

STATE OF NEW YORK CONTRACT FOR GRANTS FACE PAGE

STATE AGENCY (Name & Address): NYS Office of Indigent Legal Services A. E. Smith Building, 11th Floor 80 South Swan Street Albany, NY 12210	BUSINESS UNIT/DEPT. ID: OLS01 - 1350200 CONTRACT NUMBER: CSTWIDE201 CONTRACT TYPE (select one): ☒ Multi-Year Agreement ☐ Simplified Renewal Agreement ☐ Fixed Term Agreement
CONTRACTOR NAME: Albany, County of	TRANSACTION TYPE: ☐ New ☐ Renewal (list periods): ☒ Amendment (list periods):
CONTRACTOR IDENTIFICATION NUMBERS: NYS Vendor ID Number: 1000002428 Federal Tax ID Number: 14-6002563	PROJECT NAME: SECOND STATEWIDE EXPANSION OF HURRELL-HARRING ASSISTANCE LISTINGS (formerly CFDA) NUMBER (ALN) (Federally Funded Grants Only):
CONTRACTOR PRIMARY MAILING ADDRESS: County of Albany Public Defender's Office 112 State Street, 2nd Floor Albany, NY 12207 CONTRACTOR PAYMENT ADDRESS: ☐ Check if same as primary mailing address Albany County Dept. of Management and Budget 112 State Street, Room 1200 Albany, NY 12207 CONTRACT MAILING ADDRESS: ☒ Check if same as primary mailing address CONTRACTOR PRIMARY E-MAIL ADDRESS: Daniel.McCoy@albanycountyny.gov	CONTRACTOR STATUS: ☐ For Profit ☒ Municipality ☐ Tribal Nation ☐ Individual ☐ Not-for-Profit Charities Registration Number: Exemption Status/Code: 10100000000 ☐ Sectarian Entity

STATE OF NEW YORK CONTRACT FOR GRANTS FACE PAGE

CURRENT CONTRACT TERM: From: April 1, 2024 To: March 31, 2027 AMENDED TERM: From: To:	CONTRACT FUNDING AMOUNT (<i>Fixed Term</i> - enter current period amount; <i>Simplified Renewal</i> - enter cumulative amount to date; <i>Multi-year</i> - enter total projected amount of the contract): CURRENT: \$ 29,538,230.01 AMENDED: \$ 31,310,523.81 FUNDING SOURCE(S) ☒ State ☐ Federal ☐ Other
ATTACHMENTS INCLUDED AS PART OF THIS AGREEMENT (select all that apply): ☐ Appendix A ☐ Attachment A: ☐ A-1 Agency Specific Terms and Conditions ☐ A-2 Program Specific Terms and Conditions ☐ A-3 Federally Funded Grants and Requirements Mandated by Federal Laws ☒ Attachment B: ☐ B-1 Expenditure Based Budget ☐ B-2 Performance Based Budget ☐ B-3 Capital Budget ☐ B-4 Net Deficit Budget ☒ B-1(A) Expenditure Based Budget (Amendment) ☐ B-2(A) Performance Based Budget (Amendment) ☐ B-3(A) Capital Budget (Amendment) ☐ B-4(A) Net Deficit Budget (Amendment) ☒ Attachment C: Work Plan ☐ Attachment D: Payment and Reporting ☐ Other:	

IN WITNESS THEREOF, the parties hereto have executed or approved this Master Contract on the dates below their signatures.

CONTRACTOR:

Albany County

STATE AGENCY:

NYS Office of Indigent Legal Services

By: _____

Printed Name

Title: _____

Date: _____

By: _____

Patricia J. Warth

Printed Name

Title: Director - Office of Indigent Legal Services

Date: _____

STATE OF NEW YORK

County of _____

On the ____ day of _____, _____, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that he/she resides at _____, that he/she is the _____ of the _____, the contractor described herein which executed the foregoing instrument; and that he/she signed his/her name thereto as authorized by the contractor named on the face page of this Master Contract.

