, which although historic in establishing a sound framework for public defense reform, left out 52 counties and New York City; the 2017 legislation extending the *Hurrell-Harring* settlement initiatives in criminal cases to every locality in the state, though still failing to address the crisis in parental defense; and the unprecedented public health emergency that led to a budget crisis in 2020.

Bill navigated these challenges with an uncanny ability to perceive and seize opportunities to further ILS' mission. In so doing, he set for the Office a tone of respect and collaboration. Because of Bill, every dollar of ILS funding is disbursed after collaboration with local officials, which must include meaningful consultation with public defense providers about how the funding will be used to bolster the quality of representation. By requiring meaningful consultation with defenders, Bill effectively elevated their stature and importance. Requiring an explanation as to how the funds will improve quality is a constant reminder that quality improvement is ILS' fundamental mission.

The same tone of respect and collaboration has informed the development of ILS standards. Between 2011 and 2021, ILS promulgated caseload standards for criminal defense and parental representation, standards for determining financial eligibility for assignment of counsel in criminal and Family Court matters, standards for assigned counsel programs, standards for appellate and post-conviction representation, and standards for representing parents in state intervention matters. All these standards were developed via a collaborative process that included public hearings, utilization of working groups, or both, allowing ILS to draw upon the experiences and expertise of defenders and other stakeholders from across the state.

The strong foundation that Bill created over the 10 years he led ILS was evident in 2021, which proved to be another challenging year as the Covid-19 pandemic ebbed and flowed in ways that were often dispiriting. Yet, as discussed in this report, ILS persisted in its progress towards improved quality representation. Highlights include:

- Ongoing implementation of the *Hurrell-Harring* (HH) settlement resulting in the five settlement counties having the resources needed to meet the challenges posed by the Covid-19 pandemic and still fully implement bail and discovery reforms.

- The State appropriating \$200 million in the State Fiscal Year 2021-22 budget for the fourth year of the five-year phase-in of the HH settlement’s extension statewide, with the HH Statewide Team continuing its collaboration with localities to develop plans pursuant to Executive Law § 832(4) for improved quality public criminal defense.
- ILS conducting five virtual ACP Summits, bringing together assigned counsel program leaders from across the state to discuss issues relevant to transforming the quality of criminal defense representation delivered by assigned counsel attorneys.
- ILS developing caseload standards for parental representation, awarding a second Upstate Model Family Representation Office to Monroe County to build upon the success of the first such award to Westchester County, and successfully reaching a memorandum of understanding with the New York State Office of Children and Family Services to make federal Title IV-E funding available to localities for enhanced quality representation of parents in state intervention matters.
- ILS persisting in its efforts to improve the quality of appellate and post-conviction representation by, for example, continuing our weekly *Decisions of Interest* email and providing a platform for the DVSJA Statewide Defender Task Force, demonstrating the value of statewide collaboration to promote full implementation of a new law.
- ILS conducting six virtual convenings for county-based Data Officers to enhance the quality of data collected from public defense providers, consistent with the recommendation of the Kaye Commission that a comprehensive system for statewide data collection be established.
- The ILS Grants Unit continuing its focus on ensuring that funding flows to the counties and New York City, processing \$16 million more in claims than in previous years and enhancing efficiencies to pay claims and process contracts in a timely manner.

Despite the progress made over 10 years, challenges still exist. The two most significant are the statutory rates paid to assigned counsel under County Law § 722-b, which have remained stagnant for 18 years, and the dire need for a State fiscal commitment to improve the quality of legal representation delivered to parents in Family Court matters. In 2006, the Kaye Commission warned that “[f]amily court matters are an integral part of New York’s indigent defense system and cannot be removed from an overall consideration of the current system...” Yet, while the State has made a commendable fiscal commitment to improving the quality of indigent public defense, the representation of parents in Family Court matters has been left out – effectively removed from an overall consideration of New York’s current public defense system for purposes of State funding. The Covid-19 pandemic, which has added fiscal and emotional stress to families, further exacerbated the crisis in parental representation.

