



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-3195, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Authorization for the Public Defender, Alternate Public Defender, and Assigned Counsel Program to amend the 4th Year of the Contract for the Implementation of the Statewide Expansion of the Hurrell-Harring Settlement from New York State Office of Indigent Legal Services (ILS) and to Amend the 2022 County Budget

Date: 3/7/2022
Submitted By: Patrick Alderson
Department: Office of the County Executive
Title: Policy Analyst
Phone: 518-447-7040
Department Rep.
Attending Meeting: Lucas Rogers / Patrick Alderson

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☒ Budget Amendment
- ☒ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☐ Other: (state if not listed) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☒ Contractual
- ☒ Equipment
- ☒ Fringe

- ☒ Personnel
☐ Personnel Non-Individual
☒ Revenue

Increase Account/Line No.: Various Accounts/Lines
Source of Funds: NYS
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☒ Change Order/Contract Amendment
☐ Purchase (Equipment/Supplies)
☐ Lease (Equipment/Supplies)
☐ Requirements
☐ Professional Services
☐ Education/Training
☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

New York State Office of Indigent Legal Services
Alfred E Smith Building
80 South Swan Street
11th Floor
Albany, NY 12210

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$7,003,840.58 (Five year total: \$26,264,402.19)
Scope of Services: Funding to facilitate the implementation of programs focused on quality improvement of services, caseload relief, and counsel at arraignment as per the Hurrell-Harring settlement reforms.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☐ No ☒

County Budget Accounts:

Revenue Account and Line: \$7,003,840.58
Revenue Amount: Various

Appropriation Account and Line: \$7,003,840.58
Appropriation Amount: Various

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.
State: 100%
County: Click or tap here to enter text.
Local: Click or tap here to enter text.

Term

Term: (Start and end date) April 1, 2018 - March 31, 2023
Length of Contract: 5 years

Impact on Pending Litigation

If yes, explain: Yes ☐ No ☒
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Reso 2021-150; Reso 2020-220; Reso 2019-151
Date of Adoption: 5/10/2021; 7/13/2020; 4/18/2019

Justification: (state briefly why legislative action is requested)

On behalf of the Albany County Public Defender, Alternate Public Defender, and Assigned Counsel Program, I am requesting authorization to amend a contract with New York Office of Indigent Legal Services (ILS) for implementation of the Statewide Expansion of the Hurrell-Harring settlement. Since taking office I have been a strong advocate for reforms to the indigent legal services program and have pushed for Counties to receive additional funding from New York State. In 2017, NYS committed to expanding the Hurrell-Harring settlement to all counties in the state by providing \$250 million over five years to bring indigent defense services up to the standards set in the 2014 settlement. The key provisions of statewide expansion include ensuring defendants are represented by counsel at arraignments, establishing caseload standards for providers, and improving quality of representation via training, supervision, and access to experts.

To meet the standards established in Hurrell-Harring, Albany County will be receiving \$26,264,402.19, beginning with \$1,750,960.15 in 2019 and increasing on an annual basis. Funding is shared between the Public Defender, Alternate Public Defender, and Assigned Counsel Program based on caseload data submitted by each provider. Albany County's fourth year plan was recently approved by the NYS Office of Indigent Legal Services (ILS).and authorization is needed to amend our contract to reflect the finalized year four budget; this amounts to \$7,003,840.58 in 2022. Funding will

support added personnel (attorneys, support staff, and experts), contractual expert services, onboarding expenses, training, mentoring, IT and software improvements, attorney resources, and other investments that help the County meet the standards discussed above. Reimbursement for all expenses included in the County's annual work plans will be provided on a quarterly basis. Statewide Expansion is 100 percent state funded, there is no County share. While the funding was anticipated in the 2022 County budget, minor programmatic changes/requests by NYS ILS are necessitating the associated County budget amendment.