

PUBLIC DEFENDER - 1170

MISSION STATEMENT

The Office of the Public Defender provides legal representation to individuals that are accused of crimes in Albany County and for specified proceedings in Family Court as required by Articles 18-A and 18-B of the County Law. The right of an indigent client to be represented by an attorney for these cases is guaranteed by the United States and New York State Constitutions.

The Public Defender's goal is to continue to provide excellent representation in the most efficient manner. The Public Defender represents the indigent accused at every stage of the criminal proceeding from arraignment through final disposition, including, when appropriate, appeals from adverse judgments and decisions.

WHO WE SERVE

The Office of the Public Defender provides legal representation to individuals that are indigent and accused of crimes in any court in Albany County or for specified proceedings in Albany Family Court. In Albany County, there are courts in every city, town and village which meet on a regular basis and a Public Defender represents indigent clients at all criminal court proceedings when they are accused of a misdemeanor or felony. The busiest court is Albany City Court which has three full time Judges operating on a daily basis. In addition to Albany City Court, there are sixteen additional local courts that assign cases to our office. We represent clients in Albany County Court which has jurisdiction over the resolution and disposition of felony cases. We also represent individuals who are accused of violating the terms and conditions of their parole and we also file appeals to the Appellate Division. In addition, we represent indigent clients in Albany County Family Court for certain designated cases.

From January 1 through August 31, 2012, our office opened a total of 7,992 cases with 7,205 opened for criminal matters and 787 opened for cases in Family Court. In 2011 we opened 10,871 cases comprised of 9,873 criminal cases and 998 cases in Family Court.

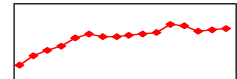
ABOUT OUR DEPARTMENT

Our office is organized to ensure that attorneys are not only present at every regularly scheduled court proceeding, but also have time to prepare their cases until each client's case is resolved. Attorneys are assigned to Albany City Court, Albany County Court, the 16 local courts and Family Court. Attorneys are also assigned to represent client's accused of violating their parole and those filing appeals to the Appellate Division. An attorney from our office will represent an accused individual at every stage of a criminal proceeding- from the commencement of the proceeding at the arraignment through the completion of a felony trial, if required.

During the past year, all attorneys have taken on increased caseloads and assignments. To meet the demand of the caseloads with limited resources, the Public Defender, and supervising attorneys, who previously did not handle regular caseloads, are representing clients as well. In 2009 the Public Defender's Office was comprised of 34 attorneys and 15 support staff. Our budget for 2013 proposes that we operate with 28 attorneys and 11 support staff. Each attorney and member of the support staff have taken on additional responsibilities, but most importantly, continue to provide the exceptional level of professional service that has been historically provided by the Albany County Public Defender's Office.

The Public Defender's Office is also working with the newly created New York State Office of Indigent Legal Services, created in 2010, which monitors the flow of state funds to counties for the representation of indigent clients. Albany County and all other upstate counties are now required to apply for grants from this Office to maintain the current level of funding that had previously been provided to the County by the State. Equally important, the Indigent Legal Services Office has announced an initiative that each person accused of a crime should have an attorney to represent him at his

APPROPRIATION HISTORY



1998:	\$1,783,520
1999:	\$2,174,864
2000:	\$2,404,133
2001:	\$2,590,080
2002:	\$2,921,329
2003:	\$3,128,383
2004:	\$2,987,284
2005:	\$3,017,648
2006:	\$3,059,196
2007:	\$3,141,077
2008:	\$3,201,034
2009:	\$3,506,917
2010:	\$3,492,575
2011:	\$3,232,186
2012:	\$3,307,583
2013:	\$3,331,927

CONTACT INFORMATION

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arraignment. If this initiative is implemented, it may require our office to hire additional attorneys to meet this responsibility or necessitate a change in how and when court proceedings are scheduled in Albany County.

2012 ACCOMPLISHMENTS

- The Public Defender's Office has continued to pursue trials when necessary and obtain the most favorable plea bargains for our clients.
- We have continued to develop Alternatives to Incarceration for clients. Alternatives to Incarceration are not only less expensive for taxpayers, but also provide clients with services needed to prevent future involvement with the criminal justice system and become self-sufficient members of society.
- The office has continued to expand its relationship with Albany Law School which has resulted in legal interns being able to gain valuable experience while assisting our attorneys in representing clients.

