

Performance Measures Annual Report, 2024

A Report to the Division of Budget

June 6, 2024



New York State Office of
Indigent Legal Services

Table of Contents

A. Introduction	2
The Performance Measures Progress Report Data Collection and Reporting Process	2
The Covid-19 Pandemic	3
Statewide Contract Extensions and Renewals.....	4
B. Assessment of Performance Measures Information	4
Counsel at Arraignment.....	4
The Numbers.....	5
Providers' Experiences with Counsel at Arraignment	6
Caseload Relief	8
The Numbers.....	8
Providers' Experiences with Caseload Relief.....	9
Quality Improvement	11
The Numbers.....	11
Providers' Experiences with Quality Improvement.....	12
Assigned Counsel Rate Increase	17
Challenges with the Town and Village Court System	17
Conclusion	18
Appendices	20

A. Introduction

The New York State Office of Indigent Legal Services (ILS) submits this report consistent with its responsibility under Executive Law § 832(4) to implement the statewide expansion of the *Hurrell-Harring v. The State of New York* Settlement (“HH settlement”). This report, which provides a detailed overview of implementation progress between April 1, 2018 and March 31, 2024, is the fifth of a series of annual reports.

Pursuant to Executive Law § 832(4), ILS works with each county and New York City¹ to achieve the three main objectives of the public criminal defense reforms first adopted in the HH settlement. The first objective ensures that all people charged with a crime and financially eligible for assigned counsel are represented by an attorney when they first appear before a judge or magistrate for arraignment (i.e., “counsel at arraignment”). Second, providers of criminal defense representation under County Law Article 18-B (referred to throughout this report as “providers”) must achieve full compliance with the caseload standards ILS developed to ensure that attorneys have the time and resources needed for quality representation. Finally, efforts must be made to improve the overall quality of mandated criminal defense representation provided throughout New York State. To monitor the status of implementation in the counties and New York City, ILS collects data from 122 providers using the ILS Performance Measures Progress Report (“Progress Report”) form, which is attached as Appendix A. This report provides a summary and assessment of the Progress Report information reported to ILS in the spring of 2024.

The Performance Measures Progress Report Data Collection and Reporting Process

Starting in 2018, ILS negotiated five-year contracts (“Statewide contract”) in consultation with each non-HH settlement county and New York City to achieve statewide expansion of the HH settlement reforms. Each Statewide contract includes a budget and a workplan. The workplan includes a section entitled “Goals, Objectives, and Performance Measures” (see Appendix B), which presents the contractual Performance Measures designed to track the progress of implementation of statewide public defense reforms.

The Progress Report form was first developed in preparation for the initial October 1, 2019 reporting period deadline. As described in previous reports, ILS has since updated the Progress Report form twice. The form is disseminated to providers via an online survey instrument using the QuestionPro platform.

To bolster localities’ capacity to collect and accurately report data pertaining to the Progress Report, ILS provides funding for each locality to appoint a Data Officer whose primary function is to coordinate with ILS in prioritizing and operationalizing data reporting

¹ Five New York counties – Onondaga, Ontario, Schuyler, Suffolk, and Washington remain currently engaged in implementation of reforms adopted in the *Hurrell-Harring* settlement agreement and are therefore excluded from statewide implementation procedures outlined in Executive Law § 832(4) during the term of the settlement agreement.

requirements. The county-based Data Officers are expected to work closely with ILS, each public defense provider in their locality, and the locality to collect and report reliable data to ILS in a timely and efficient manner. Additionally, ILS conducts periodic training sessions for Data Officers and providers to address all the ILS data reporting requirements, including the Progress Report. Since November 2019, ILS has conducted 16 data reporting training sessions. Each year, one or two sessions specifically focus on the Progress Report. ILS continues to receive many relevant questions before, during, and after the trainings, which shows that Data Officers and providers take their reporting duties seriously and make every effort to report accurate information.

To further assure accuracy, ILS developed, streamlined, and formalized the Progress Report review and follow-up process. After receipt of each completed Progress Report, the data provided is reviewed by the ILS Criminal Defense Representation Team attorney assigned to the geographic region that includes the county.² When the attorney identifies instances of questionable data, ILS staff follow up with providers for clarification and, in some instances, correction of the data reported.

This report includes information from the Progress Reports provided by 119 of the 122 providers to whom the Progress Report was sent.³ The list of providers who submitted a Progress Report is attached as Appendix C.

The Covid-19 Pandemic

During the Covid-19 pandemic, hiring freezes and other fiscal measures to address the pandemic-related budget crisis impacted the statewide public defense reforms in New York State. The pace of implementation slowed during State fiscal year 2020-21, yet surprisingly, not as much as ILS had anticipated.⁴ Many of the hiring freezes and payment limitations experienced by localities in 2020 were undone in subsequent years and courts began to resume regular operations. Implementation of the statewide public defense reforms picked back up. However, like many public sector employers, public defense providers continue to experience the lingering impact of the pandemic in their workforce, creating challenges in hiring and retaining staff. Despite these challenges, providers continue to effectively use Statewide contract funding to bolster their workforce, as demonstrated by the numbers in this report. For instance, an additional 128 attorney and non-attorney (“specialized professional”) positions were hired using Statewide contract

² As of March 2023, ILS has restructured the *Hurrell-Harring* and Statewide Implementation Teams into one Criminal Defense Representation Team. New York State has been divided up into eight regions of about seven to eight counties each, and each region has been assigned a Team attorney.

³ Montgomery ACP, Oneida ACP, and Rensselaer ACP did not submit a Performance Measures Progress Report to ILS.

⁴ For examples of how the statewide implementation was affected by the Covid-19 pandemic during State fiscal year 2020-21, please see the Annual Performance Measures Report published in May of 2021.

funding this year compared to last year, paired with continued increased spending on investigative services.

Statewide Contract Extensions and Renewals

All counties included in the Statewide expansion of the HH Settlement reforms entered an initial five-year Statewide contract with ILS, with a contract term of April 1, 2018 through March 31, 2023. Most counties received a one-year extension of their first Statewide contract through March 31, 2024, and thus, for the purposes of this report provided details on progress made using funds allocated within this first contract. Seven counties started their second Statewide contract on April 1, 2023.⁵ These counties referred to both their first and second Statewide contracts while completing their Progress Reports. Specifically, for any of the questions focusing on the use of contract funds in the prior fiscal year, these counties referred to year one of their second Statewide contract.⁶ Yet, for Performance Measures questions pertaining to attorney and specialized professional hires made since the start of Statewide implementation (i.e., April 1, 2018), providers in these counties referred to any hires made with funds allocated in their first and second Statewide contract. Lastly, New York City received a one-quarter extension of their first Statewide contract through June 30, 2023, and they started their second Statewide contract on July 1, 2023. Therefore, providers in New York City referred to both contracts while answering the questions on the April 2024 Progress Report.

B. Assessment of Performance Measures Information

This section of the report provides an overview of the data and qualitative information reported in the Progress Reports provided to ILS. The analysis offered below is an aggregate view of the progress made on implementation of the HH settlement reforms between April 1, 2018 and March 31, 2024, as measured by the Performance Measures. More detailed data for each of the 52 counties and New York City is outlined in Appendix D.

Counsel at Arraignment

Pursuant to Executive Law § 832(4)(a) and in consultation with the public defense providers, for each county ILS developed a written plan to ensure that everyone charged with a criminal offense who is eligible for assigned counsel is represented in person by counsel at their arraignment. “Arraignment” is defined as the “first appearance by a person charged with a crime before a judge or magistrate, with the exception of an appearance where no prosecutor appears, and no action occurs other than the adjournment of the

⁵ Clinton, Delaware, Dutchess, Hamilton, Lewis, Tioga, and Wyoming

⁶ Because Lewis and Tioga also received a one-year extension of their first Statewide Contract at the same time, these two counties were instructed to refer to both year five of their first and year one of their second Statewide Contract when answering these questions.

criminal process and the unconditional release of the person charged (in which event 'arraignment' shall mean the person's next appearance before a judge or magistrate)."⁷

Question 1 of the Progress Report asked providers to list all the attorneys funded by the Statewide contract and to identify whether the attorney is a new hire, an upgrade of an existing hire, or on contract. Additionally, providers were asked to indicate if the attorney provided arraignment representation and to report the number of cases assigned to the attorney over the reporting period of April 1, 2023 through March 31, 2024. Providers were instructed to include those assigned for arraignment as well as those assigned post-arraignment. Question 2 asked providers to estimate the total number of cases at which representation at arraignment was provided as a result of the Statewide contract funding. The Progress Report instructed providers to include arraignments where representation was provided by all attorneys reported at Question 1, as well as by attorneys who are paid by the Statewide contract via hourly rates or stipends to represent clients at arraignment (including assigned counsel panel attorneys).

The data elicited from these questions reveals that localities have effectively used Statewide contract funding to ensure that people arrested for a crime are represented at arraignment.

The Numbers

- Between April 1, 2018 and March 31, 2024, **599 new attorneys who provide counsel at arraignment** were hired.
- Of these, **497 are new hires, 81 are upgrades of existing positions,⁸ and 20 are contract positions.⁹**
- In total, **an estimated 134,950 new arraignment and post-arraignment cases** were assigned to attorneys who were compensated under the Statewide contract during the period of April 1, 2023 – March 31, 2024. This is 25,306 more than reported last year.
- Between April 1, 2023 and March 31, 2024, providers estimate that as a result of Statewide contract funding, **representation at arraignment was provided in 147,587 cases.¹⁰** This is a decrease of 9,873 compared with last year's reported cases,

⁷ Executive Law § 832(4)(a)(i).

⁸ For purposes of this report, upgrades of an existing position are counted only if the upgrade involves working additional hours.