Over his 10 years as Director, Bill laid a foundation for ILS that will serve us well as we build upon the progress made thus far and meet the challenges that lie ahead. We do so inspired by Bill’s unrelenting commitment to and fearless advocacy for quality representation. For that reason, it is only appropriate that we dedicate this Tenth Annual Report to Bill Leahy.



Patricia J. Warth
April 2022

Criminal Defense Reforms and Quality Initiatives

Hurrell-Harring Settlement Implementation

The *Hurrell-Harring v. State of New York* settlement entered the sixth year of implementation in 2021. Under the leadership of Chief *Hurrell-Harring* Implementation Attorney Nora Christenson, the HH Team continued efforts in Onondaga, Ontario, Schuyler, Suffolk, and Washington counties to ensure meaningful access to justice and improve the quality of criminal defense representation. The HH Team also began working with seven additional counties (Livingston, Madison, Nassau, Oswego, Tompkins, Warren, and Wayne), as part of the statewide expansion of HH reforms under Executive Law § 832(4).

Eligibility and Counsel at Arraignment

In April 2021, the HH Team issued its fifth update on implementation of Eligibility Standards in the five HH counties, which demonstrated that despite Covid-19, the HH providers had the tools and structures needed to ensure timely access to counsel due to the settlement and strong leadership. Some HH providers also worked to connect with clients earlier for eligibility screening and assignment, including prior to arraignment, consistent with Eligibility Standard III. Timely assignment has meant earlier connection to services, immediate case work, and efficient court proceedings.

In November 2021, the HH Team issued the sixth update report on implementing the settlement's counsel at arraignment obligations in the HH counties. This report demonstrated the continued success of providers' systems for ensuring that people are represented by counsel at their arraignment. As the second full year of bail reform implementation, 2021 also provided an opportunity for the HH team to examine its preliminary impact on providers' arraignment practice. Since 2016, providers in the HH counties have collected and reported information on arraignments, including the type of arraignment (custodial or non-custodial) and outcomes (incarceration or release). An analysis of this information comparing pre- and post-bail reform periods was striking. Across all five HH counties, pre-arraignment and pretrial incarceration declined. The impact was particularly evident in misdemeanor and violation cases. There was also a modest reduction in reliance on pretrial incarceration in non-violent felony cases and a slight reduction in violent felonies. We preliminarily concluded that in the HH counties bail reform is having the intended impact of reducing reliance on pretrial incarceration.

Caseloads Standards and Quality Improvement

In January 2021, as part of ILS' ongoing obligation under section IV(E) of the settlement, the HH Team began a multipronged effort to assess the efficacy of caseload standards implementation in the HH counties. An attorney survey on the impact of Covid-19 on defender practice and 18 virtual interviews and focus groups culminated in an October 2021 update report, *Evaluating the Effectiveness of Caseload Standards in the Hurrell-Harring Counties*. The report sheds light on improvements due to settlement funding and initiatives, as well as external pressures at play. The infrastructure and resources implemented pursuant to the settlement allowed HH leaders to meet

the challenges of Covid-19, as well as adapt their organizations to the recently enacted discovery reforms. However, defenders have been adversely impacted by low compensation rates for assigned counsel and a lack of funding for parental representation. This information will help guide both the HH Team's ongoing implementation work as well as the Office's overall work to improve the quality of mandated representation.

Statewide Expansion of the Settlement

The Statewide expansion of the *Hurrell-Harring* reforms continued with the fourth installment of State funding in State Fiscal Year 2020-21, increasing to \$200 million the funding available to extend reforms statewide. The Statewide Team has continued to negotiate budget proposals and develop work plans with each locality. Due to the conscientious process of crafting the original five-year plans and the fact that implementation could not start until after the first allocation of funding in the State Fiscal Year 2018-19 budget, the county budgeting process has operated with a lag of about one year. In 2021, however, under the leadership of Interim Chief Statewide Implementation Attorney Matt Alpern, ILS took steps to advance the budget negotiation process. First, the HH Team collaborated with the Statewide Team in seven counties. This joint effort reflects ILS' commitment to a smooth transition in combining the Teams' resources under one umbrella when the original settlement concludes in 2023. Second, the Statewide Team simultaneously negotiated many Year 3 and 4 budgets and completed Year 4 budgets for some counties that had completed their Year 3 budget process. As we enter Year 5, these efforts have brought many counties current. ILS expects to further close, if not erase, the gap in 2022 by negotiating combined Year 4 and 5 budgets, as well as moving forward with Year 5 budgets for counties that have finished their Year 4 process.

