

## Questions and Answers ILS Data Officer Training January 23, 2025

*The ILS Data Officer Training on January 23, 2025 was a question and answer session during which Data Officers and providers could ask any questions related to the PRR-195, ILS-195, the new ILS Provider Staffing Charts, and the Performance Measures Progress Report. Below are all questions that were received by the ILS Research Team, including their answers. Please contact us at [data@ils.ny.gov](mailto:data@ils.ny.gov) with any additional questions you may have.*

**Is there a way to print the whole questionnaire before completion to gather all the information gathered prior to completing?**

Yes, there is. PDF versions of all three reports can be found on the ILS website at: <https://www.ils.ny.gov/node/53/annual-data-reporting>

**[Regarding the PRR-195] The reporting period is a full year even if we already reported on the first 6 months in the last report?**

Correct. The reporting period on the current PRR-195 (due March 1, 2025) is January 1, 2024 – December 31, 2024.

**[Regarding the PRR-195] We just started gathering this information in late August. Will that be taken into account when completing the form?**

If you did not collect the information on Family Court cases that is needed to complete the PRR-195 until later in 2024, please indicate this on the PRR-195 before you submit to ILS.

**If you did not receive the family court (PRR-195) report link does that mean it does not pertain to your office?**

Correct. Providers only received links to ILS reports that they are required to complete and submit.

**The county offered a quarterly retention bonus which was paid by the county, not the (Statewide) Grant. Should this be noted as "County Funding"?**

If a position is paid for by Statewide funding, but a one-time retention bonus was paid by the county, please select "yes" at Statewide funding and County funding in the Funding section of the ILS Provider Staffing Chart. In addition, please include a note briefly explaining the situation in the Notes section.

**When someone has been with the provider for a while and gets promoted to a more senior role with a title change and a pay bump, do we count this as a new position?**

It depends. When the person is elevated to a more senior position, will the original non-senior position be filled by someone else? If the answer is yes, then you have created a new position and, in this example, you should report both the non-senior and senior position as

two separate positions. If the answer is no, then no new position is created. It is still the same position, but at some point, it was decided to elevate that position to a more senior level. In that case, please report as one position, and for the start date, enter the date the original, non-senior position was first created.

**If an attorney serves as a second chair on a case, should we count that case and report it in the “number of cases assigned to the attorney” column. Similarly, if an attorney is not the primary attorney on a case but provides legal support on the case (for instance an immigration lawyer providing advice to the primary attorney), should we count this?**

In both cases, it should be counted and reported in the “number of cases assigned to the attorney”. Originally, this question about the number of cases assigned to an attorney comes from the Performance Measures Progress Report. The aim of this question was to measure the totality of the impact the Statewide Contract funding has had. Although this may lead to some double counting of cases, being a second chair on a case falls under the overall quality improvement of mandated representation. Similarly, providing legal support on a case contributes to interdisciplinary and holistic representation, which are also considered important quality improvement initiatives.

**Where do we put in the Data Officer on the staffing chart if we have PD, CD & AC departments?**

Please include the ILS Data Officer in the staffing chart of the provider to which the Data Officer reports for work (i.e., if they report for work / have an office / desk at the PD office, please include the Data Officer position in the PD’s Staffing Chart). If the Data Officer does not report for work to any of the individual public defense providers in the county but instead, to the County itself (for instance, the Finance Department of the County), please report the Data Officer position in only one provider’s Staffing Chart to avoid double counting, and include a note explaining that the Data Officer is factually reporting to the County’s Office.

**On the staffing chart, should we include positions that are funded by a contract but have never been filled?**

Yes, please include positions that have been created / are funded by a contract but have never been filled. You can list them as “vacant”.

**Would we include the budgeted salary for that position then and the actual salary for filled positions?**

Yes.

**To clarify, should we report unfilled positions that are funded by other sources (i.e., sources other than ILS funding)?**

Yes, please report any unfilled positions. If they are funded by sources other than ILS funding, please select “yes” in the “Other funding” column and in the next column, include a brief description of the funding source.

**If grant funding was used for an increase in salary only without an increase in hours, would we include that position on the staffing chart? PMF guidelines indicate that we would not count it on the PMF.**

Yes, you would include the position on the Staffing Chart, as the purpose of the Staffing Chart is to get a complete overview of all staffing at a provider. You are correct that on the PMF, providers were instructed to NOT include positions for which (Statewide) grant funding was used for an increase in salary only, without an increase in hours. So, this is now different for the staffing chart, on which providers are asked to report ALL positions, regardless of funding stream.

**We are a Legal Services provider (i.e., a non-county agency). We contracted with the County last year and added administrative, flat fee. Should we put that under ILS-195 question 8?**

Question 8 on the ILS-195 is a question where you can report any other expenditures that are not personal services (PS) expenditures (ILS-195 question 6) or OTPS expenditures (ILS-195 question 7). In this case, please report the administrative fee at ILS-195 question 8 as it does not fit neatly into question 6 or 7.

**Is there an easy way to print out the ILS-195 questions and answers *before* submitting the form, so that it can be reviewed by another colleague?**

From the providers’ end, the QuestionPro platform does not give an opportunity to click a button and get a printer friendly version of the questions and answers to the ILS-195 until after you hit submit / the “Done” button at the end. Yet, from the ILS Research Team’s end, we can see what answers you already started to enter and there is an easy way for us to create a PDF of all of the ILS-195 questions and answers before the report is officially submitted. Please send an email to [data@ils.ny.gov](mailto:data@ils.ny.gov) or ask any individual Research Team member and we can send that PDF to you.

**I am the Administrator and the Data Officer. In the last HH/Statewide Expansion contract, my salary was combined with the Data Officer stipend. How do I report that?**

You would report this position on the attorney tab as a “Chief Attorney / Administrator; Attorney in Charge” type of position. For the annual salary, please report the combined / total salary, and include a note in the Notes section explaining the situation.

**Additionally, what about the CAFA attorneys? They are paid by stipend. Are they included on the staffing spread sheet?**

Yes, please include these on the Staffing Chart on the attorney tab. Select the appropriate position type and at “Hire type”, select the option “Contractor” (if the CAFA attorney is not on the payroll and only receives a stipend). Please report the stipend in the column “Salary or contract amount in USD”.

**Do we count an attorney providing arraignment representation for indictments or only pre-indictments?**

Please count for pre-indictments only.

**How should we handle a CAFA attorney that is county-funded but receives funding for CAFA from the Statewide grant?**

Please report this attorney on the attorney tab of the Staffing Chart and select “yes” in the “County funding” and “HH/Statewide Contract funding” columns. Include a note explaining the situation in the Notes section of the Staffing Chart.