⁹ For one new attorney who provides counsel at arraignment, information as to whether they were a new hire, an upgrade of an existing position, or someone placed on contract was missing.

¹⁰ This number is higher than the number of new arraignment and post-arraignment cases assigned to attorneys who were compensated with the Statewide contract reported in the previous bullet point. Unlike the first, the second number also includes assigned counsel panel attorneys who are paid an hourly rate, or a stipend funded by the Statewide contract to provide representation at arraignment and attorneys whose base

though still significantly higher than the 101,076 number of estimated arraignments reported two years ago.

Providers' Experiences with Counsel at Arraignment

In the qualitative portion of the Progress Report, providers are invited to describe how they used the Statewide contract funding to ensure that people eligible for assigned counsel are represented at arraignment.

Generally, Statewide contract funding is used to build arraignment representation programs that ensure 100% arraignment representation, 24 hours a day, 365 days per year by hiring additional attorneys, bolstering attorney pay, and/or providing competitive stipends to attorneys for representing clients at arraignments. Defense providers report that hiring additional attorneys for arraignment representation is beneficial because it helps them to create and maintain sustainable programs for in-person arraignment representation and a more equitable distribution of arraignment shifts, which lessens the burden on individual attorneys and increases flexibility in case of scheduling conflicts or attorneys taking time off. Providers also reported that having more attorneys allows them to schedule attorneys to represent clients at all the local justice court sessions, which can be difficult in those counties with numerous justice courts, all of which have multiple sessions scheduled each week or month.

There are two types of arraignments: 1) appearance ticket arraignments, which are conducted during regularly scheduled court sessions; and 2) custodial arraignments which occur when a person has been taken into custody at arrest and must be arraigned within a set time period. Counties use two different systems for custodial arraignments: 1) a Centralized Arraignment Part (CAP) or District Court system; or (2) an on-call program. All CAPs must be developed in coordination with and approved by the Office of Court Administration (OCA).¹¹ As of May 2024, 33 counties in New York State now have an OCA approved CAP to ensure arraignment representation by defense counsel. Each CAP is in session twice a day – once at a set time in the morning and once at a set time at night – at a central location (for instance, the local jail). Arrested individuals are detained after their arrest and until the next CAP session instead of immediately brought before a judge for arraignment. Providers reported that Statewide contract funding has been critical to the development of these CAPs and ensuring that defense attorneys are available to staff CAP sessions to represent clients. Providers also report many benefits to CAP courts, the primary one being that the set CAP times allow for advance and consistent scheduling of everyone involved in arraignments, including defense counsel, judges, and law enforcement. These set schedules create a sustainable system to ensure every person is represented by defense counsel at arraignment.

salaries are not funded by the Statewide contract, but who are paid extra through the contract (via hourly rates or stipends) to provide representation at arraignment.

¹¹ See Judiciary Law § 212(1)(w),

Other counties provide for arraignment representation via an on-call program, which means that once an individual is arrested and taken into custody, law enforcement contacts the judge who has geographic jurisdiction over the case and an on-call defense attorney. These arraignments occur any time of the day or night. Providers use Statewide contract funding to compensate the on-call attorneys and to pay mileage and/or travel time. One provider noted that the Statewide contract funding has made it possible to promptly pay on-call arraignment attorneys, which helps in recruiting a pool of attorneys willing to be on-call for arraignment representation.

Despite the successes of these Statewide contract funded arraignment programs, providers reported that there are challenges. Numerous providers reported difficulties in attracting and retaining qualified attorneys, which in turn, impacts the sustainability of their arraignment representation programs. One provider mentioned that high attrition is especially pronounced among experienced attorneys who have skills and abilities to represent clients charged with higher-level offenses. Another provider indicated that it is hard to retain talent because of competition with the private sector, which generally offers higher attorney salaries.

Another challenge is the difficulty in recruiting attorneys to participate in arraignment programs, particularly the on-call programs. There are many reasons attorneys hesitate to participate in on-call programs, including the significant travel time to and from the multiple courts that conduct arraignments, especially in large, rural areas where courts are geographically far apart, as well as receiving calls and having to travel in the middle of the night or during inclement weather. Additional challenges include getting law enforcement agencies to provide adequate notice of after-hours arraignments, coordinating arraignments with law enforcement and judges, and attorney burn-out.

CAPs are a potential solution to the many challenges of on-call arraignment representation programs. However, providers described how the creation of a CAP requires an enormous amount of time and effort and poses additional obstacles such as the economic impact on law enforcement to provide pre-arraignment detention and CAP security during CAP sessions. Still, several providers indicated that a CAP is more sustainable than an on-call program for ensuring that people are represented at arraignment.

Some providers reported that some local court magistrates are still accustomed to people being arraigned without defense counsel, particularly for appearance ticket arraignments, and thus may not take steps to ensure that defense attorneys are available to represent a client at appearance ticket arraignments. One provider also reported that some local magistrates do not always adhere to the arraignment representation program, and instead contact their “preferred” attorneys to provide representation at arraignment.

Finally, some providers noted the impact of last year’s increase in the statutory rate paid to assigned counsel panel attorneys. As a result of this increase, providers are having to re-evaluate the salaries they pay to employed attorneys (some of whom are leaving their

offices because it may be more lucrative to work as a panel attorney), and the stipends they pay attorneys for after-hour arraignment representation. However, the Statewide contract funding, which has not increased in three years, has limited providers' ability to make arraignment compensation and salaries more competitive.

Caseload Relief

Executive Law § 832(4)(b) requires localities to make good faith efforts to implement the caseload standards ILS established and issued in the 2016 report, *A Determination of Caseload Standards pursuant to §IV of the Hurrell-Harring v. The State of New York Settlement*.¹² Successful implementation of caseload standards requires the recruitment and retention of the new attorneys and additional professional staff.

As stated above, Question 1 of the Progress Report required providers to list the attorneys funded by the Statewide contract and asked them to estimate how many cases were assigned to these attorneys. Question 3 asked providers to list all the specialized professional positions funded by the Statewide contract, and as with Question 1, to identify if the position is a new hire, an upgrade of an existing position, or a contract position. Providers were also asked to indicate the type of position (i.e., investigator, social worker, administrative staff, and "other" specialized professional position).

As the numbers below show, as of March 31, 2024, a total of 1,223 positions are funded by the Statewide contracts, an increase of 128 more than last year.

The Numbers

- Between April 1, 2018 and March 31, 2024, **750 new attorneys were hired** with the funding provided by the statewide expansion of the HH settlement. Of these, **626 were new hires, 94 were upgrades of existing positions** (i.e., extra hours were added to existing part-time positions), **and 30 were placed on contract**.
- In total, between April 1, 2023 and March 31, 2024, **an estimated 134,950 cases** were represented by attorneys who were hired with the Statewide contract funding.
- Looking at the **last year only** (April 1, 2023 – March 31, 2024), **56 new attorneys** were hired. While fewer than the 129 new attorneys hired between April 1, 2022 – March 31, 2023, it demonstrates ongoing progress.
- Additionally, between April 1, 2018 and March 31, 2024, **473 specialized professionals were hired** with the Statewide contract funding throughout the 52 counties and New York City. Of these, **435 were new hires, 21 were upgrades of existing positions, and 14 were placed on contract**.¹³

¹² The ILS caseload standards are available here:

<https://www.ils.ny.gov/files/Caseload%20Standards%20Report%20Final%20120816.pdf>

¹³ For three specialized professional positions, information on whether they were new hires, upgrades of an existing position, or someone placed on contract was missing.

- Of the 473 specialized professionals hired, upgraded, or placed on contract, most were **administrative staff** (n = 290, 61.3%), followed by **social workers** (n = 76, 16.1%), **investigators** (n = 63, 13.3%), and **other specialized professional positions** (n = 44, 9.3%). See Figure 1 for an overview.
- Looking at the **last year only** (April 1, 2023 – March 31, 2024), **72 new specialized professionals** were hired. This number is an increase over the 60 new specialized professionals hired between April 1, 2022 – March 31, 2023.
- **47 counties and New York City have a designated a Data Officer.**

For a county-specific overview of attorney and specialized professional hiring, please see Appendix D.

Figure 1



Providers' Experiences with Caseload Relief

Statewide contract funding remains an invaluable resource in providing caseload relief by significantly increasing the number of attorney and specialized professional positions. As the number of attorney positions increases, providers have been able to assign attorneys to specialized teams or bureaus that focus on particular types of crimes or disciplines, such as appeals, violent felonies, sexual offenses, DWIs, and post-conviction relief. Providers are also able to have more attorneys regularly available for the busier court sessions.

For example, one public defender office reported that they hired attorneys to handle misdemeanor cases, which allowed them to better staff justice and city court sessions and to reduce caseloads of existing attorney staff. This office was also able to hire more attorneys to handle felony cases. Having a better staffing pattern for misdemeanor and felony cases means the attorneys have significantly reduced caseloads and the ability to

specialize by case type. Another public defender office described how having more attorney positions has allowed them to enhance the supervision and support provided to attorneys. More experienced, supervisor attorneys represent clients facing serious felony charges, but they have a less experienced attorney serve as a “second chair” on the case. This is the best means of on-the-ground training and ensures serious felony cases are well-staffed. This model also provides caseload relief for line attorneys as supervisors absorb more serious cases from their unit members.

