**ILS Data Reporting Updates and New ILS Provider Staffing Charts**

**INSTRUCTIONAL VIDEO TRANSCRIPT**

*Slide 1* – Title page

Hello and thank you for watching this instructional video on ILS data reporting updates and New ILS Provider staffing charts. The New York State Office of Indigent Legal Services, or ILS in short, has been responsible for collecting data from providers of mandated criminal defense representation and mandated parent representation in Family Court since the creation of our office in 2010, but since 2017 some of these reporting requirements are now mandated by law. Providers’ data collection and reporting requirements have significantly expanded since then. In 2024, ILS introduced an additional data report for recipients of ILS parent representation grants. Over the years, ILS has received feedback from providers on these various data reporting requirements, including feedback on things that have been confusing or unclear to providers. To address this feedback, and improve clarity, ILS has created several data reporting updates.

*Slide 2* – ILS data reporting requirements

Providers of mandated public defense are required to complete and submit up to three different data reports: the ILS-195, the Parental Representation Report (PRR-195), and the Performance Measures Progress Report (PMF).

The ILS-195 is required for all providers of mandated representation and collects information on provider caseloads, staffing patterns, expenditures, arraignment representation practices, and initiatives to improve the quality of defense representation. It is an annual report, due on April 1st each year.

The PRR-195 is required for mandated defense providers funded through ILS parent representation grants and asks specific questions about providers’ Family Court caseloads, staffing, expenditures, and quality improvement initiatives. The PRR-195 is a biannual report due in March and August each year.

The Performance Measures Progress Report, or PMF in short, is required for providers of mandated criminal defense representation that receive funding through the Statewide Expansion contracts with ILS. This report tracks the progress of the implementation of reforms as described under the Statewide Expansion of the Hurrell-Harring Settlement agreement and asks questions about attorney and specialized professional hires supported by Statewide funds, funds spent towards investigative services, expert services, and training of attorney and specialized professional staff, and funds spent towards ensuring the presence of defense counsel at arraignment. The PMF is a biannual report, due in April and October each year.

In addition, New York State counties and New York City are required to submit an Annual Financial Report to ILS. This report asks counties to report the county’s actual expenditures for services under Article 18-B of the County Law, as well as revenue sources for these actual expenditures and is due March 1st each year.

This instructional video will focus on the three reports at the provider-level – the ILS-195, PRR-195, and PMF and will discuss 2025 updates to these reports and introduce the new ILS Provider Staffing Charts.

*Slide 3* – 2025 Updates to Receipt of Links

The first update refers to how providers receive their unique QuestionPro links to the ILS-195, March PRR-195, and April PMF. These links will be sent in one single email on Thursday, January 16, 2025, using color-coding to distinguish them. The reason for this update is that an overview of all ILS data reporting requirements and receipt of unique links in a single email is convenient and avoids confusion between the different ILS data reports and their different due dates.

*Slide 4* – 2025 Updates to Report Due Dates

The April PMF is now due by April 1, 2025 – as opposed to April 30th in the years prior. The due dates for the 2025 ILS-195 (April 1, 2025) and the March 2025 PRR-195 (March 1, 2025) remain the same. Like last year, our Push the Button campaign will encourage providers to submit their ILS-195 early, by February 14, 2025. Updating the due date for the April PMF allows more time for the April PMF data review and follow-up, which ensures accurate, quality provider data.

*Slide 5* – 2025 Updates to PMF. The first update to the PMF is that the April 2025 Report will refer to the prior calendar year (January 1, 2024 – December 31, 2024) instead of the prior Fiscal Year.

The elimination of different reporting periods between the ILS-195 and PMF will address provider feedback received by ILS that indicated that providers sometimes confused the ILS-195 for the PMF and vice versa. Second, having the same reporting period for each report makes direct comparison between responses to the ILS-195 and PMF possible.

*Slide 6* – 2025 Updates to PMF. The second update to the PMF is the most major one. Staffing questions on the PMF (questions 1 and 3) will be eliminated over the next year and replaced with the ILS Provider Staffing Chart. The reason is that staffing questions on the PMF led to many provider questions and confusion. The ILS Provider Staffing Chart will address these concerns and make reporting easier and more intuitive for providers.

*Slide 7 –* ILS Provider Staffing Chart. Why did ILS choose to develop the ILS Provider Staffing Chart at this moment? Reporting periods for the ILS-195, March PRR-195, and April PMF are the same for the first time in ILS history and now all refer to the prior calendar year. In addition, all three Reports include questions about staffing. These staffing questions will be eliminated over the next few years and replaced with the ILS Provider Staffing Chart. Advantages of this staffing chart include that now, all staffing information is recorded in one place, and there is less duplication of effort by providers reporting to ILS. The idea is to have providers review and update this chart once a year.