(Notary) _____

ATTORNEY GENERAL'S SIGNATURE

STATE COMPTROLLER'S SIGNATURE

Printed Name

Printed Name

Title: _____

Title: _____

Date: _____

Date: _____

Total AMENDED Contract Amount: \$31,310,523.81

	Year 1 4/1/2024 - 3/31/2025	Year 2 4/1/2025 - 3/31/2026	Year 2 Additional Funding	REVISED YR. 2 BUDGET	Year 3 4/1/2026 - 3/31/2027	Year 3 Additional Funding	REVISED YR. 3 BUDGET
Budget Expenditure Item							
PUBLIC DEFENDER'S OFFICE							
Personnel:							
Director of Training and Mitigation Services - Salary	\$98,089.00	\$114,476.00	\$5,189.00	\$119,665.00	\$117,910.00	\$5,346.00	\$123,256.00
Felony Supervisor - Salary	\$109,651.00	\$114,476.00	\$5,189.00	\$119,665.00	\$117,910.00	\$5,346.00	\$123,256.00
(2) Local Court Supervisors - Salary	\$219,302.00	\$228,952.00	\$10,378.00	\$239,330.00	\$235,820.00	\$10,692.00	\$246,512.00
Administrative/Leadership Positions - Salary Increases	\$41,000.00	\$42,231.00		\$42,231.00	\$43,497.00		\$43,497.00
(30) Assistant Public Defenders - Salary	\$2,794,102.00	\$2,866,821.00	\$162,500.00	\$3,029,321.00	\$2,952,839.00	\$167,365.00	\$3,120,204.00
(2) Assistant Public Defenders - Salary Increases	\$47,458.00	\$48,882.00		\$48,882.00	\$50,350.00		\$50,350.00
Paralegal - Salary	\$56,681.00	\$59,926.00		\$59,926.00	\$61,724.00		\$61,724.00
Paralegal/Data Specialist - Salary	\$69,672.00	\$78,499.00		\$78,499.00	\$80,853.00		\$80,853.00
Social Services Coordinator - Salary	\$66,156.00	\$68,141.00		\$68,141.00	\$70,185.00		\$70,185.00
Clerk II - Salary	\$50,108.00	\$51,611.00		\$51,611.00	\$53,159.00		\$53,159.00
(4) Legal Secretaries - Salary	\$218,685.00	\$232,971.00		\$232,971.00	\$239,961.00		\$239,961.00
(2 3) Criminal Justice Case Workers - Salary	\$137,604.00	\$141,732.00	\$21,350.00	\$163,082.00	\$145,984.00	\$70,740.00	\$216,724.00
IT Discovery Tech - Salary	\$63,509.00	\$65,415.00		\$65,415.00	\$67,377.00		\$67,377.00
Director of Accounts - Salary	\$101,794.00	\$114,476.00	\$5,189.00	\$119,665.00	\$117,910.00	\$5,346.00	\$123,256.00
Director of Operations - Salary	\$111,141.00	\$114,476.00	\$5,189.00	\$119,665.00	\$117,910.00	\$5,346.00	\$123,256.00
(2) Mitigation Specialists - Salary	\$96,720.00	\$99,622.00		\$99,622.00	\$102,612.00		\$102,612.00
Confidential Secretary - Salary Increase	\$6,488.00	\$6,683.00		\$6,683.00	\$6,884.00		\$6,884.00
(2) Criminal Defense Investigators - Salary Increases	\$12,870.00	\$13,258.00		\$13,258.00	\$13,654.00		\$13,654.00
Law Student Interns - Salary	\$12,602.00	\$21,263.00		\$21,263.00	\$22,326.00		\$22,326.00
Fringe for Above Positions	\$2,279,538.00	\$2,365,192.00	\$113,949.00	\$2,479,141.00	\$2,436,151.00	\$143,206.00	\$2,579,357.00
Subtotal Personnel	\$6,593,170.00	\$6,849,103.00	\$328,933.00	\$7,178,036.00	\$7,055,016.00	\$413,387.00	\$7,468,403.00
Contracted/Consultant:							
Specialized Services	\$77,166.00	\$90,790.00		\$90,790.00	\$90,790.00	\$3,992.12	\$94,782.12
Law Interns Work Study Program	\$14,647.00	\$25,000.00		\$25,000.00	\$25,000.00		\$25,000.00
Subtotal Contracted/Consultant	\$91,813.00	\$115,790.00	\$0.00	\$115,790.00	\$115,790.00	\$3,992.12	\$119,782.12
OTPS:							
Office Supplies/Equipment/Office Furniture	\$70,096.00	\$71,041.00		\$71,041.00	\$72,032.00		\$72,032.00
CMS/Software/Data Storage	\$122,881.00	\$172,876.00		\$172,876.00	\$138,982.00		\$138,982.00
Legal Reference Materials/Periodicals/ Online Legal Research Services	\$52,398.00	\$69,126.00		\$69,126.00	\$69,126.00		\$69,126.00
Professional Licenses/Membership Dues	\$25,000.00	\$25,000.00		\$25,000.00	\$25,000.00		\$25,000.00
CLEs/Trainings/Convenings	\$26,296.00	\$44,500.00		\$44,500.00	\$67,000.00		\$67,000.00
Travel/Mileage	\$15,000.00	\$15,000.00		\$15,000.00	\$15,000.00		\$15,000.00
Client Services	\$5,000.00	\$5,000.00		\$5,000.00	\$5,000.00		\$5,000.00
Recruitment	\$6,000.00	\$6,000.00		\$6,000.00	\$6,000.00		\$6,000.00
Subtotal OTPS	\$322,671.00	\$408,543.00	\$0.00	\$408,543.00	\$398,140.00	\$0.00	\$398,140.00
PUBLIC DEFENDER'S OFFICE - TOTAL	\$7,007,654.00	\$7,373,436.00	\$328,933.00	\$7,702,369.00	\$7,568,946.00	\$417,379.12	\$7,986,325.12
ALTERNATE PUBLIC DEFENDER'S OFFICE							