Early Impact of Statewide Expansion: Caseloads, Quality, Counsel at First Appearance

Throughout 2021, counties progressed in caseload reduction, quality improvement, and providing defense counsel at first appearance. The Statewide Team focused on ensuring that, as counties negotiate their Year 3 and 4 budgets, they are on track to meet caseload standards. This entailed careful analysis of each provider's current staffing and an allocation of resources to hire additional attorneys.

A commonly seen obstacle to caseload standard compliance is the struggle many counties continue to experience in recruiting staff. To improve recruitment, the Statewide Team has negotiated competitive salaries, increased office space, and enhanced resources for providers. Given vastly increased funding available from the State, counties can significantly enhance resources for all providers in supervision, training, access to non-attorney professional services, client communication, and attorney qualifications.

As a result of these efforts, localities are developing the structure of their Assigned Counsel Programs, increasing supervisory capacity, providing broad training options, bolstering their investigation, expert, and sentencing advocacy resources, ensuring that attorneys can communicate effectively with their clients, and supporting providers in recruiting and retaining qualified staff.

In 2021, nearly all localities had programs in place to provide counsel at arraignment. The lack of an attorney at arraignment is now the exception, rather than the unconstitutional norm that existed prior to the creation of ILS. These efforts have been aided by ILS' partnership with the judiciary and other stakeholders, as well as 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 counsel at the first appearance. In 2022, ILS expects to focus on the quality of representation provided at arraignment, as well as ensuring that counsel is present at arraignments in youth parts and during returns on arrest and parole warrants.

Other *Hurrell-Harring* and Statewide Team Quality Initiatives

In 2021, ILS hosted five virtual Statewide ACP Summits, which were well attended by Assigned Counsel Program (ACP) leadership from across the state. ACP leaders discussed topics such as how to creatively use ILS funding, regional immigration centers, the development and implementation of mentoring and second-chair programs, data collection, and ACP handbooks. Most importantly, ACP leaders across the state have continued to forge connections and strengthen the statewide ACP community through these summits.

ILS also partnered with the nationally acclaimed organization Gideon's Promise to pilot a New York-tailored leadership program for public defense leaders across the state. Gideon's Promise created content on topics ranging from client-centered representation to values-based recruitment for presentation to leaders during eight monthly hour-long sessions. Eleven leaders from a cross-section of New York State representing both HH and Statewide counties are participating. The program began in October 2021 and will run through May 2022 and has offered defense leadership an opportunity to discuss culture change and other related topics, including brainstorming concrete steps to achieve it in their offices.

Finally, with the 2019 changes to the state's discovery laws for criminal cases, public defense providers have seen an increased need for forensics resources and discovery management tools. In 2021, ILS worked with providers statewide to support these needs by funding programs intended to enhance access to forensics resources, as well as funding technology to assist with processing voluminous discovery materials.

Quality Enhancement: Parental Representation

Under the leadership of Angela Burton, the Director of Quality Enhancement for Parent Representation, ILS effectively used the very limited State funding available for improved quality parental representation for several important initiatives in 2021.

Caseload Standards

In 2021, ILS finalized the *Caseload Standards for Parents' Attorneys in New York Family Court Mandated Representation Cases*. Contingent on the availability of State funding to implement them, the ILS Board approved the standards, which were the product of collaboration among the ILS Parent Representation and Research Units, the Office of Court Administration, Welfare

Research Inc., and the ILS Parental Representation Advisory Council. The process used to create the revised standards included a time-tracking study, a review of data on Family Court petitions, and extensive consultation with parental representation attorneys. The development of the standards was spurred in part by the *Interim Report of the Commission on Parental Legal Representation*, which declared that excessive caseloads prevent effective parental representation.