2013 GOALS AND PERFORMANCE TARGETS

- We hope to pursue additional funds from the Office of Indigent Legal Services to provide for counsel at arraignment. Additionally, we hope to partner with neighboring counties to apply for funds from the Office of Indigent Legal Services for special cases in which individuals could face collateral consequences as a result of a conviction for clients who are not US Citizens.
- We also will utilize funding from the Office of Indigent Legal Services to provide legal training to our attorneys and to acquire new equipment for the office.
- The Public Defender will continue to meet the Judges of many of the Courts in Albany County, law enforcement officials and prosecutors to discuss methods to increase the operational efficiencies of the courts.

Several years ago, Mary was suddenly and unexpectedly deserted by her husband who fled to a foreign country. She was left to raise three children and had no stable means of financial support. During this turbulent time, she was arrested for stealing. When she first appeared in a local court, her life was falling apart all around her and she had hit "rock bottom." Her attorney recognized the unique circumstances that she confronted and reached out to the appropriate agencies to provide her with support. A quick resolution of the case was not appropriate in this situation. The attorney worked with the client for almost one year before the case was resolved. At that time the client was more stable financially and mentally and had decided to complete her college education. A favorable disposition was reached based upon the nature of the crime and the nature of the offender. Ultimately, Mary went to graduate school, became a United States citizen and became a professor at a college. Without the expertise and counsel of an experienced attorney, Mary's case could have resolved with her being sentenced to jail and possibly resulting in her deportation. Fortunately for Mary, her case became one of the inspirational stories of a client that overcame what seemed like insurmountable obstacles to achieve success in her life.

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Account	2011 Expended	2012 Adjusted	2013 Proposed	2012-13 Change	2012-13 Percent Change
Appropriations					
Public Defender)					
Personal Services	\$2,036,430	\$2,023,736	\$2,042,430	\$18,694	0.92%
Equipment	\$0	\$0	\$0	\$0	-100.00%
Contractual Expenses	\$211,950	\$221,057	\$155,184	(\$65,873)	-29.80%
Fringe Benefits	\$806,393	\$1,014,352	\$1,134,313	\$119,961	11.83%
Appropriations Total	\$3,054,773	\$3,259,145	\$3,331,927	\$72,782	2.2%
Revenue	(\$569,486)	(\$580,238)	(\$598,187)	(\$17,949)	3.09%
Revenue Total	(\$569,486)	(\$580,238)	(\$598,187)	(\$17,949)	3.1%
Total County Share	\$2,485,288	\$2,678,907	\$2,733,740	\$54,833	102.05%