Budget Expenditure Item	Year 1 4/1/2024 - 3/31/2025	Year 2 4/1/2025 - 3/31/2026	Year 2 Additional Funding	REVISED YR. 2 BUDGET	Year 3 4/1/2026 - 3/31/2027	Year 3 Additional Funding	REVISED YR. 3 BUDGET
Personnel:							
Alternate Conflict Defender - Salary Increase	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$13,375.00	\$13,375.00
Appellate Attorney - Salary	\$110,313.00	\$113,622.00		\$113,622.00	\$117,031.06		\$117,031.06
(2 4) Assistant Alternate Public Defenders - Salary	\$207,640.00	\$213,869.20	\$206,000.00	\$419,869.20	\$220,285.28	\$212,180.00	\$432,465.28
Assistant Alternate Public Defenders - Salary Increases	\$127,370.48	\$146,991.50	(\$5,858.95)	\$141,132.55	\$160,038.54		\$160,038.54
Investigator - Salary	\$80,305.00	\$82,714.15		\$82,714.15	\$85,195.57		\$85,195.57
Legal Secretary - Salary	\$56,500.00	\$58,195.00		\$58,195.00	\$59,940.85		\$59,940.85
Confidential Secretary - Salary	\$56,500.00	\$58,195.00		\$58,195.00	\$59,940.85		\$59,940.85
Confidential Secretary - Salary Increase	\$11,989.00	\$13,684.00		\$13,684.00	\$15,429.85		\$15,429.85
Case Manager - Salary	\$0.00	\$0.00	\$70,338.00	\$70,338.00	\$0.00	\$72,448.14	\$72,448.14
Fringe for Above Positions	\$352,454.13	\$357,040.02	\$146,459.14	\$503,499.16	\$372,691.71	\$157,941.66	\$530,633.37
Subtotal Personnel	\$1,003,071.61	\$1,044,310.87	\$416,938.19	\$1,461,249.06	\$1,090,553.71	\$455,944.80	\$1,546,498.51
Contracted/Consultant:							
Specialized Services	\$55,000.00	\$55,000.00		\$55,000.00	\$55,000.00		\$55,000.00
Subtotal Contracted/Consultant	\$55,000.00	\$55,000.00	\$0.00	\$55,000.00	\$55,000.00	\$0.00	\$55,000.00
OTPS:							
Office Supplies/Equipment/Office Furniture	\$23,250.00	\$23,250.00		\$23,250.00	\$23,250.00		\$23,250.00
CMS/Software/Data Storage	\$26,500.00	\$26,500.00		\$26,500.00	\$26,500.00		\$26,500.00
Legal Reference Materials/Periodicals/ Online Legal Research Services	\$27,500.00	\$27,500.00		\$27,500.00	\$27,500.00		\$27,500.00
Professional Licenses/Membership Dues	\$8,000.00	\$8,000.00		\$8,000.00	\$8,000.00		\$8,000.00
CLEs/Trainings/Convenings	\$8,000.00	\$8,000.00		\$8,000.00	\$8,000.00		\$8,000.00
Travel/Mileage	\$5,000.00	\$5,000.00		\$5,000.00	\$5,000.00		\$5,000.00
Client Services	\$5,000.00	\$5,000.00		\$5,000.00	\$5,000.00		\$5,000.00
Subtotal OTPS	\$103,250.00	\$103,250.00	\$0.00	\$103,250.00	\$103,250.00	\$0.00	\$103,250.00
ALTERNATE PUBLIC DEFENDER'S OFFICE - TOTAL	\$1,161,321.61	\$1,202,560.87	\$416,938.19	\$1,619,499.06	\$1,248,803.71	\$455,944.80	\$1,704,748.51
ASSIGNED COUNSEL PLAN							
Personnel:							
Assigned Counsel Administrator - Partial Salary	\$70,000.00	\$73,600.00		\$73,600.00	\$77,308.00	\$15,492.00	\$92,800.00
Supervising Attorney - Salary	\$110,365.00	\$113,673.89		\$113,673.89	\$117,084.00	\$7,916.00	\$125,000.00
Confidential Secretary - Salary	\$57,299.00	\$59,017.97		\$59,017.97	\$60,788.51		\$60,788.51
Legal Secretary Paralegal/Data Specialist - Salary	\$56,400.00	\$57,819.05	\$11,852.95	\$69,672.00	\$59,553.62	\$11,511.82	\$71,065.44
Data Analyst - Salary	\$62,764.00	\$64,646.92		\$64,646.92	\$66,586.33		\$66,586.33
Office Assistant - Salary	\$43,363.00	\$44,663.89	(\$44,663.89)	\$0.00	\$46,003.81	(\$46,003.81)	\$0.00
Investigator - Salary	\$0.00	\$0.00	\$82,715.00	\$82,715.00	\$0.00	\$85,196.45	\$85,196.45
IT Discovery Tech - Salary	\$0.00	\$0.00	\$64,928.00	\$64,928.00	\$0.00	\$66,875.84	\$66,875.84
Fringe for Above Positions	\$238,601.23	\$245,613.51	\$60,860.99	\$306,474.50	\$252,981.92	\$74,723.80	\$327,705.72
Longevity Pay and Health Insurance Buyout	\$10,125.00	\$11,125.00		\$11,125.00	\$12,125.00		\$12,125.00
Subtotal Personnel	\$648,917.23	\$670,160.23	\$175,693.05	\$845,853.28	\$692,431.19	\$215,712.10	\$908,143.29
Contracted/Consultant:							
Mentor and Resource Attorney Program	\$35,000.00	\$35,000.00	(\$35,000.00)	\$0.00	\$35,000.00	(\$35,000.00)	\$0.00
Second Chair Program	\$35,000.00	\$35,000.00		\$35,000.00	\$35,000.00		\$35,000.00
Specialized Services	\$175,000.00	\$175,000.00	(\$93,454.98)	\$81,545.02	\$175,000.00	(\$95,859.62)	\$79,140.38
Increased cost for Assigned Counsel Attorney Vouchers*	\$200,000.00	\$200,000.00		\$200,000.00	\$200,000.00		\$200,000.00
Subtotal Contracted/Consultant	\$445,000.00	\$445,000.00	(\$128,454.98)	\$316,545.02	\$445,000.00	(\$130,859.62)	\$314,140.38
OTPS:							
Ongoing Building Expenses	\$20,727.00	\$20,727.00		\$20,727.00	\$20,727.00		\$20,727.00
Renovations & Construction	\$1,000.00	\$1,000.00		\$1,000.00	\$1,000.00		\$1,000.00
Office Supplies/Equipment/Office Furniture	\$30,600.00	\$28,600.00		\$28,600.00	\$28,600.00		\$28,600.00
CMS/Software/Data Storage	\$53,000.00	\$53,000.00	\$32,000.47	\$85,000.47	\$53,139.69	\$32,000.47	\$85,140.16
Legal Reference Materials/Periodicals/ Online Legal Research Services	\$18,000.00	\$18,000.00	(\$10,000.00)	\$8,000.00	\$18,000.00	(\$10,000.00)	\$8,000.00
Professional Licenses/Membership Dues	\$16,000.00	\$16,000.00	(\$10,264.11)	\$5,735.89	\$16,000.00	(\$10,264.11)	\$5,735.89
CLEs/Trainings/Convenings	\$18,000.00	\$18,000.00	(\$10,000.00)	\$8,000.00	\$20,000.00	(\$10,000.00)	\$10,000.00
Travel/Mileage	\$250.00	\$250.00		\$250.00	\$250.00		\$250.00

