

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 New York State 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 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.

Our goal is to provide the indigent who are accused of a crime or who are entitled to representation in Family Court, truly competent legal representation, which is at least equal to that which they would expect to obtain from privately retained counsel. An individual's constitutional rights must be protected regardless of his or her financial circumstances.

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 also 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.

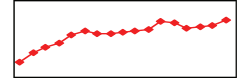
In 2011, we opened 10,871 cases comprised of 9,873 criminal cases and 998 cases in Family Court. In 2012, we opened a total of 11,593 cases of which 10,405 were for criminal proceedings and 1,188 were for Family Court matters.

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-(the busiest court in Albany County), Albany County Court, the sixteen 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 two years, all attorneys have taken on increased caseloads and assignments. To meet the demand of the caseloads with limited staff, 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. Currently there are 27 attorneys and 10 support staff. Our budget for 2014 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.

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
2014:	\$3,572,723

CONTACT INFORMATION

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The Public Defender's Office is also working with the newly created New York State Office of Indigent Legal Services, 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 arraignment. We are proud that the Albany County Public Defender's Office submitted a grant proposal that was accepted by the Office of Indigent Legal Services that will allow our office to represent more clients at their initial court appearances throughout the County Of Albany.

2013 ACCOMPLISHMENTS AND CHALLENGES

The Public Defender's Office has continued to represent clients in an efficient and excellent manner. We have continued to pursue trials when necessary and obtain the most favorable plea bargains for our clients. Most important, 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 experiences while assisting our attorneys in representing clients. As more responsibility is placed on the office by clients and courts, our attorneys have responded with a professional, creative and positive approach. For the first time attorneys in Family Court have also begun to use their expertise and experience to represent clients that are charged with crimes.

2014 GOALS AND PERFORMANCE TARGETS

Our goal for 2014 is to continue to represent clients in the most efficient and professional manner. We will pursue additional funds from the Office of Indigent Legal Services to hire attorneys. Additionally, we look 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, hire expert witnesses when needed and to acquire new equipment for the office. The Public Defender will continue to meet with 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.