					2012	2013	2011	2012	2013	2013	2013	
A 1170 Public Defender					Count	Count	Expended	Adjusted	Requested	Proposed	Adopted	
Personnel Services Individual												
A	1170	11042	001	150001	Public Defender	1	1	\$127,501	\$106,090	\$106,090	\$106,090	-
A	1170	12019	001	150033	Assistant Public Defender II	1	1	\$83,231	\$83,231	\$83,231	\$83,231	-
A	1170	12019	003	150045	Assistant Public Defender II	1	1	\$56,479	\$56,479	\$56,479	\$56,479	-
A	1170	12019	004	150049	Assistant Public Defender II	1	1	\$39,738	\$39,738	\$39,738	\$39,738	-
A	1170	12021	001	150057	Assistant Public Defender I	1	1	\$58,913	\$58,913	\$58,913	\$58,913	-
A	1170	12021	002	150058	Assistant Public Defender I	1	1	\$39,738	\$39,738	\$39,738	\$39,738	-
A	1170	12021	004	150060	Assistant Public Defender I	1	1	\$39,738	\$39,738	\$39,738	\$39,738	-
A	1170	12021	005	150061	Assistant Public Defender I	1	1	\$39,738	\$39,738	\$39,738	\$39,738	-
A	1170	12021	006	150062	Assistant Public Defender I	1	1	\$57,500	\$57,500	\$57,500	\$57,500	-
A	1170	12021	007	150063	Assistant Public Defender I	1	1	\$57,500	\$62,620	\$62,620	\$62,620	-
A	1170	12021	008	150064	Assistant Public Defender I	1	1	\$62,620	\$62,620	\$62,620	\$62,620	-
A	1170	12021	010	150066	Assistant Public Defender I	1	1	\$99,831	\$83,230	\$60,000	\$60,000	-
A	1170	12021	011	150067	Assistant Public Defender I	1	1	\$22,166	\$62,620	\$62,620	\$62,620	-
A	1170	12021	012	150068	Assistant Public Defender I	1	1	\$60,000	\$60,000	\$60,000	\$60,000	-
A	1170	12021	016	150072	Assistant Public Defender I	1	1	\$60,000	\$60,000	\$60,000	\$60,000	-
A	1170	12021	017	150093	Assistant Public Defender I	1	1	\$62,619	\$62,619	\$67,619	\$67,619	-
A	1170	12021	018	150094	Assistant Public Defender I	1	1	\$62,620	\$62,620	\$62,620	\$62,620	-
A	1170	12021	019	150095	Assistant Public Defender I	1	1	\$62,618	\$62,618	\$62,618	\$62,618	-
A	1170	12021	020	150097	Assistant Public Defender I	1	1	\$39,738	\$39,738	\$39,738	\$39,738	-
A	1170	12022	002	150074	Assistant Public Defender I FL	1	1	\$83,231	\$83,231	\$83,231	\$83,231	-
A	1170	12022	003	150075	Assistant Public Defender I FL	1	1	\$8,406	\$39,738	\$60,000	\$60,000	-
A	1170	12022	004	150076	Assistant Public Defender I FL	1	1	\$60,000	\$60,000	\$60,000	\$60,000	-
A	1170	12022	005	150077	Assistant Public Defender I FL	1	1	\$39,738	\$39,738	\$39,738	\$39,738	-
A	1170	12022	009	150081	Assistant Public Defender I FL	1	1	\$39,738	\$39,738	\$39,738	\$39,738	-
A	1170	12022	010	150082	Assistant Public Defender I FL	1	1	\$39,738	\$39,738	\$39,738	\$39,738	-
A	1170	12022	011	150083	Assistant Public Defender I FL	1	1	\$60,000	\$60,000	\$60,000	\$60,000	-
A	1170	12022	012	150102	Assistant Public Defender I FL	1	1	\$46,846	\$39,739	\$60,000	\$60,000	-
A	1170	12023	002	150085	Deputy Public Defender	1	1	\$67,390	\$67,390	\$67,390	\$67,390	-
A	1170	14013	001	150031	Criminal Investigator	1	1	\$22,189	\$22,189	\$22,189	\$22,189	-
A	1170	14013	002	150032	Criminal Investigator	1	1	\$40,707	\$40,706	\$40,707	\$40,707	-
A	1170	15020	001	150101	Court Attendant	1	1	\$37,596	\$37,596	\$37,596	\$37,596	-
A	1170	15023	001	150037	Paralegal	1	0	\$37,259	\$37,259	-	-	-
A	1170	15023	002	150086	Paralegal	1	1	\$37,258	\$37,258	\$37,258	\$37,258	-
A	1170	15025	002	150088	Legal Secretary	1	1	\$32,344	\$32,344	\$32,344	\$32,344	-
A	1170	15025	004	150090	Legal Secretary	1	1	\$32,343	\$32,343	\$32,343	\$32,343	-
A	1170	15025	005	150099	Legal Secretary	1	1	\$32,344	\$32,344	\$32,344	\$32,344	-
A	1170	16022	001	150038	Data Entry Machine Operator	1	1	\$32,343	\$32,343	\$32,343	\$32,343	-
A	1170	16211	001	150107	Clerical Aide	1	1	-	\$32,349	\$32,349	\$32,349	-
A	1170	16401	003	150048	Confidential Secretary	1	1	\$32,343	\$32,343	\$32,343	\$32,343	-
<i>Personnel Services Individual Subtotal</i>					39	38	\$1,914,102	\$1,978,236	\$1,963,271	\$1,963,271	\$0	