Explanation:

Funding is added to this contract to reach or maintain compliance with Executive Law § 832(4) and is intended to account for widespread need for cost-of-living adjustments (COLA) necessary to continue programs funded on this contract as well as build upon existing programs and/or create additional staff positions.

In addition to salary increases for six management positions in the Public Defender's Office which creates more competitive promotional opportunities within the office, and salary increases to the '(30) Assistant Public Defenders - Salary' budget line which restructures salaries to create an APD VII, an additional 'Criminal Justice Case Worker' is added, bringing the total funded to three (3), and funding is also added to the PD Office's 'Specialized Services' line to fund nine months of two additional Partners for Justice mitigation advocates. Additionally, new lines for a salary increase for the Alternate Public Defender to bring chief defender salaries closer to parity, and a full-time 'Case Manager - Salary' are added, and funds are included for two additional Assistant APDs, bringing the total to '(4) Assistant Alternate Public Defenders - Salary'. Funding is included in a commensurate salary increase for the 'Assigned Counsel Administrator - Partial Salary' and 'ACP Supervising Attorney - Salary', to ensure these positions are comparable to similar positions in other provider offices, and the ACP's Legal Secretary budget line is changed to fund a 'Paralegal/Data Specialist - Salary' with associated salary increase to accurately reflect the role. New lines are added to the ACP for a full-time 'Investigator - Salary' and full-time 'IT Discovery Tech - Salary' and additional funding is also included in the 'CMS/Software/Data Storage' line to fund digital storage. Funds are reduced on various ACP lines to better reflect program need and support these changes.

*To claim increased voucher costs, Albany County shall provide to ILS previous and current year voucher expenditures in criminal cases as requested and shall implement and maintain the Assigned Counsel Program initiatives funded by this contract.

ATTACHMENT C
WORK PLAN (AMENDED)
OFFICE OF INDIGENT LEGAL SERVICES
SECOND STATEWIDE EXPANSION OF HURRELL-HARRING
APRIL 1, 2024 – MARCH 31, 2027
COUNTY OF ALBANY

Goals, Objectives, and Performance Measures

On a semi-annual basis, each grantee/contractor shall provide the Office of Indigent Legal Services with a written progress report summarizing the work performed during each such semi-annual period. The reports shall detail the grantee/contractor's progress toward attaining the specific goals, objectives and key performance measures as outlined below along with any additional information that may be required by the Office. These program progress reports must be submitted October 31st for the period starting April 1st and ending September 30th and April 30th for the period starting October 1st and ending March 31st.

Program progress reports will continue until such time as the funds subject to this contract are no longer available, have been accounted for, and/or throughout the contract period. The first progress report may be waived if the final approval of the grantee/contractor's contract by the Office of the State Comptroller is within two months of the date such progress report would be due. **(See Attachment D ["Payment and Reporting Schedule"] for written progress report reporting requirements in their entirety.)**

Goal

Implement the provisions of Chapter 59 of the Laws of 2017, Part VVV, sections 11-13, providing that the Office of Indigent Legal Services shall implement a plan to extend statewide the benefits of the Hurrell-Harring settlement reforms.

First Objective

Ensure all eligible criminal defendants are represented by counsel at arraignment, provided that timely arraignment with counsel is not delayed pending a determination of a defendant's eligibility.

