

ALTERNATE PUBLIC DEFENDER - 1171

MISSION STATEMENT:

The mission of the Albany County Alternate Public Defender's Office is to provide the highest quality legal representation to those who cannot afford to hire an attorney and to ensure that the client's constitutional right to equal representation is upheld.

WHO WE SERVE:

We serve any individual who is financially unable to retain counsel. Although the term *indigent* is often used in referring to public defense representation, Article 18-B of New York's County Law and 18 U.S.C. § 3006A (1989), its federal counterpart, as well as the legislative history of both statutes, specify that the proper standard to be employed in determining eligibility for appointed counsel is financial inability to hire a lawyer and not indigency. There are no uniform guidelines in New York State for appointing counsel and that eligibility determination is reserved for the judiciary on a case by case basis. Once that determination is made, the Alternate Public Defender's Office is appointed to qualified individuals by the court.

ABOUT OUR DEPARTMENT:

The Alternate Public Defender's Office is appointed by the court to provide mandated legal representation for financially qualified individuals where a bona fide conflict of interest prevents the Albany County Public Defender's Office from accepting the assignment. We represent clients in both Criminal and Family Court proceedings from the inception of the case through hearings, trial and sentencing.

Pursuant to §722 of Article 18-B of the County Law, the governing body of each county... shall place in operation throughout the county a plan for providing counsel to persons charged with a crime (any offense punishable by incarceration) or who is entitled to counsel pursuant to section 262 or section 1120 of the Family Court Act (including child custody cases), article 6C of the correction law, section 407 of the surrogate's court procedure act or article ten of the mental hygiene law, who are financially unable to obtain counsel. Each plan shall also provide for investigative, expert and other services necessary for an adequate defense.

In 2010, the New York State Bar Association issued Revised Standards for Providing Mandated Representation to any personal financially unable to obtain counsel without substantial hardship under the guidelines listed in Article 18-B of the County Law. In addition, the NYS Office of Indigent Legal Services, in fulfillment of its responsibilities under Executive Law Article 30, Section 832 (3)(d), provided additional standards and criteria for the provision of mandated representation in cases involving a conflict of interest. Those standards and criteria took effect as of July 1, 2012.

The Alternate Public Defender's Office consists of six Criminal Court attorneys, two Family Court attorneys and two support staff. Every attorney in the office is knowledgeable in their field and has trial experience.

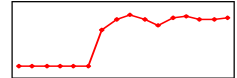
2012 ACCOMPLISHMENTS:

- The existence of the Alternate Public Defender's Office reduces the use of assigned counsel and saves Albany County money. The office handles approximately two thousand cases per year.

2013 GOALS AND PERFORMANCE TARGETS:

- The Alternate Public Defender's Office will provide the highest quality legal representation possible and continue to ensure that the rights of our clients are protected. Through County and State funded education and trainings, we will continue to increase the quality of defense services provided by this office.

APPROPRIATION HISTORY



1998:	\$0
1999:	\$0
2000:	\$0
2001:	\$0
2002:	\$0
2003:	\$0
2004:	\$729,329
2005:	\$950,514
2006:	\$1,049,065
2007:	\$954,438
2008:	\$818,496
2009:	\$979,927
2010:	\$1,022,424
2011:	\$949,501
2012:	\$940,011
2013:	\$989,422

CONTACT INFORMATION

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County of Albany
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ALTERNATE PUBLIC DEFENDER - 1171

Account	2011 Expended	2012 Adjusted	2013 Proposed	2012-13 Change	2012-13 Percent Change
Appropriations					
Alternate Public Defender - (1171)					
Personal Services	\$607,577	\$718,469	\$656,369	(\$62,100)	-8.64%
Equipment	\$0	\$9,200	\$0	(\$9,200)	-100.00%
Contractual Expenses	\$68,259	\$70,687	\$62,156	(\$8,531)	-12.07%
Fringe Benefits	\$177,435	\$274,646	\$270,897	(\$3,749)	-1.37%
Appropriations Total	\$853,270	\$1,073,002	\$989,422	(\$83,580)	-7.8%
Revenue	(\$405,616)	(\$337,692)	(\$262,243)	\$75,449	-22.34%
Revenue Total	(\$405,616)	(\$337,692)	(\$262,243)	\$75,449	-22.3%
Total County Share	\$447,654	\$735,310	\$727,179	(\$8,131)	98.89%

