



## Discovery Reform Survey 2024

At the Office of Indigent Legal Services (ILS), we are committed to supporting quality public defense in New York State. We created this survey to learn about the impact of discovery reform on your criminal defense practice, whether you work for a public defender office or a legal aid society or represent people via an assigned counsel program and/or on a retained basis.

This survey has 14 questions and should take approximately ten minutes to complete. Survey responses will be reported in the aggregate, and your identity will be kept anonymous. We recognize that you may receive more than one email with a link to this survey; please complete the survey just one time. However, note that we are asking your name so if you complete more than one survey, we will be able to eliminate the duplicate survey.

**Please complete and submit the survey by December 23, 2024.**

---

### Contact Information

---

1. Check all that apply.

- I work for a Public Defender Office, a Conflict Defender Office, or a Legal Aid Society/Bureau.
  - I am assigned cases through one or more Assigned Counsel Programs.
  - I do retained work.
- 

2. In what county/counties do you currently provide mandated or retained/private representation?  
Check all that apply.

- Albany
- Allegany
- Bronx
- Broome
- Cattaraugus
- Cayuga
- Chautauqua
- Chemung
- Chenango
- Clinton
- Columbia
- Cortland
- Delaware
- Dutchess
- Erie
- Essex

- Franklin
- Fulton
- Genesee
- Greene
- Hamilton
- Herkimer
- Jefferson
- Kings
- Lewis
- Livingston
- Madison
- Monroe
- Montgomery
- Nassau
- New York
- Niagara
- Oneida
- Onondaga
- Ontario
- Orange
- Orleans
- Oswego

- Otsego
- Putnam
- Queens
- Rensselaer
- Richmond
- Rockland
- St. Lawrence
- Saratoga
- Schenectady
- Schoharie
- Schuyler
- Seneca
- Steuben
- Suffolk
- Sullivan
- Tioga
- Tompkins
- Ulster
- Warren
- Washington
- Wayne
- Westchester
- Wyoming

Yates

---

3. How long have you represented clients in criminal cases in New York State?

- 0-4 years
  - 5-10 years
  - 11-20 years
  - 21 years or more
- 

4. What types of criminal cases do you provide representation for? Check all that apply.

- Homicide/Life Sentence Possible
  - Violent Felony
  - Non-Violent Felony
  - Misdemeanor
  - Violation
  - Post-Disposition
  - Parole Revocation
- 

5. On average, how many days after arraignment does it take for the District Attorney's Office to file a Certificate of Compliance and turn over initial discovery materials if..

	< 5 Days	6-10 Days	11-15 Days	16-20 Days	21-25 Days	26-30 Days	31-35 Days	> 36 Days
the client is held in pretrial detention?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
the client is out of custody?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

---

6. How do you (or how does your office) obtain or receive discovery materials from the District Attorney's Office?

---

---

7. How often do you (or how often does your office) receive electronic notifications when discovery materials become available?

- Always
- Often
- Sometimes
- Rarely
- Never
- N/A
- I do not know.

8. How long do you (or how long does your office) have access to discovery materials prior to the downloading or saving of files?

- < 7 days
- 8-15 days
- 16-30 days
- 31 days or more
- N/A
- I do not know.

9. Does your office have policies for discovery management (i.e. receive/organize/store discovery material)?

(If you are a private practitioner, please select N/A.)

Yes

No

N/A

If yes, please briefly describe these policies

---

---

10. How do you (or how does your office) store discovery materials?

Physical/On-Premises Server

Cloud Storage

Other

Other

---

11. What programs do you use to review discovery materials? Check all that apply.

JusticeText

Reduct Video

Legal Server

NICE Justice

Rev

Other

Other

N/A

12. On average, how much time do you spend on the following tasks in the specified case categories?

	Homicide/Life Sentence Possible	Violent Felony	Non-Violent Felony	Mis
Downloading Discovery Materials	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select <input type="checkbox"/>
Organizing/Managing Discovery Materials	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select <input type="checkbox"/>
Review Discovery Materials	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select <input type="checkbox"/>
Drafting Motions Related to Discovery Materials	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select <input type="checkbox"/>
Providing Reciprocal Discovery	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select -- <input type="checkbox"/>	-- Select <input type="checkbox"/>

13. What percentage of the following tasks are performed by specialized professionals (i.e., investigators, paralegals, or administrative staff)?

If your office does not use any other staff in the processing/review of discovery materials, then respond with 0%.

Downloading Discovery Materials



Organizing/Managing Discovery Materials



Review Discovery Materials

Drafting Motions Related to Discovery Materials

Providing Reciprocal Discovery

14. On average, how much time did you spend investigating each case in the following [Instructions](#) case types...

If you did not provide representation before the 2020 implementation of CPL Article 245 (CPL 245), please enter N/A.

	Homicide/Life Sentence Possible	Violent Felony	Non-Violent Felony	Misdemeanor
before implementing CPL 245?	-- Select --	-- Select --	-- Select --	-- Select --
after implementing CPL 245?	-- Select --	-- Select --	-- Select --	-- Select --