				2012	2013	2011	2012	2013	2013	2013
A 1170 Public Defender				Count	Count	Expended	Adjusted	Requested	Proposed	Adopted
Personnel Non-Individual										
A	1170	19900	Overtime			\$7,103	\$5,000	\$5,000	\$5,000	\$0
A	1170	19935	Law Intern Program			\$0	\$0	\$37,259	\$37,259	\$0
A	1170	19950	Longevity Raise			\$31,450	\$33,500	\$31,900	\$31,900	\$0
A	1170	19951	Health Insurance Buyout			\$5,833	\$7,000	\$5,000	\$5,000	\$0
<i>Personnel Non-Individual Subtotal</i>						\$44,387	\$45,500	\$79,159	\$79,159	\$0
Equipment										
Contractual Expenses										
A	1170	44020	Office Supplies			\$4,243	\$4,500	\$4,500	\$4,500	\$0
A	1170	44035	Postage			\$1,987	\$2,200	\$2,200	\$2,200	\$0
A	1170	44036	Telephone			\$5,201	\$5,500	\$5,500	\$5,500	\$0
A	1170	44037	Insurance			\$6,321	\$6,393	\$7,121	\$7,121	\$0
A	1170	44038	Travel,Mileage,Freight			\$1,521	\$1,550	\$1,550	\$1,550	\$0
A	1170	44039	Conferences/Training/Tuition			\$1,800	\$22,600	\$2,200	\$2,200	\$0
A	1170	44040	Books/Transcripts/Subscripts			\$9,612	\$7,500	\$7,500	\$7,500	\$0
A	1170	44041	Computer Fees			\$15,857	\$18,143	\$17,000	\$17,000	\$0
A	1170	44042	Printing And Advertising			\$1,845	\$750	\$750	\$750	\$0
A	1170	44046	Fees For Services			\$14,305	\$26,395	\$10,000	\$10,000	\$0
A	1170	44065	Photocopier Lease			\$0	\$3,832	\$3,832	\$3,832	\$0
A	1170	44070	Equipment Repair And Rental			\$3,162	\$28,364	\$5,300	\$5,300	\$0
A	1170	44101	Electric			\$0	\$6,000	\$6,000	\$6,000	\$0
A	1170	44104	Natural Gas			\$0	\$1,363	\$1,363	\$1,363	\$0
A	1170	44902	Risk Retention Fund Charges			\$61,861	\$0	\$0	\$0	\$0
A	1170	44903	DGS Shared Services Charges			\$84,236	\$85,967	\$80,368	\$80,368	\$0
<i>Contractual Expenses Subtotal</i>						\$211,950	\$221,057	\$155,184	\$155,184	\$0
Fringe Benefits										
A	1170	89010	State Retirement			\$247,237	\$411,204	\$463,122	\$463,122	\$0
A	1170	89030	Social Security			\$152,588	\$154,816	\$156,246	\$156,246	\$0
A	1170	89060	Hospital and Medical Insurance			\$406,568	\$448,332	\$514,945	\$514,945	\$0
<i>Fringe Benefits Subtotal</i>						\$806,393	\$1,014,352	\$1,134,313	\$1,134,313	\$0
Total Appropriations						\$3,057,070	\$3,259,145	\$3,331,927	\$3,331,927	\$0
Revenue										
A	1170	03025	Indigent Legal Services Fund			(\$528,075)	(\$506,538)	(\$524,487)	(\$524,487)	\$0

			2012	2013	2011	2012	2013	2013	2013
A 1170 Public Defender			Count	Count	Expended	Adjusted	Requested	Proposed	Adopted
A 1170	03325	Aid to Law Enforcement			\$27,400	\$0	\$0	\$0	\$0
A 1170	03335	Aid To Defense Program			(\$48,857)	(\$45,200)	(\$45,200)	(\$45,200)	\$0
A 1170	03340	Alternatives to Incarceration			(\$19,954)	(\$28,500)	(\$28,500)	(\$28,500)	\$0
Total Revenue					(\$569,486)	(\$580,238)	(\$598,187)	(\$598,187)	\$0
County Share					\$2,487,585	\$2,678,907	\$2,733,740	\$2,733,740	\$0