Statewide contract funding has also been used to bolster the infrastructure of assigned counsel programs (ACPs), to ensure that panel attorneys are well-supported and there is oversight of the quality of representation they provide clients. ACP providers reported that having a strong administrative infrastructure has allowed them to recruit and train more panel attorneys. For example, one ACP reported that Statewide contract funding has been used to hire an Administrator and two support staff positions to run a county department that did not exist prior to March 2023. This Administrator went right to work, recruiting panel attorneys and increasing the number of panel attorneys from less than ten to 35. Another public defender office noted that since the county now has a well-managed ACP with an Administrator, the public defender office has been able to coordinate with the ACP to develop a program in which ACP attorneys represent clients in some of the county’s specialized courts. This has provided caseload relief for the public defender office while simultaneously allowing for vertical representation (i.e., clients have the same attorney throughout the duration of the case).

Several providers noted that Statewide contract funding has allowed them to be more thoughtful about hiring law school students and recent law school graduates to assist with representing clients and as a means of recruiting new attorneys. From summer internship programs that target first, second, and third year law school students, to creating positions such as “Law Graduate Trainee,” public defense providers are using funding to facilitate transitioning law students into full-time defender positions. For example, one provider reported that the Statewide contract funding has allowed their office to create a vibrant law clerk program. Many of the students hired as law clerks remain with the office for several semesters, with some eventually being hired as full-time attorneys after they graduate. Some providers noted that discovery reform in New York has dramatically increased the amount of time attorneys must spend on cases. As a result, ILS’ caseload standards, which were developed prior to discovery reform, are out of date and need to be updated to reflect the impact on complex criminal cases, particularly homicide cases and other matters where a client is facing a life sentence.

Providers consistently reported that recruitment and retention of attorneys continues to be the biggest challenge to caseload relief. Providers across the state identified stagnant and low salaries as the biggest barrier to hiring, but geography and local economics also play a role. Experienced attorneys are often difficult to retain and staff departures usually result in reallocating resources to cover existing caseloads.

Professionals other than attorneys continue to be an essential component of caseload relief. Providers reported that their specialized professional staff assist in reducing attorney workloads by handling a variety of case-related tasks. Experts and investigators provide crucial case-related information to attorneys and assist in identifying necessary and needed services, which has led to faster and better case resolutions, thus reducing the number of clients attorneys represent at a given time.

Quality Improvement

When the statewide expansion of the HH settlement began, pursuant to Executive Law § 832(4)(c), ILS developed written plans for all 52 counties and New York City to improve the quality of mandated criminal defense by ensuring that public defense attorneys receive effective supervision and training, have access to and appropriately use investigators, interpreters, experts, and other specialized professionals, communicate effectively with their clients, and have the necessary qualifications and experience to handle the types of cases assigned to them.

The Progress Report requires providers to report information about supervision, training, and access to and use of specialized professionals. To obtain information about supervision, Question 1 asked providers to indicate if a funded position was a supervisory position. To obtain information about training, Question 4(a) asked providers to estimate the total number of training events funded by the Statewide contract, and Question 4(b) asked providers to estimate the total number of attorneys whose attendance at a training event was supported by the Statewide contract. For the use of experts and investigators, Question 5(a) asked providers to estimate the expenditures for expert services paid for by the Statewide contract, while Question 5(b) asked providers to do the same for investigators. Of note, providers were instructed to exclude the salaries of experts or investigators, since this question focuses on contracted expert and investigative services only. For both 6(a) and 6(b), providers were asked to identify the total number of cases in which expert or investigator services were used. Here, they were specifically instructed to include all cases in which expert or investigative services were provided, including those of both salaried and contracted experts compensated by the Statewide contract funding.

Below is the aggregate information reported:

The Numbers

- Of the 750 attorneys hired statewide since April 1, 2018, **111** are **attorneys who supervise the work of others or provide training/mentoring.**¹⁴
- **341 training events were hosted, sponsored, or cosponsored** using Statewide contract funding between April 1, 2023 and March 31, 2024. Training events

¹⁴ In addition, 52 were Chief Attorneys / Administrators or Attorneys-in-Charge, and 587 were attorneys who did not supervise the work of others.

include, but are not limited to, professional conferences and Continuing Legal Education (CLE) courses.

- For a total of **1,728 attorneys**, their **attendance at training events** (such as registration fees, travel reimbursements, and accommodations) was supported by Statewide contract funding.
- Statewide, a total of **\$1,480,259 was spent on contracted expert services** and **\$782,229 was spent on contracted investigative services in the past year** (April 1, 2023 to March 31, 2024).
- Expert services provided as a result of Statewide contract funding were used in a total of **4,928 cases**. This number includes expert services provided by **both salaried and contracted experts**.
- Investigative services provided as a result of Statewide contract funding were used in a total of **14,270 cases**. This number includes investigative services provided by **both salaried and contracted investigators** and is an **increase of 4,557 cases or 46.9%** compared to the year before (April 1, 2022 to March 31, 2023).

Providers' Experiences with Quality Improvement

Providers shared their efforts and successes in these six general areas:

1) Training and Legal Expertise

Providers regularly use Statewide contract funding to support ongoing staff training. In addition to CLE courses, several providers noted that Statewide contract funding has allowed them to offer staff more specialized and skills-based training opportunities. For instance, some providers reported offering staff opportunities for training by nationally recognized organizations, including Gideon's Promise and Partners for Justice. Gideon's Promise is a public defense leadership development and training organization offering programs in leadership, office culture, and new attorney training. Partners for Justice focuses on working with public defense providers to implement holistic defense practices. One ACP provider described using Statewide contract funding to create various in-house and recurring training opportunities for new and existing panel attorneys. This ACP has recently developed a new Misdemeanor Panel Attorney Training Program required for all new criminal panel attorneys as a pre-requisite for joining the panel, a Felony Panel Attorney Training, and an Annual Micro DWI Seminar. Similarly, a public defender office reported having used Statewide contract funding to bolster their in-house training program by conducting a two-week attorney training program for new hires. Some providers described collaborative efforts in ensuring training opportunities for their attorneys. For instance, the ACPs in the Capital Region coordinate to develop and provide CLEs to their panel attorneys.

In addition to training opportunities, Statewide contract funding has been instrumental in providing attorneys opportunities to attend professional conferences and meetings, as well as join professional criminal defense organizations. Providers also noted that Statewide

contract funding has allowed them to purchase high quality legal research print materials and electronic research services, such as Westlaw.

Lastly, providers mentioned using Statewide contract funding to create resource attorney positions and specialized attorney positions in areas such as immigration matters, the Domestic Violence Survivors Justice Act (DVSJA), DNA, decarceration, wrongful convictions, digital forensic matters, and collateral consequences of criminal legal system involvement. Funding was also used to hire staff to assist in legal research. These new positions increase attorneys' access to legal expertise to improve the quality of representation.

2) Supervision

Providers reported creating and building upon the supervisory structures within their offices. Supervisory attorneys support and guide lesser experienced attorneys and contribute to a mission-driven, client-centered office culture. One provider noted that the funding of additional supervisory positions decreased the attorney-supervisor ratio which allowed for better supervision of cases and better advocacy for clients. Providers described utilizing individual supervision as well as supervision in group settings. For instance, to receive feedback and guidance on cases, one provider described initiating monthly case conferences where attorneys brainstorm their cases.

Several providers described using Statewide contract funding towards the creation of second chair programs and attorney mentor programs. One ACP noted that they now have a second chair on all homicide cases, which has improved the quality of criminal defense representation and allows for on-the-job training. Another ACP described creating a mentor program that allows attorneys to brainstorm defense strategy and provides valuable insight for lesser experienced attorneys navigating their local and superior courts. Some ACPs now require attorneys new to the panel to participate in their mentor program.

3) Access to Specialized Professionals

A majority of providers described how they use Statewide contract funding to increase access to specialized professionals in various areas, including topical experts, investigators, social workers, case workers, substance abuse specialists, client liaisons, client advocates, social service coordinators, mitigation experts, administrative support staff, case managers, paralegals, secretaries, accountants, business managers, clerks, interpreters, trial assistants, legal advocates, prisoners' rights advocates, re-entry staff, IT staff, and training directors. Several providers emphasized that the use of specialized professionals has been critical to improving the quality of representation. Investigators and legal advocates provide tremendous help in interviewing witnesses and reviewing the vast amount of discovery materials that are now being disclosed early in the case. Similarly, administrative support staff assist attorneys with client communication, correspondence, scheduling, and downloading and organizing discovery materials, which enables attorneys

to focus on case-related legal work. Providers describe the variety of ways experts are integral to quality representation, including, for example, helping the defense team and decision-makers understand how a client’s mental health problem or history of trauma impacted the client’s involvement in the charged crime, or should impact the client’s sentence. Forensic experts are necessary to guard against improper, misleading evidence being used against a client.

The American Bar Association’s *Ten Principles of a Public Defense Delivery System* call upon public defense providers to “adopt a client-centered approach to representation” to utilize “investigators, social workers, mitigation specialists, experts, and other specialized professionals,” and to “address the civil and non-legal issues that are relevant to their client’s cases.”¹⁵ With the enhanced access to specialized professionals, a growing number of defense providers are using Statewide contract funding to implement the client-centered, holistic, inter-disciplinary model of representation that is called for by criminal defense practice standards.

Some providers described how Statewide contract funding allowed them to create programs based on principles of holistic representation. For instance, one legal aid society introduced the Holistic Representation Program to their criminal defense practitioners in 2022. This Program provides clients with intensive interdisciplinary advocacy in addressing housing, addiction, and mental health challenges that impact their involvement with the criminal legal system or prevent the opportunity for alternatives to sentencing and favorable dispositions. An ACP in a large county reported another successful year of their Social Work Program, receiving more than 600 referrals and providing close to 16,000 services to its clients. Another ACP formally launched a clinical case management and sentencing mitigation program called OPTIONS (“Optimal Practices to Increase Opportunities to Navigate Sentencing”). The program is a partnership with a county-based alcohol and drug awareness council, and provides comprehensive substance abuse screenings, coordination and brokering of community-based treatment services for clients, benefit referrals, courtroom advocacy and the drafting of pre-sentence evaluation reports. Unlike court-based treatment programs, this program ensures that any of the information related to the screening and treatment of clients remains confidential and will not be disclosed to the court or any other parties unless authorized by the client and their assigned counsel. This presents an avenue for clients to acquire a clinical evaluation and gain access to resources, while avoiding the obligatory reporting obligations to courts that can deter clients from participating in court-based treatment programs.