Eligibility

The Parent Representation and HH Teams updated existing ILS Eligibility Criteria and Procedures to apply to Family Court. The revised *Standards for Determining Financial Eligibility for Assigned Counsel*, approved by the ILS Board in December 2020 and issued in February 2021, represent a critical next step in safeguarding access to counsel for all mandated representation. ILS conducted trainings for judges and providers of Family Court and criminal court representation. We updated model applications and related eligibility forms and provided a fillable PDF to facilitate electronic transmittal of this information. The updated standards provide a streamlined, fair, and comprehensive basis for determining financial eligibility for counsel.

Funding

In 2021, ILS and the New York State Office of Children and Family Services reached a Memorandum of Understanding (MOU) as to the State's plan to access federal matching funds under Title IV-E of the Social Security Act, which reimburses state and local governments for certain expenditures for representation of children and parents in child welfare matters. The MOU requires each county applicant to collaborate with ILS to create a plan that ensures that federal funding will be used to enhance the quality of legal representation provided to parents in child welfare matters. FAQs and forms on the ILS website facilitate enrollment.

The State Fiscal Year 2021-22 budget also included \$2.5 million in new State funding for an Upstate Family Defense (Child Welfare) Quality Improvement and Caseload Reduction Grant RFP. This grant was awarded to five counties—Cortland, Erie, Monroe, Steuben, and Suffolk. Each county will receive a total of \$500,000 over three years to support innovative programs to improve the quality of representation for parents accused of child maltreatment.

Upstate Model Offices

In 2021, ILS continued its work to implement the first Upstate Model Family Representation Office via the competitive grant awarded to Westchester County in 2019. Westchester selected Legal Services of the Hudson Valley (LSHV) to operate the model office. ILS, LSHV, and the Westchester County Department of Social Services developed protocols for pre-petition representation of clients during child protective services investigations. This pilot is the first State-funded program offering such timely representation—as envisioned by the ILS *Standards for Parental Legal Representation in State Intervention Matters* and the *Interim Report of the Commission on Parental Legal Representation*. None of the cases closed during the initial six months of this model office operation resulted in an indicated report, Family Court Article 10 petition, or removal of a child. To help provide stability and address poverty and safety concerns of families involved in child welfare cases, LSHV also provided representation or assistance

regarding custody, family offenses, support, housing, public benefits, and immigration. Building on the success of the Westchester Model Family Representation Office, last year, ILS awarded a grant for a second model office to Monroe County.

Quality Enhancement: Appellate Representation

The Director of Quality Enhancement for Appellate and Post-Conviction Representation, Cynthia Feathers, continued to work with providers on several fronts to improve the quality of appellate and post-conviction representation.

Appellate Defender Council

The ILS Appellate Defender Council is devoted to advancing quality in mandated appellate representation in New York criminal and Family Court appeals. The Council's membership reflects the diversity of appellate representation in New York State. Many of the Council's members lead institutional programs, while others provide appellate representation at upstate rural public defender offices and 18-B appellate panels. The Council meets several times a year and seeks to address appellate issues of statewide importance.

In November 2021, the Council partnered with the New York State Bar Association to offer an innovative full-day CLE program. A centerpiece of the program was a fascinating panel discussion about criminal leave applications, featuring New York Court of Appeals Associate Judge Jenny Rivera and two seasoned practitioners. Other cutting-edge topics included discovery reform and statutory speedy trial dismissals. Another full-day CLE program, presented in May 2021 with the Erie County Bar Association, featured a presentation by an Appellate Division justice on harsh and excessive sentences, and sessions on *Carpenter v. U.S.* issues and post-conviction representation for noncitizens, among other topics.

DVSJA and Other Activities

ILS also provided ongoing support for the implementation of the Domestic Violence Survivors Justice Act (DVSJA). The Appellate Director continued to serve as a hub in providing information about the recently enacted law to pro se defendants with convictions in upstate counties and connecting them with attorneys. In addition, ILS continued to provide a platform for the DVSJA Statewide Defender Task Force. This 40-member group—which includes defenders, defender associations, and a victimology scholar—meets monthly to brainstorm about cases and coordinate research, resources, and trainings to meet the challenges of the new law.