Key Performance Measures

1. The number of attorneys hired with this funding who provide representation at arraignment;
2. The number of arraignments handled by each attorney compensated with this funding; and
3. A brief description of all activities funded by this grant under this objective and how those activities have improved the provision of counsel at first appearance.

Second Objective

Full compliance with the caseload standards issued by the Office of Indigent Legal Services.

Key Performance Measures

1. The number of attorneys hired with this funding and the dates of such hires;
2. The number of new cases opened by attorneys compensated with this funding;
3. The number of non-attorneys hired with this funding and the dates of such hires;
4. The name, and date of appointment, of the Data Officer or a description of progress toward appointment of a Data Officer; and
5. A brief description of all activities funded by this grant under this objective and how those activities have reduced caseloads.

Third Objective

Implement initiatives to improve the quality of indigent defense such that attorneys receive effective supervision and training, have access to and appropriately utilize investigators, interpreters and expert witnesses on behalf of clients, communicate effectively with their clients, have the necessary qualifications and experience, and, in the case of assigned counsel attorneys, are assigned to cases in accordance with article 18-b of the county law and in a manner that accounts for the attorney's level of experience and caseload/workload.

Key Performance Measures

1. The number of training events supported by this funding;
2. The number of attorneys whose attendance at training events was supported by this funding;
3. The number of cases in which expert services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services;
4. The number of cases where investigative services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services; and
5. A brief description of all activities funded by this grant under this objective and how those activities have improved the quality of representation provided to clients.

Public Defender's Office

Personnel:

- **Provide funding for a full-time Director of Training and Mitigation Services.** This position is responsible for implementing the Public Defender Office's plan to become a CLE certified agency, providing quality training programs to staff and others including the Alternate Public Defender and 18-b Assigned Counsel, delivering individual and group presentations, and providing "one-on-one" mentoring.
- **Provide funding for a full-time Felony Supervisor.** This position reports directly to the Chief Assistant and Public Defender and is responsible for supervising attorneys who represent clients charged with felonies.
- **Provide funding for two (2) full-time Local Court Supervisors.** These positions represent clients, supervise, and mentor attorneys, and provide training for trial development skills in criminal cases.
- **Provide funding for Salary Increases for Administrative and Leadership positions.** Funding for salary increases for Administrative and Leadership positions to work toward achieving parity with similar positions at the District Attorney's Office and compensate leadership attorney and administrative positions for increased responsibilities associated with the expanding staff. Increases range from \$3,267 to \$13,253. The county will maintain its responsibility for the base salary of these positions, and this contract will support the increases and correlating fringe benefit expenses.
- **Provide funding for thirty (30) Assistant Public Defenders.** These positions represent clients in all levels of criminal defense cases. Responsibilities include client communication, legal research, drafting and filing motions, and preparing for and conducting hearings and trials.
- **Provide funding for Salary Increases for two (2) Assistant Public Defenders.** Funding for pay parity for two of the lowest salaried attorney positions in the Public Defender's Office (Assistant Public Defender I positions) to retain current employees and attract high-quality candidates.
- **Provide funding for a full-time Paralegal.** This position drafts motions and performs legal research in criminal cases.
- **Provide funding for a full-time Paralegal/Data Specialist.** This position drafts motions and performs legal research in criminal cases, as well as assists with collecting and reporting the data required by the county and ILS.
- **Provide funding for a full-time Social Services Coordinator.** This position assists clients in criminal cases with various needs, connects clients with social workers and case managers, and assists clients with program eligibility and other resources.

- **Provide funding for a full-time Clerk II position.** This position assists attorneys with data collection, data entry, file management, and file maintenance.
- **Provide funding for four (4) full-time Legal Secretaries.** These positions assist attorneys with administrative tasks in criminal cases, including opening and closing files and Case Management System data entry.
- **Provide funding for two (2 3) Criminal Justice Case Workers.** These positions assist assigned attorneys, the Social Services Coordinator, and any external expert(s) in obtaining information relative to preparation of clients' release applications and mitigation statements. These positions also assist clients on the coordination of services relative to their defense and with the development of alternatives to incarceration options.
- **Provide funding for a full-time IT Discovery Tech.** This position assists attorneys and paralegals with the receipt, review, and preservation of discovery materials including screening materials for defense preparation and gathering and providing reciprocal discovery mandated by CPL §245 to prosecutors.
- **Provide funding for a full-time Director of Accounts.** This position manages ILS grants and distributions and prepares proposals for available grant funding opportunities. This role also acts as the data liaison for the Public Defender's Office, reporting and communicating with other Albany County providers' liaisons and the Department of Management and Budget, and works with ILS to operationalize data collection and reporting requirements and submits data from all providers.
- **Provide funding for a full-time Director of Operations.** This position reports directly to the Public Defender, oversees the daily activities of the office, and supervises the Director of Training and all specialized professional personnel within the office, specifically the office's investigative, data/fiscal, clerical/administrative, and social work teams.
- **Provide funding for a Salary Increase for the Confidential Secretary.** Funding for a salary and COLA increase for the Confidential Secretary to reflect increased responsibilities and establish salary parity, thereby promoting staff retention. The county will maintain its responsibility for the base salary of this position and this contract will support the increases and correlating fringe benefit expenses.
- **Provide funding for Salary Increases for two (2) Criminal Defense Investigators.** Funding for a salary and COLA increase for two (2) Criminal Investigators to reflect increased responsibilities and establish salary parity, thereby promoting staff retention. The county will maintain its responsibility for the base salary of this position and this contract will support the increases and correlating fringe benefit expenses.
- **Provide funding for Law Student Interns.** Funding for the Public Defender's Office's law student intern program, which reduces the caseloads of attorneys and serves as a

valuable recruitment mechanism. Law student interns are paid \$15 to \$30 per hour, depending on their education, experience, and skills.