Several providers described creating mitigation and case management teams within their offices, which enable better outcomes for clients while relieving attorneys’ workloads. Despite the significant progress made in increased access to specialized professionals, some providers acknowledged difficulties in getting all their attorneys to effectively use

¹⁵ American Bar Association, *Ten Principles of a Public Defense Delivery System*, revised August 2023, Principle #9

these resources. Providers in more rural areas identified challenges in finding expert and social services in the area.

4) Client Communication

Providers reported that having more attorneys and specialized professionals on staff improved client communication and allowed attorneys to provide clients with individualized services and attention. Increased staffing has reduced caseloads, and attorneys no longer have to spend most of the working day in court or running from one court appearance to another. While some providers shared difficulties in reducing caseloads because of hiring and retention challenges, they noted that specialized professional staff have been an essential part of maintaining the overall quality of representation. Mitigation specialists gather client life history information, investigators interview witnesses and clients and review discovery, and social workers help identify mental health issues, addiction, housing issues, or other socioeconomic needs and develop plans based to connect clients to needed assistance and services. The contributions of these specialized professionals have resulted in better case outcomes and better life outcomes for clients, which facilitates a trusting relationship between the client and the defense team.

5) Hiring and Retaining Qualified Attorneys

While the data shows that there has been significant increase in the number of attorneys hired, providers across the state emphasize that hiring and retaining attorneys remains a challenge. This is particularly true for providers in more rural counties and counties that are geographically large, requiring attorneys to devote a considerable amount of time travelling from court to court.

A New York City provider reported that the combination of increased living costs, non-competitive salaries, and the increased workloads associated with discovery reform is driving up their attrition rates, which are especially pronounced among experienced attorneys who have the skills and abilities to represent clients charged with higher-level offenses. Some providers stated that because they now have more attorneys overall, they are better positioned to manage attrition when it happens.

Several providers identified non-competitive salaries as a barrier to retaining experienced attorneys. Providers noted that increasing salaries and improving benefits will go a long way to allowing their offices to be competitive with other employers who are able to offer more competitive salaries for jobs that are less demanding.

Providers noted that because New York's public defense system is county-based, provider salaries vary from county to county. Counties with more competitive salary scales often attract attorneys from provider offices in neighboring counties with less competitive salaries. One provider in the Capital Region noted that the competition for staff is also

within the county, and they compete for staff with the State, municipal governments, and the private sector.

Not surprisingly, providers with more competitive salaries are better able to retain staff. One provider created a “career ladder” as a means of regularly increasing salaries of more experienced staff. Some providers noted that they are nearly fully staffed or have recently recruited many new attorneys because the Statewide contract funding allowed them to make their salaries more competitive, to offer bonuses, or both. Some providers also noted that previously they would focus on hiring experienced attorneys because they did not have the time and resources for a vibrant training program. As a result of their decreased caseloads and funding for training, many offices are now finding success in recruiting and hiring recent law graduates and using vibrant training programs to prepare them to deliver quality representation.

6) Technology

Several ACPs reported that Statewide contract funding allowed them to purchase case management system (CMS) software. Contract funding also allowed a few providers to purchase additional CMS licenses which enabled more staff members to maintain records for reporting purposes. Providers also shared they now can upgrade their CMS's, with one provider reporting the use of an attorney score feature to ensure that attorneys are achieving and maintaining caseload standards compliant caseloads. Another provider reported that attorneys have access to a web-based CMS, which allows them to access the system remotely prior to court appearances, perform conflict checks, and locate alternative counsel without delay. Funding also allowed a few providers to purchase Westlaw for legal research. One ACP reported access to Westlaw and other support services has been a major tool in attracting new talent to their attorney panel, which has resulted in a reduction of caseloads.

Providers with new office space have reported that Statewide contract funding has been used to purchase better technology for this space. One provider noted that more professional space, with better technology, gives clients the sense that they are receiving high quality, professional representation. Another public defender office described using Statewide contract funding for office-wide transition from a paper file system to a paperless system that is integrated into the office's case information system. Attorneys use the case information system to access case documents while in court and to electronically note what occurs during court appearances for their clients. This provider noted that ongoing funding is needed for regular updates and to ensure access to the multiple different platforms needed to access all the information in a client's case.

Discovery reform continues to pose technological challenges for providers statewide as the significantly increased amount of discoverable information is typically disclosed electronically via a variety of platforms. Providers reported that better technology is needed to allow them to review discovery materials and make full use of the materials to advise

clients, investigate cases, conduct research and draft motions, and provide effective advocacy throughout the course of the case. One provider acknowledged that their current CMS is not designed to allow them to share electronic discovery with their clients, who are either incarcerated or otherwise without computers, and therefore rely on smart phones for communication. Several providers reported needing additional funding for discovery and forensic-related technology needs.

While there are some providers who have upgraded their IT systems to accommodate the increase in discovery materials, a few shared that they are still facing challenges. For example, one public defender office hired an IT Discovery Technician (ITDT) to assist with electronic discovery transfer, receipt, indexing, and storage, but the discovery system requires constant adaptation to emerging technologies and changing vendor practices. Storage and accessibility remain the principal issue, as the volume of electronic discovery continues to increase. Providers statewide are eager to bridge technology gaps so they can continue to provide quality representation using first-rate technology.

Assigned Counsel Rate Increase

For ACPs, the increase in statutory rates for attorney compensation has generally been a success in bringing new attorneys to the panel, which is necessary to ensure that panel attorneys are not assigned more cases than they should be to comply with ILS caseload standards. One ACP leader shared that the rate increase has made assigned counsel work more appealing to attorneys, and they have seen an increase in interest from skilled attorneys in joining their panel. Another ACP noted that twice a year their program hosts a new/misdemeanor attorney training program required for all new panel attorneys. Since the rate was increased, they have hosted two such programs, adding 27 new attorneys to the panel.

While the assigned counsel rate increase has been necessary for the ACPs, it has impacted public defender offices and legal aid societies. Several of these institutional providers reported that there is now a significant discrepancy between the compensation for an assigned counsel panel attorney and an institutional provider attorney. Some providers report that some of their attorneys have resigned to take assigned counsel work, which they view as more lucrative.

Challenges with the Town and Village Court System

Providers report that they continue to face challenges because of the town and village court (“justice court”) system. For example, one provider wants to assign more than one attorney to the town courts with a higher case volume but cannot develop a system for efficiently doing so because of how the courts schedule matters.

Another public defender office reported that many justice courts are part-time and contacting the court when they are out of session is virtually impossible. Some courts

refuse to use email or any other electronic means of communication to facilitate effective communication between the public defender's office, ACP Administrator, and other courts. The lack of communication, in many instances, has impaired the rights of providers' clients. For example, some courts have stopped providing the public defender's office and the prosecution with court calendars and court notices in advance of the court date, which means that defenders are not able to alert their clients to a court appearance. Providers also reported that local court magistrates seem to not be adequately trained on bail reform, and at times unlawfully set bail and remand a person to jail.

Conclusion

Six years after the start of the Statewide expansion of the HH settlement reforms, significant progress has been made in all three covered areas: counsel at arraignment, caseload relief, and the overall quality improvement of mandated criminal defense representation provided throughout New York State.

Over these six years, public defense providers have used Statewide contract funding to develop and build arraignment structures to ensure that every person eligible for assigned counsel is represented by counsel at arraignment. The numbers show that 599 attorneys who provide counsel at arraignment have been hired since the start of Statewide implementation. In the first two years of implementation 67,497 cases received counsel at arraignment with the support of Statewide contract funding: an average of almost 33,750 per year. That number has grown exponentially to 147,587 cases in year six, which is a more than fourfold increase.

A substantial number of attorneys and other specialized professionals — a total of 1,223 positions — have been added to defender offices across the state as a result of the Statewide funding. This is, by any measure, a significant step toward compliance with ILS caseload standards and a meaningful contribution to transforming New York's public criminal defense function.

Public defense providers have also achieved significant progress toward improving the overall quality of representation. Providers commented on their continued efforts to create and build upon supervisory structures in their offices, which has a direct and positive impact on the quality of representation. In addition, Statewide contract funds are critical in providers' ability to offer regular training opportunities to their attorneys so that they can build their skills and stay abreast of the most recent developments in the law. In the past fiscal year alone, 341 training events were sponsored or co-sponsored, and over 1,700 attorneys were able to attend training events with the help of Statewide contract funding. Another aspect providers commented extensively on is how the funding enabled their attorneys to use investigative and expert services, contributing to better case and life outcomes for their clients. In the first two years of implementation, investigative services were used on a total of 1,548 cases (which equals an average of 774 cases annually). Four

years later, this increased more than eighteenfold to over 14,000 cases annually. Expert services were used on a total of 1,355 cases (average of 678 annually), which increased more than sevenfold to 4,928 cases in the prior fiscal year. Similarly, the amount of Statewide contract funding spent towards these services increased more than sixfold for investigative services and almost fivefold for expert services.

In sum, the data shows that the continued efforts of and collaboration between ILS and providers have resulted in meaningful and ongoing progress in New York State to improve the overall quality of mandated criminal defense. But as many providers have noted, the work is ongoing and the funding, time, and energy that needs to be devoted to public defense reform must continue.