Another continuing ILS appellate initiative in 2021 was the *Decisions of Interest*—summaries of key appellate decisions from the prior week, which are transmitted to public defense attorneys via the ILS appellate listserv. ILS continues to receive a steady flow of positive comments about the value of the weekly decision summaries to the daily practice of both trial and appellate attorneys.

Finally, a highlight of 2021—and a harbinger of great things to come—was the State's approval of funding for a Statewide Appellate Support Center. The Center will allow ILS to fulfill a long-

held vision in the appellate realm starting in 2022. The Center's appellate attorneys and support staff will work together with the Appellate Director to implement initiatives to improve appellate representation, to provide robust consultation on appellate and post-conviction matters, and to offer litigation support.

Immigration Assistance

In *Padilla v. Kentucky* the U.S. Supreme Court held that the Sixth Amendment requires defense counsel to provide clients with specific advice about clear immigration consequences of a plea bargain. Giving such advice requires knowledge of complex immigration laws, and many defender offices cannot afford to hire in-house experts. To ensure that defense attorneys have access to the requisite expertise, in 2016 ILS created a statewide network of six Regional Immigration Assistance Centers (RIACs). Last year, RIAC attorneys continued their essential functions, which include providing institutional defenders and assigned counsel panel attorneys with detailed written advisals about immigration consequences for noncitizen clients.

The RIACs collectively responded to more than 2,000 requests for assistance, primarily about criminal defense, but also about appellate, post-conviction, and family law matters. To encourage attorneys to use their services, the RIACs conducted strategic outreach efforts. They also offered extensive trainings to both attorneys and judges. All such activities receive significant support from ILS, which fully funds the RIACs through three-year grants and provides ongoing assistance via meetings with individual RIACs and providers in target counties and plenary meetings to discuss best practices. ILS research analysts also streamlined the instrument used to collect annual data from the RIACs and in 2021 produced a statewide report to measure the contributions of each RIAC and identify areas for future attention.

In each of the six regions in the RIAC network, defense attorneys and the immigration law experts at the RIACs continued to join forces to ensure effective representation of noncitizen clients. Much is at stake in such collaborations. The way plea bargains are shaped may mean the difference between clients maintaining their lives in the United States or being permanently separated from a community of family and friends and banished from a country long considered home. Often the RIACs can help defense counsel persuade a prosecutor to use an alternative plea deal providing for a conviction of the same level for the same jail time, while avoiding an equitable penalty of deportation or inadmissibility.

Research

Under the leadership of Melissa Mackey, Director of Research, ILS' Research Unit continued its efforts to realize the recommendation of the 2006 Kaye Commission that a comprehensive statewide data collection system be developed to provide a better picture of the mandated representation in New York.

Data Reporting

Pursuant to ILS' responsibility for collecting financial, workload, and other information, in April 2021 providers submitted Part 1 (Expenditure and Staffing data) and Part 2 (Case Assignment data) of the ILS-195. This marked the first time that providers submitted aggregate caseload data aligned with the ILS caseload standards categories. In January 2021, providers were also required to begin the collection of ILS-195 Part 3 data on case outcomes. ILS also used our Performance Measures Progress Report Form (PMF) to gauge the pace of implementation of the statewide expansion of the HH settlement. Analysis of data received formed the basis of the second Performance Measures Annual Report submitted to the Division of Budget in 2021. ILS continued to work with providers who do not have a case management system to ensure that plans are in place to begin collecting both Parts 2 and 3 of the ILS-195. ILS also reached out to case management software vendors to create a comparison chart summarizing the functionality of each vendor's system.

Following the award of the first Upstate Model Family Representation Office Grant to Westchester County, ILS collaborated with Legal Services of the Hudson Valley to create data-reporting requirements to assess the impact of pre-petition practice. Beginning in April 2021, LSHV began quarterly reporting of data to ILS and will continue to do so throughout the three-year grant cycle. This information will also inform practices regarding the second model office awarded to Monroe County in July 2021.