Contracted/Consultant:

- **Provide funding for Specialized Service Professionals.** Funding for specialized and evaluative services in criminal matters, such as investigators, interpreters, mitigation specialists, social workers, forensic experts, mental health experts, and other specialized service professionals. These services will be paid a rate of up to \$800 per hour, depending on the type of service and the experience and expertise of the specialized service professional. These services may also be paid on a flat fee basis of up to \$3,000 per case. Expenses include associated travel and mileage; mileage will be reimbursed at the standard IRS mileage rates. Funds may also be used for transcription services of up to \$5.25 per page. The Public Defender's Office may approve a higher rate when necessary to ensure access to qualified services.
- **Provide funding for the Albany Law School Law Interns Work Study Program.** Funding for the Public Defender's Office contract with Albany Law School for 10 law student summer interns. Albany Law School will pay the interns \$15 per hour and will invoice the Public Defender's Office for one half of the cost of the interns' summer salaries. This program is separate from the Public Defender's Office law student intern program, as it is a designated Federal Work/Study Program specific to Albany Law School, whereas the PD's law student intern program is for any college or law school.

OTPS:

- **Provide funding for Office Supplies, Equipment, and Furniture.** Funding for expenses including office supplies; postage; computers; tablets; smartphones (cell phones), wi-fi hotspots, and any associated data plans; desk phones and associated landline charges; copies, printers, and any associated service agreements; and office furniture.
- **Provide funding for Case Management System, Software, and Data Storage.** Funding for expenses including software licensing, updates, and upgrades; cloud storage; data storage and maintenance; Case Management System training; and CMS user licenses.
- **Provide funding for Legal Reference Materials, Periodicals, and Online Legal Research Services.** Funding for expenses including legal reference materials; books; subscriptions; and online legal research services such as Westlaw or LexisNexis.
- **Provide funding for Professional Licenses and Professional Membership Dues.** Funding for expenses including OCA Secure Pass fees, biennial attorney registration fees and other professional licensing dues; and membership fees for professional criminal defense organization associations and other relevant professional associations.

- **Provide funding for CLEs and other Trainings, Convenings, and Meetings.** Funding for registration and travel expenses associated with attending Continuing Legal Education (CLE) trainings, other professional trainings, work-related convenings, seminars, and meetings. Please note that out-of-state travel must be pre-approved by ILS. Mileage will be reimbursed at the standard IRS mileage rates. This funding may also be used for expenses related to the Public Defender's Office hosting CLE trainings, other professional trainings, work-related convenings, seminars, and meetings.
- **Provide funding for Travel/Mileage.** Funding for attorney travel to meet with clients and interview witnesses, as well as the case-related necessary travel of witnesses, and emergency transportation services for clients who reside outside the county to attend necessary case-related court appearances and meetings with their attorney. Mileage/Travel expenses will be reimbursed at the standard IRS mileage rates.
- **Provide funding for Client Services.** Funding for a clothing loan closet for court appearances, and maintenance and cleaning of worn clothing, as well as transportation expenses for clients to get to and from court appearances. These expenses may only be used when the Public Defender's Office determines that a client otherwise lacks the resources needed to pay for clothing or travel.
- **Provide funding for Recruitment.** Funding for expenses including participation in job fairs including travel and mileage expenses; fees charged by law schools to disseminate available positions to students and alumni through law school publications; general advertising of positions through other sources such as newspapers and trade publications; and expenses for preparation and printing of promotional brochures and pamphlets.

Alternate Public Defender's Office

Personnel:

- **Provide funding for a Salary Increase for the Alternate Conflict Defender.** Funding for a salary increase for the Chief Alternate Conflict Defender to bring the position into parity with the Public Defender's Office.
- **Provide funding for a full-time Appellate Attorney.** This position engages in sentencing advocacy and conducts life-history investigations that identify clients' personal and mitigating circumstances and, where appropriate, behavioral health needs and connect clients to services. This position also represents clients in post-sentencing matters, such as CPL § 440 motions, CPL § 180.85 hearings, restitution, and probation resentencing proceedings.
- **Provide funding for two (2 4) full-time Assistant Alternate Public Defenders.** These positions represent clients in felony and misdemeanor cases.