APPENDIX A:

Performance Measures Progress Report Form



Indigent Legal Services

Performance Measures Progress Report April 2024

Thank you for completing the April 2024 Performance Measures Progress Report (Progress Report). Each County's criminal defense providers, (i.e., other than the five counties currently engaged in the *Hurrell-Harring* settlement agreement) and each of the eleven criminal defense providers in New York City are expected to file a completed Progress Report with ILS twice a year (i.e., by October 30th and April 30th of each year). The Progress Report form outlined in this survey is intended to gather information on the use of funding for implementation of the counsel at first appearance, caseload relief, and quality improvement reforms introduced in the *Hurrell-Harring* settlement agreement and subsequently extended to the rest of the state via Executive Law § 832 (4).

When possible, the information provided in the Progress Report should **ONLY** reflect the use of funding as allocated in the five-year contract supporting statewide implementation of the *Hurrell-Harring* settlement agreement reforms. The Progress Report is **due for submission by April 30, 2024**. Subsequent Progress Reports will be due for submission to ILS on a semi-annual basis thereafter.

INSTRUCTIONS

Please review the following instructions before completing the Progress Report.

Review the County's Budget Items Approved in the Five-Year Contract: The budget items, as outlined in Attachment B-1 of your county's five-year contract

(Contract) supporting statewide implementation of the *Hurrell-Harrington* settlement agreement should be used as a reference to complete the Progress Report form. Please email ILS at performance@ils.ny.gov if Attachment B-1 is unavailable to you when completing the Progress Report form. See below for a sample of Attachment B-1.

Print and/or Save the Progress Report form for future reference: It may be useful to print and/or save the Progress Report form for future reference. The form is attached as a PDF document to the email ILS sent early April, 2024. Alternatively, the Progress Report form may be downloaded from the ILS website at <https://www.ils.ny.gov/node/53/annual-data-reporting>. Any questions and/or concerns on the Progress Report form should be emailed to performance@ils.ny.gov prior to April 30, 2024.

Sample of Attachment B-1

<i>This is the sample of the budget for a hypothetical Public Defender's Office. Note the lines for personnel and Contracted/Consultant entries.</i>					
Budget Expenditure Item	Year 1 4/1/18 - 3/31/19	Year 2 4/1/19 - 3/31/20	Year 3 4/1/20 - 3/31/21	Year 4 4/1/21 - 3/31/22	Year 5 4/1/22 - 3/31/23
PUBLIC DEFENDER'S OFFICE					
CASELOAD RELIEF					
Personnel:					
Attorney Supervisor - Salary	\$80,000.00	\$81,600.00	\$83,232.00	\$84,897.00	
(2) Assistant Public Defenders - Salary	\$140,000.00	\$142,800.00	\$145,656.00	\$148,570.00	
Paralegal - Salary	\$44,737.00	\$45,632.00	\$46,545.00	\$47,476.00	
Secretary - Salary	\$35,000.00	\$35,700.00	\$36,414.00	\$37,142.00	
Fringe for above positions	\$43,000.00	\$46,000.00	\$49,500.00	\$52,000.00	
Data Officer (Stipend)	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	
Caseload Relief - Subtotal	\$362,737.00	\$371,732.00	\$381,347.00	\$390,085.00	\$0.00
QUALITY IMPROVEMENT					
Contracted/Consultant:					
Expert Services	\$80,000.00	\$95,000.00	\$102,500.00	\$103,500.00	
Investigator	\$15,000.00	\$17,000.00	\$19,000.00	\$21,000.00	
Subtotal Contracted/Consultant	\$95,000.00	\$95,000.00	\$102,500.00	\$103,500.00	\$0.00
OTPS:					
Computer Equipment	\$20,000.00	\$20,000.00	\$0.00	\$0.00	
Legal Reference Material/Books/Transcripts	\$10,000.00	\$15,000.00	\$15,000.00	\$15,000.00	
Subtotal OTPS	\$30,000.00	\$35,000.00	\$15,000.00	\$15,000.00	\$0.00
Quality Improvement - Subtotal	\$125,000.00	\$130,000.00	\$117,500.00	\$118,500.00	\$0.00
COUNSEL AT FIRST APPEARANCE					
Personnel:					
Assistant Public Defender - Salary	\$70,000.00	\$71,400.00	\$72,828.00	\$74,285.00	
Assistant Public Defender - Fringe	\$8,600.00	\$8,782.00	\$8,958.00	\$9,137.00	
Subtotal Personnel	\$78,600.00	\$80,182.00	\$81,786.00	\$83,422.00	
Contracted/Consultant/OTPS:					
Counsel at First Appearance - Subtotal	\$78,600.00	\$80,182.00	\$81,786.00	\$83,422.00	\$0.00
PUBLIC DEFENDER'S OFFICE - TOTAL	\$566,337.00	\$581,914.00	\$580,633.00	\$592,007.00	\$0.00

As the preparer of this form, please provide your name and contact information. Even if you are preparing this form on behalf of someone else, we would like you to provide your name and your contact information so we can reach out to you in case we have any questions about the data you reported.

First Name

Last Name

Phone

Email Address

Position / Job Title

Name of your employer

* Please indicate if you are preparing this form for a / an

- Public Defender's Office
- Conflict Defender
- Assigned Counsel Program
- Other

* Please indicate in which county this provider is located (for any borough in New York City, please select the "New York City" option)

- Albany County

- Allegany County
- Broome County
- Cattaraugus County
- Cayuga County
- Chautauqua County
- Chemung County
- Chenango County
- Clinton County
- Columbia County
- Cortland County
- Delaware County
- Dutchess County
- Erie County
- Essex County
- Franklin County
- Fulton County
- Genesee County
- Greene County
- Hamilton County
- Herkimer County
- Jefferson County
- Lewis County
- Livingston County

- Madison County
- Monroe County
- Montgomery County
- Nassau County
- New York City
- Niagara County
- Oneida County
- Onondaga County
- Ontario County
- Orange County
- Orleans County
- Oswego County
- Otsego County
- Putnam County
- Rensselaer County
- Rockland County
- Saint Lawrence County
- Saratoga County
- Schenectady County
- Schoharie County
- Schuyler County
- Seneca County

- Steuben County
 - Suffolk County
 - Sullivan County
 - Tioga County
 - Tompkins County
 - Ulster County
 - Warren County
 - Washington County
 - Wayne County
 - Westchester County
 - Wyoming County
 - Yates County
-

*** Are you the designated ILS Data Officer for your county?**

- Yes
 - No
-

*** Has the county designated an ILS Data Officer?**

- Yes
 - No
-

*** Please provide the name of the ILS Data Officer:**

Please provide the starting date (mm/dd/yyyy) of his/her position. If the exact starting day is unknown, please report the first of the month as the starting date.

MM/DD/YYYY

* Please provide a description of the progress toward the designation of an ILS Data Officer. If unknown, please type "Unknown" in the text box below.

* Does your institution / organization use an electronic case management system?

Yes

No

* What case management system does your institution / organization use?

defenderData

IntelLinx

LaserFiche

Law Manager

LegalServer

Logis

PDCMS

PIKA

Tecana

Other

- * 1. Please report the **number of attorney positions** that are funded as of March 31, 2024 by budget expenditure items listed in the “Caseload Relief,” “Quality Improvement,” and “Counsel at First Appearance” categories of the contract (see Attachment B-1). For each attorney position, please provide the **type, starting date**, indicate if it was a **new hire, an upgrade of an existing hire** (i.e., an increase in hours), or an attorney position placed **on contract**, and select if the attorney **provides representation at arraignment**. Then, enter the **total number of cases assigned** to the attorney **between April 1, 2023 and March 31, 2024**.

INSTRUCTIONS AND DEFINITIONS	
General Instructions	<p>As this question tries to get a cumulative overview of attorney positions since the implementation of the statewide reforms, answers to this question should include <u>all</u> attorney positions that were funded through the Contract on the last business day of the reporting period (i.e., March 31, 2024).</p> <p>Answers to this question should not include attorneys who received stipends or were paid as assigned counsel pursuant to NY County Law § 722-b (1). Attorneys receiving funding for mentoring programs, second-chair programs, or litigation support also should not be included where they were not filling a position created by this funding.</p>
Type of Contract	
New Hire	refers to any new attorney position, part- or full-time, that was filled on the last business day of the reporting period (i.e., March 31, 2024), including, but not limited to, ACP attorney-administrators and other ACP attorney staff.
Upgrade of Existing Hire	refers to any attorney position that existed prior to the reporting period, and for which the number of hours worked was increased as of the last business day of the reporting period (i.e., March 31, 2024). For example, an existing attorney whose position changed from part- to full-time would be included in this category. Salary increases that are not accompanied by an increase in the number of hours worked should not be included.
On Contract	refers to any individual attorney who occupies a position through a contract to provide services under this funding, and who was working under that contract on the last business day of the reporting period (i.e., March 31, 2024). It excludes contractors who did not occupy a position, such as those who received stipends, were paid as assigned counsel pursuant to NY County Law § 722-b-1, or who received funding for mentoring programs, second-chair programs, or litigation support.
Re-hire within the same position	If a position was filled by an individual, the individual left, and another individual was hired (i.e., a re-hire within the same position), please count

this as one hire and only report the starting date for the first individual.

Number of Cases

Total Number of Cases

This should include cases assigned between April 1, 2023 and March 31, 2024. Please include all cases, including cases at which representation was provided just for arraignment. For attorneys whose positions were upgraded (i.e., hours were added to their contract), please estimate the number of additional cases they were assigned as a result of the upgraded position.