				2013	2014	2012	2013	2014	2014	2014	
A 1170 Public Defender				Count	Count	Expended	Adjusted	Requested	Proposed	Adopted	
Personnel Services Individual											
A 1170 11042 001	150001	Public Defender	1	1	\$106,148	\$110,376	\$112,584	\$112,584		-	
A 1170 12019 001	150033	Assistant Public Defender II	1	1	\$83,231	\$86,594	\$88,325	\$88,325		-	
A 1170 12019 003	150045	Assistant Public Defender II	1	1	\$56,479	\$58,761	\$59,936	\$59,936		-	
A 1170 12019 004	150049	Assistant Public Defender II	1	1	\$39,738	\$41,343	\$42,170	\$42,170		-	
A 1170 12021 001	150057	Assistant Public Defender I	1	1	\$58,913	\$58,913	\$62,519	\$62,519		-	
A 1170 12021 002	150058	Assistant Public Defender I	1	1	\$39,738	\$41,343	\$42,170	\$42,170		-	
A 1170 12021 004	150060	Assistant Public Defender I	1	1	\$39,738	\$41,343	\$42,170	\$42,170		-	
A 1170 12021 005	150061	Assistant Public Defender I	1	1	\$39,738	\$41,343	\$42,170	\$42,170		-	
A 1170 12021 006	150062	Assistant Public Defender I	1	1	\$57,500	\$59,823	\$61,019	\$61,019		-	
A 1170 12021 007	150063	Assistant Public Defender I	1	1	\$59,863	\$65,150	\$66,453	\$66,453		-	
A 1170 12021 008	150064	Assistant Public Defender I	1	1	\$46,761	\$65,150	\$66,453	\$66,453		-	
A 1170 12021 010	150066	Assistant Public Defender I	1	1	\$35,961	\$62,424	\$63,672	\$63,672		-	
A 1170 12021 011	150067	Assistant Public Defender I	1	1	\$62,620	\$65,150	\$66,453	\$66,453		-	
A 1170 12021 012	150068	Assistant Public Defender I	1	1	\$60,000	\$62,424	\$63,672	\$63,672		-	
A 1170 12021 016	150072	Assistant Public Defender I	1	1	\$60,000	\$62,424	\$63,672	\$63,672		-	
A 1170 12021 017	150093	Assistant Public Defender I	1	1	\$48,168	\$70,351	\$71,758	\$71,758		-	
A 1170 12021 018	150094	Assistant Public Defender I	1	1	\$62,620	\$65,150	\$66,453	\$66,453		-	
A 1170 12021 019	150095	Assistant Public Defender I	1	1	\$62,618	\$65,148	\$66,451	\$66,451		-	
A 1170 12021 020	150097	Assistant Public Defender I	1	1	\$39,738	\$41,343	\$42,170	\$42,170		-	
A 1170 12022 002	150074	Assistant Public Defender I FL	1	1	\$83,231	\$86,594	\$88,325	\$88,325		-	
A 1170 12022 003	150075	Assistant Public Defender I FL	1	1	\$3,846	\$62,424	\$63,672	\$63,672		-	
A 1170 12022 004	150076	Assistant Public Defender I FL	1	1	\$60,000	\$62,424	\$63,672	\$63,672		-	
A 1170 12022 005	150077	Assistant Public Defender I FL	1	1	\$39,738	\$41,343	\$42,170	\$42,170		-	
A 1170 12022 009	150081	Assistant Public Defender I FL	1	1	\$39,738	\$41,343	\$42,170	\$42,170		-	
A 1170 12022 010	150082	Assistant Public Defender I FL	1	1	\$39,738	\$39,738	\$42,170	\$42,170		-	
A 1170 12022 011	150083	Assistant Public Defender I FL	1	1	\$60,000	\$62,424	\$63,672	\$63,672		-	
A 1170 12022 012	150102	Assistant Public Defender I FL	1	1	\$3,654	\$62,424	\$63,672	\$63,672		-	
A 1170 12023 002	150085	Deputy Public Defender	1	1	\$67,390	\$70,113	\$71,515	\$71,515		-	
A 1170 14013 001	150031	Criminal Investigator	1	1	\$22,189	\$23,085	\$23,547	\$23,547		-	
A 1170 14013 002	150032	Criminal Investigator	1	1	\$40,707	\$42,352	\$43,199	\$43,199		-	
A 1170 15020 001	150101	Court Attendant	1	1	\$37,596	\$39,115	\$39,897	\$39,897		-	
A 1170 15023 001	150037	Paralegal	0	1	\$22,929	-	\$39,538	\$39,538		-	
A 1170 15023 002	150086	Paralegal	1	1	\$37,258	\$38,763	\$39,538	\$39,538		-	
A 1170 15025 002	150088	Legal Secretary	1	1	\$32,344	\$33,651	\$34,324	\$34,324		-	
A 1170 15025 004	150090	Legal Secretary	1	1	\$32,343	\$33,650	\$34,324	\$34,324		-	
A 1170 15025 005	150099	Legal Secretary	1	1	\$32,344	\$33,651	\$34,324	\$34,324		-	
A 1170 16022 001	150038	Data Entry Machine Operator	1	1	\$32,343	\$33,650	\$34,324	\$34,324		-	
A 1170 16211 001	150107	Clerical Aide	1	1	\$32,349	\$33,656	\$34,329	\$34,329		-	
A 1170 16401 003	150048	Confidential Secretary	1	1	\$32,343	\$33,650	\$34,323	\$34,323		-	
<i>Personnel Services Individual Subtotal</i>			38	39	\$1,811,653	\$2,038,603	\$2,122,975	\$2,122,975		\$0	