 *Slide 8 –* What is the ILS Provider Staffing Chart; what does it look like? The chart comes in the form of an Excel file and includes 4 tabs:

Tab 1: Instructions

Tab 2: Attorney Positions

Tab 3: Specialized Professional Positions

Tab 4: ACP Panel Attorneys

The ILS Provider Staffing Charts are pre-filled by your ILS Regional Attorney based on information currently available to ILS. Although most staffing information might already be in the chart when you receive it, the chart may not be entirely complete or may contain outdated information, which is where you come in.

*Slide 9* – So, how do I receive and submit the ILS Provider Staffing Chart for my office? ILS is rolling out the ILS Provider Staffing Chartin phases. For providers included in the first phase of the roll out, the chart will be sent as an attachment to the January 16th email with your unique QuestionPro links to the ILS-195, PRR-195 and/or PMF. You will be asked to review, update, and complete the chart. You will then upload the completed chart when you complete the 2025 ILS-195 online in QuestionPro – the last question will allow for file upload – and we kindly ask you to upload in Excel format. Providers not included in the first phase of the roll out will not receive an ILS Provider Staffing Chart on January 16. Instead, they will receive their chart later this year.

*Slide 10 –* What about any instructional materials or an opportunity to ask questions about these new staffing charts? First, all providers are strongly encouraged to watch this instructional video from start to finish and refer back to it as needed. Next, ILS will hold a virtual Q&A session on Thursday, January 23rd at 11 am, for providers and data officers to ask any questions they may have about the staffing charts, or the ILS-195, PRR-195, and/or PMF more generally.

----------------- LEAVE PPT AND SHARE SCREEN WITH ILS STAFFING CHART ----------------

[show the first tab labeled “Instructions”]

As mentioned before, the ILS Provider Staffing Chart includes four tabs which you can see here on the screen: Instructions, Attorney positions, Specialized professionals, and ACP panel attorneys. The current tab provides written instructions on how to fill out and complete this staffing chart. It explains in detail which staff should be reported in each of the tabs or charts. In this video, we will go through all of these instructions while we are showing the relevant sections of the staffing charts.

[show the second tab labeled “Attorney positions”]

So, let’s move on to the second tab, which includes the staffing chart that focuses on attorney positions. For this chart, we are asking you to please list all public defense attorney positions at this provider. This includes public defense attorneys on staff (criminal and family) as well as positions that are funded by ILS contracts but not yet filled. To be clear, ’on staff’ refers to all persons who are employed by the office in a full- or part-time capacity. For assigned counsel providers, only include attorneys employed to run the program itself (i.e. the administrator) and not panel attorneys accepting assignments. An ‘attorney’ is a person admitted to the New York State Bar or awaiting Bar admission and acting pursuant to a Practice Order. To be counted here, they must have been engaged either in providing legal representation to clients, in supervising or managing others who provide legal representation to clients or managing an assigned counsel program.

At the top of this chart, you will find the name of your office and you are asked to indicate or confirm how many hours a full-time work week is.

When you look at the staffing chart, you see that it includes 5 color-coded sections. First, the blue section is for attorney position information, second, the orange section is to record funding information, third, the green section is for case information, the fourth in yellow for training information and lastly, the grey section to add notes specific to each position – which is optional.

*Blue section –* The first column of this chart simply provides the number of attorney positions, starting at 1. In the second column of this chart, you can provide the attorney’s name or initials, their employee number, or their budget line item. This is optional, as you are not required to share this information with ILS. However, identifying the attorney positions in this way may help in understanding which position refers to which attorney and make review and completion of the staffing chart a bit easier.

The third column asks you to report the type of position. Please indicate by using the drop-down list if the attorney position is a 1) Chief attorney, Administrator, or Attorney in charge, 2) supervising attorney (i.e., any attorney who supervises the work of others, or provides training or mentoring), or 3) a non-supervising attorney. Please note that anybody who is responsible for overseeing or managing the work of others should be counted as a ‘supervisor’. This includes managers, even if they do not handle cases or represent clients directly.

The next column asks to report the full-time equivalent or FTE corresponding to the position. Counting ‘staff’ in full-time equivalent terms is done as follows. One staff-person who works full-time in your program is counted as ‘1’, whereas a staff member who works less than full-time is counted according to the proportion of a full-time position that they work (for instance, a staff person working 50% of full-time is counted as ‘0.5’). A program with one full-time and one 50% part-time attorney, for example, would therefore have ‘1.5 full-time equivalent’ attorney staff.

Then, you are asked to please provide the date on which the attorney position was filled for the first time since it was created. For example, if an attorney position was created with Statewide funding or any other type of funding on 01/01/2020 and someone was hired for the position as of 03/01/2020, please report 03/01/2020. 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 position and report the starting date for the first individual.