	Type of Position	Starting Date (mm/yyyy)	New Hire, Upgrade of Existing Hire, or On Contract	Provides representation at arraignment
Attorney Position 1	-- Select --		-- Select --	-- Select --
* Attorney Position 2	-- Select --		-- Select --	-- Select --
* Attorney Position 3	-- Select --		-- Select --	-- Select --
* Attorney Position 4	-- Select --		-- Select --	-- Select --
* Attorney Position 5	-- Select --		-- Select --	-- Select --
* Attorney Position 6	-- Select --		-- Select --	-- Select --

Attorney Position 7	-- Select -- ▼		-- Select -- ▼	-- Select --
*				
Attorney Position 8	-- Select -- ▼		-- Select -- ▼	-- Select --
*				
Attorney Position 9	-- Select -- ▼		-- Select -- ▼	-- Select --
*				
Attorney Position 10	-- Select -- ▼		-- Select -- ▼	-- Select --
*				
Attorney Position 11	-- Select -- ▼		-- Select -- ▼	-- Select --
*				
Attorney Position 12	-- Select -- ▼		-- Select -- ▼	-- Select --
*				
Attorney Position 13	-- Select -- ▼		-- Select -- ▼	-- Select --
*				
Attorney Position 14	-- Select -- ▼		-- Select -- ▼	-- Select --
*				
Attorney Position 15	-- Select -- ▼		-- Select -- ▼	-- Select --
*				
Attorney Position 16	-- Select -- ▼		-- Select -- ▼	-- Select --
*				

Attorney Position 17	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 18	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 19	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 20	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 21	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 22	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 23	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 24	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 25	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 26	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney
Position
27

<input type="text" value="-- Select --"/>	<input type="text"/>	<input type="text" value="-- Select --"/>	<input type="text" value="-- Select --"/>
---	----------------------	---	---

*

Attorney
Position
28

<input type="text" value="-- Select --"/>	<input type="text"/>	<input type="text" value="-- Select --"/>	<input type="text" value="-- Select --"/>
---	----------------------	---	---

*

Attorney
Position
29

<input type="text" value="-- Select --"/>	<input type="text"/>	<input type="text" value="-- Select --"/>	<input type="text" value="-- Select --"/>
---	----------------------	---	---

*

Attorney
Position
30

<input type="text" value="-- Select --"/>	<input type="text"/>	<input type="text" value="-- Select --"/>	<input type="text" value="-- Select --"/>
---	----------------------	---	---

*

Attorney
Position
31

<input type="text" value="-- Select --"/>	<input type="text"/>	<input type="text" value="-- Select --"/>	<input type="text" value="-- Select --"/>
---	----------------------	---	---

*

Attorney
Position
32

<input type="text" value="-- Select --"/>	<input type="text"/>	<input type="text" value="-- Select --"/>	<input type="text" value="-- Select --"/>
---	----------------------	---	---

*

Attorney
Position
33

<input type="text" value="-- Select --"/>	<input type="text"/>	<input type="text" value="-- Select --"/>	<input type="text" value="-- Select --"/>
---	----------------------	---	---

*

Attorney
Position
34

<input type="text" value="-- Select --"/>	<input type="text"/>	<input type="text" value="-- Select --"/>	<input type="text" value="-- Select --"/>
---	----------------------	---	---

*

Attorney
Position
35

<input type="text" value="-- Select --"/>	<input type="text"/>	<input type="text" value="-- Select --"/>	<input type="text" value="-- Select --"/>
---	----------------------	---	---

*

Attorney Position 36	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 37	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 38	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 39	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 40	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 41	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 42	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 43	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 44	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 45	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 46	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 47	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 48	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 49	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

*

Attorney Position 50	-- Select -- ▼		-- Select -- ▼	-- Select --
----------------------------	-------------------	--	-------------------	--------------

* 2. Please estimate the **total number of cases** at which **representation at arraignment** was provided as a result of the Contract funding. Include cases represented by hired attorneys, contracted attorneys, and attorneys receiving stipends for arraignment representation. Do not include arraignments on the felony indictment here, unless it was the defendant's first court appearance.

INSTRUCTIONS AND DEFINITIONS	
General Instructions	Please include arraignments covered by: <ul style="list-style-type: none"> - Assigned counsel panel attorneys who are paid an hourly rate or a stipend funded by the Contract to provide representation at arraignment. - Attorneys who are hired with Contract funding (i.e., any attorney listed in Question 1) - Attorneys whose base salaries are not funded by the Contract, but who are paid extra through the Contract (via hourly rates or stipends) to provide representation at arraignment.

* 3. Please report **the number of non-attorney positions** that are funded as of March 31, 2024 by budget expenditure items listed in the “Caseload Relief,” “Quality Improvement,” and “Counsel at First Appearance” categories of the contract (see Attachment B-1). For each non-attorney position, please provide the **type, starting date**, and indicate if it was a **new hire, an upgrade of an existing hire** (i.e., an increase in hours), or a non-attorney position placed **on contract**.

INSTRUCTIONS AND DEFINITIONS

General Instructions	<p>As this question tries to get a cumulative overview of non-attorney positions <u>since the implementation of the statewide reforms</u>, answers to this question should include <u>all</u> non-attorney positions that were funded through the Contract on the last business day of the reporting period (i.e., March 31, 2024).</p> <p>Answers to this question should include non-attorneys receiving funding for improvement of specialized services (e.g., investigators, social workers, and others such as experts, stenographers, interpreters, etc.) and non-attorney administrative support staff (e.g., secretaries, paralegals, case managers, grants managers, data officers, etc.). It should not include currently employed non-attorneys who receive stipends (e.g., a stipend issued to a currently staffed grants administrator).</p>
Type of Contract	
<i>New Hire</i>	refers to any new non-attorney position, part- or full-time, that was filled on the last business day of the reporting period (i.e., March 31, 2024). It includes, when applicable, ACP administrators.
<i>Upgrade of Existing Hire</i>	refers to any non-attorney position that was filled prior to the reporting period, and that was filled on the last business day of the reporting period (i.e., March 31, 2024), and for which the number of hours worked was increased. For example, an existing social worker whose position changed from part- to full-time would be included in this category. Salary increases that are not accompanied by an increase in the number of hours worked should not be included.
<i>On Contract</i>	refers to any individual non-attorney who occupies a position through a contract to provide services under this funding, and who was working under that contract on the last business day of the reporting period (i.e., March 31, 2024). It excludes contractors who did not occupy a position, such as those who received stipends.
Re-hire within the same position	If a position was filled by an individual, the individual left, and another individual was hired (i.e., a re-hire within the same position), please count this as one hire and only report the starting date for the first individual.

Type of Position	Starting Date (mm/yyyy)	New Hire, Upgrade of Existing Hire, or On Contract
------------------	-------------------------	--

Non-attorney Position 1	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 2	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 3	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 4	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 5	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 6	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 7	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 8	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 9	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 10	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 11	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 12	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 13	-- Select -- ▼		-- Select -- ▼

Non-attorney Position 14	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 15	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 16	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 17	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 18	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 19	-- Select -- ▼		-- Select -- ▼
* Non-attorney Position 20	-- Select -- ▼		-- Select -- ▼

* 4. a. Please estimate the **total number of training events** hosted, sponsored, or co-sponsored by the Contract funding between April 1, 2023 and March 31, 2024. Training events include, but are not limited to, professional conferences and Continuing Legal Education (CLE) and non-CLE programs.

* 4. b. Please estimate **the total number of attorneys** whose attendance at training events was supported by the funding provided in the Contract between April 1, 2023 and March 31, 2024. This includes money spent towards for instance registration costs, mileage, flights, accommodations, etc., associated with the attorney attending the training. The training itself does not necessarily have to be hosted, sponsored or co-sponsored by the Contract funding.

- * 5. a. For the expenditures on **expert services** listed in the Contract (see Attachment B-1), please estimate for the period between April 1, 2023 and March 31, 2024 the total amount spent in US dollars. This estimate should not include the salaries of experts; we are asking for an estimate of **contracted expert services** only.

INSTRUCTIONS AND DEFINITIONS

General Instructions	Question 5 asks to report how much of the Contract funding was actually spent towards contracted expert services and contracted investigative services between April 1, 2023 and March 31, 2024. In the county's budget (Attachment B-1) you can see how much funding is allocated to each of these items. However, we ask you to report the actual money spent towards these goals. For instance, if \$5,000 was allocated in the Contract towards expert services but no money has yet been spent towards this goal, please fill in "0".
Expert Services	Expert services should include non-attorney professional services, such as consulting and testifying experts, as well as interpreters, social workers, case managers, mitigation specialists, and other expert services. It does <u>not</u> include process servers and transcript services.

- * 5. b. For the expenditures on **investigative services** listed in the Contract (see Attachment B-1), please estimate for the period between April 1, 2023 and March 31, 2024 the total amount spent in US dollars. This estimate should not include the salaries of investigators; we are asking for an estimate of **contracted investigative services** only.

* 6. a. Please estimate for the period between April 1, 2023 and March 31, 2024 the **total number of cases** in which **expert services** were used. Include all cases in which expert services were provided as a result of Contract funding made available to contract with experts and Contract funding made available to hire experts as salaried employees.

INSTRUCTIONS AND DEFINITIONS	
Expert Services	Expert services should include non-attorney professional services, such as consulting and testifying experts, as well as interpreters, social workers, case managers, mitigation specialists, and other expert services. It does <u>not</u> include process servers and transcript services.

* 6. b. Please estimate for the period between April 1, 2023 and March 31, 2024 the **total number of cases** in which **investigative services** were used. Include all cases in which investigative services were provided as a result of Contract funding made available to contract with investigators and Contract funding made available to hire investigators as salaried employees.