A 1170 Public Defender				2013	2014	2012	2013	2014	2014	2014
				Count	Count	Expended	Adjusted	Requested	Proposed	Adopted
Personnel Non-Individual										
A	1170	19900	Overtime			\$6,819	\$2,500	\$5,000	\$5,000	\$0
A	1170	19935	Law Intern Program			\$0	\$37,259	\$0	\$0	\$0
A	1170	19950	Longevity Raise			\$32,350	\$31,900	\$30,700	\$30,700	\$0
A	1170	19951	Health Insurance Buyout			\$6,667	\$5,000	\$7,000	\$7,000	\$0
A	1170	19954	Grant Assignment Pay			\$0	\$0	\$130,000	\$130,000	\$0
<i>Personnel Non-Individual Subtotal</i>						\$45,836	\$76,659	\$172,700	\$172,700	\$0
Equipment										
A	1170	22050	Computer Equipment			\$0	\$600	\$0	\$0	\$0
<i>Equipment Subtotal</i>						\$0	\$600	\$0	\$0	\$0
Contractual Expenses										
A	1170	44020	Office Supplies			\$4,532	\$4,610	\$4,500	\$4,500	\$0
A	1170	44035	Postage			\$2,679	\$2,200	\$2,000	\$2,000	\$0
A	1170	44036	Telephone			\$4,493	\$5,500	\$4,950	\$4,950	\$0
A	1170	44037	Insurance			\$6,760	\$7,121	\$5,693	\$5,693	\$0
A	1170	44038	Travel,Mileage,Freight			\$1,523	\$1,550	\$1,400	\$1,400	\$0
A	1170	44039	Conferences/Training/Tuition			\$3,115	\$21,085	\$2,000	\$2,000	\$0
A	1170	44040	Books/Transcripts/Subscripts			\$7,675	\$7,500	\$6,750	\$6,750	\$0
A	1170	44041	Computer Fees			\$16,721	\$18,143	\$15,300	\$15,300	\$0
A	1170	44042	Printing And Advertising			\$3,143	\$750	\$2,000	\$2,000	\$0
A	1170	44046	Fees For Services			\$6,746	\$25,399	\$9,000	\$9,000	\$0
A	1170	44065	Photocopier Lease			\$3,831	\$3,832	\$3,830	\$3,830	\$0
A	1170	44070	Equipment Repair And Rental			\$0	\$33,664	\$4,750	\$4,750	\$0
A	1170	44101	Electric			\$3,785	\$6,000	\$5,400	\$5,400	\$0
A	1170	44104	Natural Gas			\$315	\$1,363	\$1,225	\$1,225	\$0
A	1170	44903	DGS Shared Services Charges			\$85,967	\$80,368	\$84,666	\$84,666	\$0
<i>Contractual Expenses Subtotal</i>						\$151,286	\$219,085	\$153,464	\$153,464	\$0
Fringe Benefits										
A	1170	89010	State Retirement			\$235,036	\$463,122	\$474,165	\$474,165	\$0
A	1170	89030	Social Security			\$139,803	\$159,127	\$175,619	\$175,619	\$0
A	1170	89060	Hospital and Medical Insurance			\$557,776	\$500,587	\$473,800	\$473,800	\$0
<i>Fringe Benefits Subtotal</i>						\$932,615	\$1,122,836	\$1,123,584	\$1,123,584	\$0

A 1170 Public Defender				2013	2014	2012	2013	2014	2014	2014
				Count	Count	Expended	Adjusted	Requested	Proposed	Adopted
Total Appropriations						\$2,940,607	\$3,420,115	\$3,572,723	\$3,572,723	\$0
Revenue										
A 1170	03025	Indigent Legal Services Fund				(\$790,598)	(\$524,487)	(\$842,487)	(\$842,487)	\$0
A 1170	03335	Aid To Defense Program				(\$45,200)	(\$45,200)	(\$45,200)	(\$45,200)	\$0
A 1170	03340	Alternatives to Incarceration				\$0	(\$28,500)	(\$20,488)	(\$20,488)	\$0
Total Revenue						(\$835,798)	(\$598,187)	(\$908,175)	(\$908,175)	\$0
County Share						\$2,104,809	\$2,821,928	\$2,664,548	\$2,664,548	\$0