A 1171 Alternate Public Defender	2012 Count	2013 Count	2011 Expended	2012 Adjusted	2013 Requested	2013 Proposed	2013 Adopted
Personnel Services Individual							
A 1171 11044 001 670001 Alternate Public Defender	1	1	\$96,446	\$96,446	\$96,446	\$96,446	-
A 1171 11128 001 670019 Deputy Director	1	0	-	\$60,000	-	-	-
A 1171 12025 001 670002 Assistant Alternate Public Def	1	1	\$83,231	\$83,231	\$83,231	\$83,231	-
A 1171 12025 002 670003 Assistant Alternate Public Def	1	1	\$83,216	\$83,216	\$83,216	\$83,216	-
A 1171 12025 004 670005 Assistant Alternate Public Def	1	1	\$46,385	\$62,620	\$62,620	\$62,620	-
A 1171 12025 005 670010 Assistant Alternate Public Def	1	1	\$62,620	\$62,620	\$62,620	\$62,620	-
A 1171 12025 006 670011 Assistant Alternate Public Def	1	1	\$62,620	\$62,620	\$62,620	\$62,620	-
A 1171 12025 007 670012 Assistant Alternate Public Def	1	1	\$60,889	\$60,889	\$60,889	\$60,889	-
A 1171 12025 008 670013 Assistant Alternate Public Def	1	1	\$50,578	\$62,620	\$62,620	\$62,620	-
A 1171 15025 001 670014 Legal Secretary	1	1	\$37,243	\$37,243	\$37,243	\$37,243	-
A 1171 16412 001 670016 Receptionist	1	1	\$10,496	\$33,814	\$33,814	\$33,814	-
<i>Personnel Services Individual Subtotal</i>	11	10	\$593,724	\$705,319	\$645,319	\$645,319	\$0

				2012	2013	2011	2012	2013	2013	2013
A 1171 Alternate Public Defender				Count	Count	Expended	Adjusted	Requested	Proposed	Adopted
Personnel Non-Individual										
A	1171	19950	Longevity Raise			\$3,200	\$4,150	\$2,050	\$2,050	\$0
A	1171	19951	Health Insurance Buyout			\$8,000	\$9,000	\$9,000	\$9,000	\$0
<i>Personnel Non-Individual Subtotal</i>						\$11,200	\$13,150	\$11,050	\$11,050	\$0
Equipment										
A	1171	22050	Computer Equipment			\$0	\$9,200	\$0	\$0	\$0
<i>Equipment Subtotal</i>						\$0	\$9,200	\$0	\$0	\$0
Contractual Expenses										
A	1171	44020	Office Supplies			\$1,680	\$2,500	\$2,500	\$2,500	\$0
A	1171	44035	Postage			\$1,079	\$700	\$950	\$950	\$0
A	1171	44036	Telephone			\$1,958	\$2,100	\$2,000	\$2,000	\$0
A	1171	44037	Insurance			\$3,041	\$3,440	\$3,843	\$3,843	\$0
A	1171	44039	Conferences, Training, Tuition			\$2,393	\$6,899	\$2,000	\$2,000	\$0
A	1171	44040	Books Transcripts Subscript			\$9,031	\$8,703	\$7,500	\$7,500	\$0
A	1171	44042	Printing And Advertising			\$51	\$100	\$75	\$75	\$0
A	1171	44046	Fees For Services			\$21,630	\$20,400	\$15,000	\$15,000	\$0
A	1171	44065	Photocopier Lease			\$0	\$1,000	\$1,500	\$1,500	\$0
A	1171	44070	Equipment Repair And Rental			\$1,363	\$0	\$2,000	\$2,000	\$0
A	1171	44903	DGS Shared Services Charges			\$26,033	\$24,845	\$24,788	\$24,788	\$0
<i>Contractual Expenses Subtotal</i>						\$68,259	\$70,687	\$62,156	\$62,156	\$0
Fringe Benefits										
A	1171	89010	State Retirement			\$66,295	\$123,269	\$148,832	\$148,832	\$0
A	1171	89030	Social Security			\$45,703	\$54,963	\$50,212	\$50,212	\$0
A	1171	89060	Hospital and Medical Insurance			\$65,438	\$96,414	\$71,853	\$71,853	\$0
<i>Fringe Benefits Subtotal</i>						\$177,435	\$274,646	\$270,897	\$270,897	\$0
Total Appropriations						\$850,618	\$1,073,002	\$989,422	\$989,422	\$0
Revenue										
A	1171	03025	Indigent Legal Services Fund			(\$405,616)	(\$337,692)	(\$262,243)	(\$262,243)	\$0
Total Revenue						(\$405,616)	(\$337,692)	(\$262,243)	(\$262,243)	\$0
County Share						\$445,002	\$735,310	\$727,179	\$727,179	\$0