- **Provide funding for Salary Increases for the Assistant Alternate Public Defenders.** Funding for salary increases for attorneys representing clients in criminal cases who are not funded by this contract to promote employee retention with a goal of achieving full parity with the Public Defender's office.
- **Provide funding for a full-time Investigator.** This position provides investigative services for clients' criminal defense cases.
- **Provide funding for a full-time Confidential Secretary and a Salary Increase for a Confidential Secretary.** This position supports the criminal defense attorneys, opens and closes case files, assists with data collection, and performs data entry. The salary increase for the county-funded Confidential Secretary promotes employee retention with a goal of achieving full parity with the Public Defender's Office. The county will continue its salary commitment and this contract supports the increase and correlating fringe.
- **Provide funding for a full-time Legal Secretary.** This position handles legal documents, schedules case-related matters in accord with statutory time frames, drafts legal correspondence and templates, and conducts legal research.
- **Provide funding for a full-time Case Manager.** This position assists clients in the coordination of services relative to their defense and with the development of alternatives to incarceration options.

Contracted/Consultant:

- **Provide funding for Specialized Service Professionals.** Funding for specialized and evaluative services in criminal matters, such as investigators, interpreters, mitigation specialists, social workers, forensic experts, mental health experts, and other specialized service professionals. These services will be paid a rate of up to \$800 per hour, depending on the type of service and the experience and expertise of the specialized service professional. These services may also be paid on a flat fee basis of up to \$3,000 per case. Expenses include associated travel and mileage; mileage will be reimbursed at the standard IRS mileage rates. Funds may also be used for transcription services of up to \$5.25 per page. The Alternate Public Defender's Office may approve a higher rate when necessary to ensure access to qualified services.

OTPS:

- **Provide funding for Office Supplies, Equipment, and Furniture.** Funding for expenses including office supplies; postage; computers; tablets; smartphones (cell phones), wi-fi hotspots, and any associated data plans; desk phones and associated landline charges; copies, printers, and any associated service agreements; and office furniture.

- **Provide funding for Case Management System, Software, and Data Storage.** Funding for expenses including software licensing, updates, and upgrades; cloud storage; data storage and maintenance; Case Management System training; and CMS user licenses.
- **Provide funding for Legal Reference Materials, Periodicals, and Online Legal Research Services.** Funding for expenses including legal reference materials; books; subscriptions; and online legal research services such as Westlaw or LexisNexis.
- **Provide funding for Professional Licenses and Professional Membership Dues.** Funding for expenses including biennial attorney registration fees and other professional licensing dues; OCA Secure Pass fees; and membership fees for professional criminal defense organization associations and other relevant professional associations.
- **Provide funding for CLEs and other Trainings, Convenings, and Meetings.** Funding for registration and travel expenses associated with attending Continuing Legal Education (CLE) trainings, other professional trainings, work-related convenings, seminars, and meetings. Please note that out-of-state travel must be pre-approved by ILS. Mileage will be reimbursed at the standard IRS mileage rates. This funding may also be used for expenses related to the Alternate Public Defender's Office hosting CLE trainings, other professional trainings, work-related convenings, seminars, and meetings.
- **Provide funding for Travel/Mileage.** Funding for attorney travel to meet with clients and interview witnesses, as well as the case-related necessary travel of witnesses, and emergency transportation services for clients who reside outside the county to attend necessary case-related court appearances and meetings with their attorney. Mileage/Travel expenses will be reimbursed at the standard IRS mileage rates.
- **Provide funding for Client Services.** Funding for a clothing loan closet for court appearances, and maintenance and cleaning of worn clothing, as well as transportation expenses for clients to get to and from court appearances. These expenses may only be used when the Alternate Public Defender's Office determines that a client otherwise lacks the resources needed to pay for clothing or travel.

Assigned Counsel Plan

Personnel:

- **Provide partial funding for a full-time Assigned Counsel Administrator.** This position manages the Assigned Counsel Program (ACP) and is responsible for monitoring and improving the quality of client representation provided by panel attorneys. This position is funded by this contract and ILS distributions.

- **Provide funding for a full-time Supervising Attorney.** This position supervises program initiatives, mentors panel attorneys, and provides quality oversight.
- **Provide funding for a full-time Confidential Secretary.** This position performs administrative and secretary duties and assists in processing panel attorney vouchers.
- **Provide funding for a full-time Legal Secretary Paralegal/Data Specialist.** This position performs administrative and secretarial duties including but not limited to ~~the SharePoint system for panel attorneys, processing financial claims, and managing assignments~~ managing payroll and office communications; coordinating with the Data Analyst regarding ILS reporting requirements; and managing communications with panel attorneys.
- **Provide funding for a full-time Data Analyst.** This position assists the Assigned Counsel Program in gathering, entering, analyzing, and verifying the Data produced by ACP as it relates to public defense generally, and ILS provided Grant funding particularly. The Data Analyst utilizes the information gathered by ACP to assist the department in developing common-sense and scalable solutions to address issues facing the Assigned Counsel Panel. The Data Analyst reports to the Assigned Counsel Administrator and work closely with the county's Data Officer regarding all reporting and data matters.
- ~~▪ **Provide funding for a full-time Office Assistant.** This position performs administrative and secretary duties.~~
- **Provide funding for a full-time Investigator.** This position provides investigative services for clients' criminal defense cases.
- **Provide funding for a full-time IT Discovery Tech.** This position assists attorneys and paralegals with the receipt, review, and preservation of discovery materials including screening materials for defense preparation and gathering and providing reciprocal discovery mandated by CPL §245 to prosecutors.
- **Provide funding for Longevity Pay and Health Insurance Buyout.** Funding for a health insurance buyout if requested by any of the following four (4) employees on this grant: Administrator, Supervising Attorney, Secretary, and/or Data Analyst and longevity pay.