The next column contains information about the hire type. The drop-down list allows you to indicate if this position is an employee or a contractor. Next to that, please report the positions annual salary or contract amount in US dollars. Lastly, please indicate if the position was filled on the last day of the calendar year, December 31, 2024, by selecting yes or no in the drop-down list. This way, we know if the position is currently filled or vacant.

*Orange section –* Let’s move on to the next section in orange, which includes information about funding streams that support the positions. This section of the staffing chart includes five columns referring to different public defense funding streams (i.e., Hurrell-Harring / Statewide, County, Family Defense and/or Model Office Grant, Other ILS funding, and Other Funding). For each of these five funding streams, indicate if the attorney position is funded by it (yes / no). If for instance an attorney position is funded by both County funding and Statewide Contract funding, please enter yes in each of these two columns, and no in the remaining ones. If a position is partly or entirely funded by "Other funding" please describe the funding source in the next column.

*Green section –* The green section of the chart asks for information about the cases the attorney handles. For each attorney position, please indicate the average percentage of their time dedicated to representation in criminal cases (as defined under County Law Article 18-B, at the trial, appellate, or post-conviction level), to representation in Family Court cases (as defined under County Law Article 18-B, at the trial or appellate level), and to supervisory tasks. The percentages reported in these three columns should add up to a total of 100%. Then, indicate if the attorney in the position provides representation at arraignment (yes/no), and report the total number of cases assigned to the attorney from 01/01/2024 to 12/31/2024. Please include all cases, including cases at which representation was provided just for arraignment.

*Yellow section –* The yellow section of the staffing chart includes information about training attended by the attorney in the prior calendar year. For each attorney position, please indicate whether the attorney attended training with 1) Statewide Contract funds and 2) Family Defense and/or Model Office Grant funds between 01/01/2024 and 12/31/24, by selecting yes or no in the drop-down list. Training events include, but are not limited to, professional conferences and Continuing Legal Education (CLE) and non-CLE programs.

*Grey section –* Lastly, the grey section is to add notes specific to each position, which is optional.

[show the third tab labeled “Specialized professional positions”]

Let’s now take a look at the chart for specialized professional positions. As you can see, this chart is very similar to the attorney positions chart we just discussed. In this chart, please list all specialized professional positions at this provider. This includes specialized professionals on staff who are employed by the office in a full- or part-time capacity, as well as positions that are funded by ILS contracts but not yet filled. Specialized professionals include investigators, social workers, and others such as experts, stenographers, interpreters. They also include administrative support staff (e.g., secretaries, paralegals, case managers, grants managers, data officers, etc.).

As the columns in the 'Specialized professional positions tab' are mostly same as on the 'Attorney positions' tab, you can refer to the instructions for the attorney position chart we just discussed for most of this chart.

However, there is one column that is different from the attorney positions chart titled “Type of position”. For the specialized professional positions, we distinguish four different position types, as you can see in the drop-down list. Please indicate if the specialized professional position is 1) administrative support staff, 2) investigator, 3) social worker, or 4) another specialized professional position.

[show the fourth tab labeled “ACP panel attorneys”]

The last tab in the ILS Provider Staffing Chart is labeled “ACP panel attorneys”. This tab and the questions on this sheet are for Assigned Counsel Programs (ACPs) only. First, it asks ACPs to report how many attorneys were paid pursuant to County Law Article 18-B over the past year for work in criminal and Family Court cases, distinguishing between those taking criminal cases only, Family Court cases only, and both criminal and Family Court cases. NOTE that these categories are mutually exclusive. Second, ACPs are asked to provide a list including the panel attorney names and the type of cases they take. This is optional.

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*Slide 11* – Important dates in 2025. We would like to conclude this video with an overview of important dates coming up in 2025. First, on January 8, Chiefs and Administrators will receive an email from ILS Director Patricia Warth, announcing the upcoming distribution of the unique provider links to the ILS-195, PRR-195, and PMF.

On January 16, an email with the unique links to ILS-195, PRR-195, and PMF plus the ILS Provider Staffing Chart will be sent to providers and Data Officers.

Then, on January 23, ILS will hold a virtual Q&A session about the ILS Provider Staffing Charts, ILS-195, PRR-195, and PMF. Any questions providers have can be asked and will be answered by the ILS Research Team and the CDR regional attorneys.

February 14 is the deadline of Push the Button campaign, which encourages providers to submit their ILS-195 report early (some of you might remember this from last year). Bethany Simpson, ILS Data Outreach Officer, will be sending out frequent emails leading up to that date to inform and update you about the Push the Button Campaign.

On March 1, the PRR-195 due for recipients of ILS Parent Representation Grants.

And lastly, on April 1, the April PMF and the 2025 ILS-195 are due, which include the review and completion of the ILS Provider Staffing Charts.

*Slide 12 –* Thank you for your attention and please feel free to reach out to the ILS Research Team at data@ils.ny.gov if you have any questions or concerns.