7. a. Please provide a brief description (i.e., including any applicable examples) of how the Contract funding has been used to reduce the number of cases assigned to attorneys.

7. b. Please provide a brief description (i.e., including any applicable examples) of any challenges currently being addressed in supporting caseload relief.

8. a. Please provide a brief description (i.e., including any applicable examples) of efforts made with the use of the Contract funds to ensure the appearance of defense counsel at arraignment.

8. b. Please provide a brief description (i.e., including any applicable examples) of any challenges currently being addressed in ensuring countywide arraignment coverage.

9. a. Please provide a brief description (i.e., including any applicable examples) of how the Contract funding has been used to improve the overall quality of mandated criminal defense representation. Only include information that has not already been provided in your answers to questions 7 and 8.

9. b. Please provide a brief description (i.e., including any applicable examples) of any challenges currently being addressed in ensuring the overall quality improvement of mandated criminal defense representation. Only include information that has not already been provided in your answers to questions 7 and 8.

APPENDIX B:

Attachment C of the County Contract

ATTACHMENT C

WORK PLAN

OFFICE OF INDIGENT LEGAL SERVICES

STATEWIDE EXPANSION OF HURRELL-HARRING

APRIL 1, 2018 – MARCH 31, 2023

Goals, Objectives, and Performance Measures

On a semi-annual basis, each grantee/contractor shall provide the Office of Indigent Legal Services with a written progress report summarizing the work performed during each such semi-annual period. The reports shall detail the grantee/contractor's progress toward attaining the specific goals, objectives and key performance measures as outlined below along with any additional information that may be required by the Office. These program progress reports must be submitted October 31st for the period starting April 1st and ending September 30th and April 30th for the period starting October 1st and ending March 31st.

Program progress reports will continue until such time as the funds subject to this contract are no longer available, have been accounted for, and/or throughout the contract period. The first progress report may be waived if the final approval of the grantee/contractor's contract by the Office of the State Comptroller is within two months of the date such progress report would be due. **(See Attachment D ["Payment and Reporting Schedule"] for written progress report reporting requirements in their entirety.)**

Goal

Implement the provisions of Chapter 59 of the Laws of 2017, Part VVV, sections 11-13, providing that the Office of Indigent Legal Services shall implement a plan to extend statewide the benefits of the Hurrell-Harring settlement reforms.

First Objective

Ensure all eligible criminal defendants are represented by counsel at arraignment, provided that timely arraignment with counsel is not delayed pending a determination of a defendant's eligibility.

Key Performance Measures

1. The number of attorneys hired with this funding who provide representation at arraignment;
2. The number of arraignments handled by each attorney compensated with this funding; and
3. A brief description of all activities funded by this grant under this objective and how those activities have improved the provision of counsel at first appearance.

Second Objective

Full compliance with the caseload standards issued by the Office of Indigent Legal Services.

Key Performance Measures

1. The number of attorneys hired with this funding and the dates of such hires;
2. The number of new cases opened by attorneys compensated with this funding;
3. The number of non-attorneys hired with this funding and the dates of such hires;
4. The name, and date of appointment, of the Data Officer or a description of progress toward appointment of a Data Officer; and
5. A brief description of all activities funded by this grant under this objective and how those activities have reduced caseloads.

Third Objective

Implement initiatives to improve the quality of indigent defense such that attorneys receive effective supervision and training, have access to and appropriately utilize investigators, interpreters and expert witnesses on behalf of clients, communicate effectively with their clients, have the necessary qualifications and experience, and, in the case of assigned counsel attorneys, are assigned to cases in accordance with article 18-b of the county law and in a manner that accounts for the attorney's level of experience and caseload/workload.

Key Performance Measures

1. The number of training events supported by this funding;
2. The number of attorneys whose attendance at training events was supported by this funding;
3. The number of cases in which expert services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services;
4. The number of cases where investigative services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services; and
5. A brief description of all activities funded by this grant under this objective and how those activities have improved the quality of representation provided to clients.

APPENDIX C:

List of New York Providers Who Submitted a Progress Report

County	Provider	Progress Report Submission Date
Albany	Assigned Counsel Program	05/08/24
Albany	Public Defender's Office	04/25/24
Albany	Alternate Public Defender's Office	04/29/24
Allegany	Assigned Counsel Program	04/30/24
Allegany	Public Defender's Office	04/30/24
Broome	Public Defender's Office	04/12/24
Broome	Comptroller	04/29/24
Cattaraugus	Assigned Counsel Program	04/22/24
Cattaraugus	Public Defender's Office	04/29/24
Cayuga	Assigned Counsel Program	04/30/24
Chautauqua	Assigned Counsel Program	05/03/24
Chautauqua	Public Defender's Office	04/29/24
Chemung	Assigned Counsel Program	04/18/24
Chemung	Public Defender's Office	04/30/24
Chemung	Public Advocate's Office	04/18/24
Chenango	Public Defender's Office	04/30/24
Chenango	Assigned Counsel Program	04/30/24
Clinton	Assigned Counsel Program	04/26/24
Clinton	Public Defender's Office	04/17/24
Columbia	Public Defender's Office	04/17/24
Columbia	Assigned Counsel Program	04/04/24
Cortland	Public Defender's Office	04/17/24
Cortland	Assigned Counsel Program	04/19/24
Delaware	Assigned Counsel Program	05/15/24
Delaware	Public Defender's Office	04/11/24

County	Provider	Progress Report Submission Date
Dutchess	Assigned Counsel Program	04/26/24
Dutchess	Public Defender's Office	04/26/24
Erie	Erie County Bar Association Aid to Indigent Prisoners Society, Inc.	04/30/24
Erie	Legal Aid Bureau of Buffalo Inc.	04/30/24
Essex	Assigned Counsel Program	05/06/24
Essex	Conflict Defender's Office	05/02/24
Essex	Public Defender's Office	04/16/24
Franklin	Assigned Counsel Program	04/02/24
Franklin	Conflict Defender's Office	04/01/24
Franklin	Public Defender's Office	05/02/24
Fulton	Assigned Counsel Program	04/24/24
Fulton	Public Defender's Office	04/04/24
Genesee	Assigned Counsel Program	05/06/24
Genesee	Public Defender's Office	04/23/24
Greene	Assigned Counsel Program	04/25/24
Greene	Public Defender's Office	04/23/24
Hamilton	Public Defender's Office	04/22/24
Hamilton	Assigned Counsel Program	04/22/24
Herkimer	Assigned Counsel Program	04/26/24
Jefferson	Assigned Counsel Program	04/12/24
Jefferson	Public Defender's Office	04/19/24
Lewis	Public Defender's Office	04/30/24
Lewis	Assigned Counsel Program	04/30/24
Lewis	Conflict Defender's Office	05/15/24
Livingston	Conflict Defender's Office	05/02/24
Livingston	Public Defender's Office	04/18/24
Livingston	Assigned Counsel Program	05/02/24
Madison	Assigned Counsel Program	04/17/24
Monroe	Public Defender's Office	04/22/24
Monroe	Conflict Defender's Office	05/01/24
Monroe	Assigned Counsel Program	04/25/24
Montgomery	Public Defender's Office	04/30/24

County	Provider	Progress Report Submission Date
Montgomery	Assigned Counsel Program	
Nassau	Assigned Counsel Program	04/30/24
Nassau	Legal Aid Society of Nassau County	04/24/24
New York City	Assigned Counsel Plan, Appellate Division, First & Second Judicial	04/30/24
New York City	Appellate Advocates	04/08/24
New York City	Bronx Defenders	04/30/24
New York City	Brooklyn Defender Services	05/01/24
New York City	Center for Appellate Litigation	04/03/24
New York City	The Legal Aid Society	04/30/24
New York City	Neighborhood Defender Services	04/25/24
New York City	New York County Defender Services	04/30/24
New York City	Office of the Appellate Defender	05/02/24
New York City	Queens Defenders (formerly Queens Law Associates)	04/19/24
Niagara	Conflict Defender's Office	04/29/24
Niagara	Assigned Counsel Program	04/29/24
Niagara	Public Defender's Office	04/19/24
Oneida	Assigned Counsel Program	
Oneida	Public Defender's Office	04/05/24
Orange	Assigned Counsel Program	04/19/24
Orange	Legal Aid Society of Orange County	04/30/24
Orleans	Assigned Counsel Program	05/06/24
Orleans	Public Defender's Office	04/13/24
Oswego	Assigned Counsel Program	04/17/24
Oswego	Public Defender's Office	04/23/24
Otsego	Public Defender's Office	04/17/24
Otsego	Assigned Counsel Program	04/17/24
Putnam	Legal Aid Society of Putnam County	04/24/26
Putnam	Assigned Counsel Program	04/26/24

County	Provider	Progress Report Submission Date
Rensselaer	Assigned Counsel Program	
Rensselaer	Conflict Defender's Office	04/24/24
Rensselaer	Public Defender's Office	05/08/24
Rockland	Assigned Counsel Program	04/23/24
Rockland	Public Defender's Office	04/30/24
Saratoga	Conflict Defender's Office	04/29/24
Saratoga	Assigned Counsel Program	04/17/24
Saratoga	Public Defender's Office	04/25/24
Schenectady	Public Defender's Office	04/24/24
Schenectady	Conflict Defender's Office	05/14/24
Schenectady	Assigned Counsel Program	04/23/24
Schoharie	Assigned Counsel Program	04/29/24
Seneca	Public Defender's Office	05/01/24
Seneca	Assigned Counsel Program	05/01/24
St. Lawrence	Assigned Counsel Program	05/01/24
St. Lawrence	Conflict Defender's Office	04/29/24
St. Lawrence	Public Defender's Office	04/01/24
Steuben	Assigned Counsel Program	04/02/24
Steuben	Public Defender's Office	04/12/24
Sullivan	Conflict Legal Aid Bureau	04/01/24
Sullivan	Legal Aid Panel	04/13/24
Sullivan	Assigned Counsel Program	04/24/24
Tioga	Assigned Counsel Program	04/25/24
Tioga	Public Defender's Office	04/09/24
Tompkins	Assigned Counsel Program	05/07/24
Ulster	Assigned Counsel Program	04/29/24
Ulster	Public Defender's Office	04/29/24
Warren	Assigned Counsel Program	04/26/24
Warren	Public Defender's Office	05/02/24
Wayne	Assigned Counsel Program	04/30/24
Wayne	Public Defender's Office	04/09/24