Data Officers

County data officers continued to play a critical role in data collection and reporting. ILS hosted six data officer trainings in 2021. Topics included the ILS-195, the PMF, and the importance of data in the annual reports ILS produces on provider caseloads and the Performance Measures. ILS also created a Data Officers Best Practices Guide. After a year-long delay due to Covid-19, ILS welcomed two internal data staff members. Data Scientist Cie-Nicholas Watson assists Manager of Information Systems Peter Avery with various technology matters within the office and works closely with the county data officers in monitoring their efforts to ensure timely collection and reporting of data. Data Outreach Officer Reilly Weinstein is the primary liaison between ILS and county data officers, and she played a key role in data officer trainings.

Other Activities

As set forth in the Parental Representation section of this report, in 2021 the ILS Board approved Caseload Standards regarding parental representation, following a comprehensive process in which the ILS Research Team was deeply involved.

ILS and Cornell University joined forces to create a summer intern program for undergraduate students interested in public defense, and two interns worked at ILS in summer 2021.

Grants

The Grants Unit continued to increase the efficiencies developed in 2020, processing 1,056 claims for a total of \$83,455,640 in payments sent to counties in 2021. Although 2021 produced approximately the same number of claims as processed in 2020, the total payments increased by over \$16 million, an expected increase given the HH Statewide expansion funding.

In addition to processing claims, the Grants Unit sent out 231 contracts and contract extensions, which are essential to maintaining and enhancing the work of public defense providers throughout the state. On average, these contracts and contract extensions were processed within 27 days, which includes the receipt of signed copies from the counties, approval by the Office of the Attorney General and Office of the State Comptroller when appropriate, execution by ILS, and transmittal to counties of fully executed documents.

Although ILS only recently started to track contract processing times, the Grants Unit receives continuous praise from counties and providers on the improved speed and consistency with which contracts are executed and claims are processed and paid. This is due in large part to Jennifer Colvin, Manager of Grants Solicitation and Distributions, who has cultivated a team attitude centered around customer service. In addition to the guides *General Guidelines for Claim for Payment Processing* and *The Art of Good Grant Proposals: Effective Budgets & Budget Narratives*, developed in 2020, Jennifer and her team provide individualized and ad hoc training to county and provider staff responsible for submitting and managing ILS claims.

The Grants Unit also coordinated the release of two new Requests for Proposals (RFPs) in 2021, supporting improvements in Family Court representation. Together, the Second Upstate Model Family Representation Office Grant and the Upstate Family Defense (Child Welfare) Quality Improvement & Caseload Reduction Grant resulted in 32 proposals and six awards for a total of \$5 million over three years. For each RFP, the Grants Unit developed the procurement record, coordinated the review and scoring of each proposal, and put together contracts for final awards.

In addition, the Grants Unit developed an Audit Plan to begin strategically assessing the expenses charged to ILS contracts and the internal controls and protocols utilized by contractors to ensure that those expenses comply with the terms and conditions of the contracts. The Audit Plan is an internal document used to outline the audit process, including pre-audit/survey work, the audit site visit, and a post-audit review and report.

All of this has been accomplished despite being only 50% staffed for a majority of 2021. The Grants Unit was able to onboard Petros Papanicoloau in late October, adding another Assistant Grants Manager 1 to the team. Petros brings a wealth of knowledge pertaining to Vendor Responsibility inquiries and continues to develop that process for the office. Additionally, the Grants Unit released a vacancy announcement for a Grants Administrator 2 position in late October with a plan to interview candidates and fill the position in early 2022. Inching closer to full staffing, the Grants Unit looks forward to working even more closely with counties and New York City to ensure that they have the tools necessary to manage the growing number of ILS contracts and funding opportunities.

Administrative

The Covid-19 pandemic posed many administrative challenges in 2021. After more than a year of working mostly remotely, State employees returned to the office in September. At that time, ILS updated the Office's telecommuting policy, allowing staff to request a hybrid work schedule. This model was designed to meet the operational needs of our agency, ensure that we work effectively toward our mission of improving the quality of mandated representation, and offer maximum practicable flexibility for our employees to enhance job satisfaction, remain competitive, and retain employees.

In September 2021, Governor Hochul suspended the pandemic-related hiring freeze that had been in effect for more than a year. ILS had several significant staffing changes, noted previously in this report, including the appointment of Patricia Warth as Director and the hiring of Burton Phillips as Counsel, Cie-Nicholas Watson as our first Data Scientist, Reilly Weinstein as our first Data Outreach Officer, and Petros Papanicolaou as Assistant Grants Manager 1. Additionally, in our Grants Unit, Patricia Cadrette was promoted to Assistant Grants Manager 2, and Hannah Andrews O'Hara was promoted to Assistant Grants Manager 1.

ILS continued to make advancements in Diversity, Equity, and Inclusion (DEI). We expanded our recruitment efforts beyond the StateJobsNY website, using external job boards to advertise employment opportunities and attract a more diverse applicant pool. We focused job descriptions on substitutions for education and experience to eliminate unnecessary barriers. We named Luchele Chisunka, Statewide Implementation Analyst, as ILS' DEI liaison charged with creating a framework to support DEI initiatives both internally and with mandated representation providers, who are encouraged to use State funding for DEI officers, trainings, consultants, and other resources. In 2021, ILS and 10 providers presented a program to guide office leaders in developing a client-centered and values-based culture, so that the dignity and humanity of every client is honored, the quality of representation is advanced, and a positive work environment is nurtured.

ILS Board Members*

Hon. Janet DiFiore, Chairperson
Chief Judge, New York 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 Erie County Court, Buffalo

Vincent E. Doyle III
Partner, Connors LLP, Buffalo

Joseph C. Mareane
Former Tompkins County Admin.

Suzette M. Melendez
Asst. Prof. & 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*

Patricia J. Warth, Director
Burton W. Phillips, Counsel

Jennifer Aguila
Statewide Implementation Paralegal

Matthew Alpern
Director of Quality Enhancement for Criminal Defense Trials; Chief Statewide Implementation Attorney

Peter W. Avery
Manager of Information Systems

Christine Becker
Administrative Officer

Jami Blair
Assistant Counsel

Jessica Bogran
Hurrell-Harring Implementation Analyst

Angela Olivia Burton
Director of Quality Enhancement for Parent Representation

Marian Bush
Auditor

Patricia Cadrette
Assistant Grants Manager 2

Jennifer Chenu
Hurrell-Harring Implementation Attorney–Caseload Standards

Luchele Chisunka
Statewide Implementation Analyst

Nora Christenson
Chief Hurrell-Harring Implementation Attorney

Alyssa Clark
Hurrell-Harring Senior Research Associate

Lisa Coleman
Assistant Grants Manager 1

Jennifer Colvin
Manager of Grant Solicitation and Distribution

Cynthia Feathers
Director of Quality Enhancement for Appellate and Post-Conviction Representation

Tammeka Freeman
Executive Assistant

Brendan Keller
Hurrell-Harring Implementation Attorney–Counsel at First Appearance

Claire Knittel
Statewide Implementation Attorney–Caseload Standards

Karlijn Kuijpers
Statewide Implementation Senior Research Associate

Melissa Mackey
Director of Research

Lucy McCarthy
Assistant Counsel, Parent Representation

Kathryn Murray
Statewide Implementation Attorney–New York City

Hannah Andrews O'Hara
Assistant Grants Manager 1

Petros Papanicolaou
Assistant Grants Manager 1

Lisa Joy Robertson
Hurrell-Harring Implementation Attorney–Eligibility Standards

Ummey Tabassum
Hurrell-Harring Implementation Research Specialist

Cie-Nicholas Watson
Data Scientist

Reilly Weinstein
Data Outreach Officer

Claire Zartarian
Statewide Implementation Attorney–Counsel at First Appearance

**as of December 31, 2021*