County	Provider	Progress Report Submission Date
Westchester	Legal Aid Society of Westchester County	04/30/24
Westchester	Assigned Counsel Program	04/25/24
Wyoming	Public Defender's Office	04/23/24
Wyoming	Assigned Counsel Program	04/25/24
Yates	Assigned Counsel Program	04/08/24
Yates	Public Defender's Office	04/01/24
53 (includes NYC)		119 of 122 Progress Reports Submitted

APPENDIX D:

*Key Performance Measures Information as Reported by
the 52 Counties and New York City*

County	Total # of attorneys funded (Q1)	Total # of attorneys providing CAFA (Q1)	Total # of cases represented by funded attorneys (Q1)	Total # of cases receiving CAFA (Q2)	Total # of non-attorney positions funded (Q3)	Total # of training events funded (Q4.a.)	Total # of attorneys attending training events funded (Q4.b.)	USD spent on expert services (Q5.a.)	USD spent on investigative services (Q5.b.)	Total # of cases with expert services (Q6.a.)	Total # of cases with investigator services (Q6.b.)
Albany	30	28	6005	5391	18	0	38	\$47,252.73	\$41,091.00	172	56
Allegany	2	0	235	0	4	0	12	\$41,334.00	\$40,165.00	11	53
Broome	12	11	4245	6158	11	1	15	\$29,664.00	\$166,460.70	56	1059
Cattaraugus	8	6	1295	2353	8	1	24	\$20,900.00	\$0	108	0
Cayuga	1	0	0	1565	2	1	30	\$9,581.43	\$29,138.61	17	105
Chautauqua	17	16	8231	5671	20	0	13	\$14,561.00	\$4,921.74	12	1921
Chemung	3	3	589	589	6	0	11	\$36,774.99	\$2,955.00	6	1510
Chenango	2	1	164	444	3	0	3	\$6,000.00	\$11,541.00	2	41
Clinton	7	7	2965	2063	7	6	5	\$0	\$0	0	1050
Columbia	3	3	814	960	1	0	6	\$10,181.18	\$0	9	unknown

County	Total # of attorneys funded (Q1)	Total # of attorneys providing CAFA (Q1)	Total # of cases represented by funded attorneys (Q1)	Total # of cases receiving CAFA (Q2)	Total # of non-attorney positions funded (Q3)	Total # of training events funded (Q4.a.)	Total # of attorneys attending training events funded (Q4.b.)	USD spent on expert services (Q5.a.)	USD spent on investigative services (Q5.b.)	Total # of cases with expert services (Q6.a.)	Total # of cases with investigator services (Q6.b.)
Cortland	3	1	378	774	4	1	2	\$22,004.30	\$3241.72	6	66
Delaware	4	4	976	976	2	5	6	\$4,280.84	\$920.80	16	10
Dutchess	14	12	2148	2054	15	0	36	\$38,786.29	\$8,986.30	16	126
Erie	24	19	3411	17035	34	52	709	\$249,548.16	\$2,843.50	1155	2126
Essex	3	2	310	890	8	0	4	\$12,030.84	\$270.00	3	77
Franklin	1	0	0	0	5	0	1	\$0	\$0	0	700
Fulton	5	5	936	382	3	0	7	\$0	\$0	0	0
Genesee	6	4	699	801	3	4	12	\$785.00	\$4,083.25	4	96
Greene	2	2	620	1419	4	0	0	\$264.38	\$0	2	0
Hamilton	3	3	75	128	2	0	0	\$0	\$0	0	0

County	Total # of attorneys funded (Q1)	Total # of attorneys providing CAFA (Q1)	Total # of cases represented by funded attorneys (Q1)	Total # of cases receiving CAFA (Q2)	Total # of non-attorney positions funded (Q3)	Total # of training events funded (Q4.a.)	Total # of attorneys attending training events funded (Q4.b.)	USD spent on expert services (Q5.a.)	USD spent on investigative services (Q5.b.)	Total # of cases with expert services (Q6.a.)	Total # of cases with investigator services (Q6.b.)
Herkimer	0	0	0	409	1	0	0	\$10,500.00	\$0	1	0
Jefferson	6	5	2612	1332	4	0	2	\$22,885.00	\$995.00	6	10
Lewis	10	9	606	316	6	0	4	\$4,000.00	\$0	1	0
Livingston	13	10	846	1496	3	1	6	\$2,002.00	\$11,876.00	2	13
Madison	2	1	17	1696	0	15	53	\$13,632.00	\$13,271.00	27	8
Monroe	38	28	2671	8889	38	9	36	\$126,690.86	\$81,105.00	137	476
Montgomery*	2	2	245	490	2	0	0	\$393.44	\$2,143.70	6	3
Nassau	15	13	5954	2390	6	0	0	\$24,943.06	\$0	1009	0
New York City	309	238	50933	44825	153	146	359	\$187,640.29	\$143,761.40	1351	1488
Niagara	29	29	9550	5364	8	1	20	\$56,242.20	\$18,742.29	20	20

County	Total # of attorneys funded (Q1)	Total # of attorneys providing CAFA (Q1)	Total # of cases represented by funded attorneys (Q1)	Total # of cases receiving CAFA (Q2)	Total # of non-attorney positions funded (Q3)	Total # of training events funded (Q4.a.)	Total # of attorneys attending training events funded (Q4.b.)	USD spent on expert services (Q5.a.)	USD spent on investigative services (Q5.b.)	Total # of cases with expert services (Q6.a.)	Total # of cases with investigator services (Q6.b.)
Oneida*	6	6	2804	3289	8	0	4	\$7,600.00	\$0	112	140
Orange	3	1	141	1231	7	43	46	\$38,988.99	\$7,732.00	8	6
Orleans	10	9	551	612	4	0	4	\$13,000.00	\$0	1	0
Oswego	10	4	1198	5135	12	0	5	\$28,806.25	\$1,350.97	22	943
Otsego	2	2	381	561	1	0	0	\$0	\$2,970.00	0	4
Putnam	6	4	529	1102	2	0	0	\$11,247.50	\$4,250.00	4	7
Rensselaer*	7	7	988	895	2	0	12	\$0	\$707.40	0	2
Rockland	16	14	3374	2677	9	2	30	\$47,328.50	\$10,677.00	40	5
Saratoga	9	6	1417	1103	3	0	12	\$3,475.00	\$8,179.56	3	15
Schenectady	23	21	6049	3281	9	4	33	\$14,075.00	\$8,730.00	11	1505

County	Total # of attorneys funded (Q1)	Total # of attorneys providing CAFA (Q1)	Total # of cases represented by funded attorneys (Q1)	Total # of cases receiving CAFA (Q2)	Total # of non-attorney positions funded (Q3)	Total # of training events funded (Q4.a.)	Total # of attorneys attending training events funded (Q4.b.)	USD spent on expert services (Q5.a.)	USD spent on investigative services (Q5.b.)	Total # of cases with expert services (Q6.a.)	Total # of cases with investigator services (Q6.b.)
Schoharie	1	0	0	309	2	4	31	\$0	\$11,039.75	0	5
Seneca	5	0	587	249	2	0	5	\$1,340.00	\$6,822.00	5	7
St. Lawrence	3	3	811	1914	1	0	14	\$2,700.00	\$5,531.00	2	9
Steuben	9	9	1230	1221	5	0	9	\$0	\$40,283.35	1	69
Sullivan	19	16	2232	2133	0	5	24	\$23,300.00	\$4,300.00	6	9
Tioga	6	4	557	733	4	3	3	\$22,344.29	\$19,479.45	3	5
Tompkins	1	1	10	667	0	1	11	\$122,798.22	\$15,005.12	37	29
Ulster	11	9	1556	560	6	0	14	\$7,308.00	\$0	44	206
Warren	8	6	630	2136	5	0	14	\$11,065.00	\$2,676.18	102	21
Wayne	6	5	637	459	4	0	8	\$30,649.57	\$4,916.75	118	248

County	Total # of attorneys funded (Q1)	Total # of attorneys providing CAFA (Q1)	Total # of cases represented by funded attorneys (Q1)	Total # of cases receiving CAFA (Q2)	Total # of non-attorney positions funded (Q3)	Total # of training events funded (Q4.a.)	Total # of attorneys attending training events funded (Q4.b.)	USD spent on expert services (Q5.a.)	USD spent on investigative services (Q5.b.)	Total # of cases with expert services (Q6.a.)	Total # of cases with investigator services (Q6.b.)
Westchester	8	5	1452	31	3	31	23	\$80,063.00	\$33,965.00	129	18
Wyoming	3	2	226	290	3	5	8	\$9,591.31	\$0	121	0
Yates	4	3	60	139	0	0	4	\$11,700.00	\$5,100.00	4	3
TOTAL	750	599	134,950	147,587	473	341	1,728	\$1,480,258.62	\$782,228.56	4,928	14,270

* The Assigned Counsel provider from this county did not submit a Performance Measures Progress report and thus, the numbers in this table do not reflect any implementation progress by this provider.