Contracted/Consultant:

- **Provide funding for a Mentor and Resource Attorney Program.** Funding for various, individual experienced attorneys who will mentor less experienced attorneys and who will be available to consult with attorneys of all levels of experience on more complex case-related issues. Mentors are paid up to \$200/hour. No individual attorney will be paid \$100,000 or more from this funding over the term of this contract.

- **Provide funding for a Second Chair Program.** Funding for the assignment of various, individual panel attorneys to serve as second chairs in more complex cases and/or as a means of training for less experienced attorneys. Second chair attorneys are paid the statutory rate. No individual attorney will be paid \$100,000 or more from this funding over the term of this contract.
- **Provide funding for Specialized Service Professionals.** Funding for specialized and evaluative services in criminal matters, such as investigators, interpreters, mitigation specialists, social workers, forensic experts, mental health experts, and other specialized service professionals. These services will be paid a rate of up to \$800 per hour, depending on the type of service and the experience and expertise of the specialized service professional. These services may also be paid on a flat fee basis of up to \$3,000 per case. Expenses include associated travel and mileage; mileage will be reimbursed at this standard IRS mileage rates. Funds may also be used for transcription services of up to \$5.25 per page. The Assigned Counsel Program may approve a higher rate when necessary to ensure access to qualified services.
- **Continue funding for Increased Cost for Assigned Counsel Attorney Vouchers.** Funding for the anticipated increase in attorney voucher costs as attorneys spend more time on their criminal cases to meet caseload relief and compliance standards. To claim this funding, Albany County shall implement and maintain the Assigned Counsel Program caseload relief and quality improvement initiatives funded by this contract pursuant to an ILS-established reference point of county funding for attorney vouchers in criminal cases. The reference point is the primary measure to ensure that state funding for ACP attorney voucher costs supplements and does not supplant county funding for attorney vouchers. Additionally, on an annual basis thereafter, the county shall report to ILS the total amount of county spending that year on panel attorney criminal case vouchers, not including ILS funding. The county will coordinate with ILS to monitor: 1) the maintenance of established ACP infrastructure; and 2) ongoing county spending to ensure that local spending remains consistent (using the pre-implementation county funding data as the primary reference point).

OTPS:

- **Ongoing Building Expenses.** Funding for “shared services” related to the ACP’s office space located at 112 State Street, Albany, NY including maintenance, repairs, and facilitation services to office space provided by the Albany County Department of General Services (DGS).
- **Renovations and Construction.** Funding for anticipated increased ACP space needs resulting from implementation of the initiatives set forth in Executive Law 832(4). ILS must approve any plan prior to reimbursement on this line.
- **Provide funding for Office Supplies, Equipment, and Furniture.** Funding for expenses including office supplies; postage; computers; tablets; smartphones (cell

phones), wi-fi hotspots, and any associated data plans; desk phones and associated landline charges; copies, printers, and any associated service agreements; and office furniture for ACP staff. Funding will also cover laptops for use by panel attorneys when consulting with clients and purchase of and reimbursement to panel attorneys for USB storage devices.

- **Provide funding for Case Management System, Software, and Data Storage.** Funding for expenses including software licensing, updates, and upgrades; cloud storage; data storage and maintenance; Case Management System training; CMS user licenses for ACP staff and panel attorneys; and a portal for use by panel attorneys.
- **Provide funding for Legal Reference Materials, Periodicals, and Online Legal Research Services.** Funding for expenses including legal reference materials, books, subscriptions, online legal research services such as Westlaw or LexisNexis for ACP staff and panel attorneys for assigned cases only.
- **Provide funding for Professional Licenses and Professional Membership Dues.** Funding for expenses including biennial attorney registration fees and other professional licensing dues for ACP staff; and membership fees for professional criminal defense organization associations and other relevant professional associations for ACP staff and panel attorneys.
- **Provide funding for CLEs and other Trainings, Convenings, and Meetings.** Funding for registration and travel expenses associated with ACP staff and panel attorneys attending Continuing Legal Education (CLE) trainings, other professional trainings, work-related convenings, seminars, and meetings. Please note that out-of-state travel must be pre-approved by ILS. Mileage will be reimbursed at the standard IRS mileage rates. This funding may also be used for expenses related to the ACP hosting CLE trainings, other professional trainings, work-related convenings, seminars, and meetings. Funding will support a stipend up to \$400 per day to panel members who attend CLEs, within the discretion of the ACP Administrator.
- **Provide funding for Travel/Mileage.** Funding for travel/mileage reimbursement for ACP staff when required as part of their job duties. Travel/mileage expenses will be reimbursed at the standard IRS mileage rates.
- **Provide funding for Client Services.** Funding for a clothing loan closet for court appearances, and maintenance and cleaning of worn clothing, as well as transportation expenses for clients to get to and from court appearances. These expenses may only be used when the Assigned Counsel Program determines that a client otherwise lacks the resources needed to pay for clothing or travel.

Albany County Department of Budget & Management

Personnel:

- **Provide funding for a part-time Data Analyst.** This position is housed in the Department of Budget & Management to collect county-wide data and act as a liaison to report and communicate with other Albany County providers' liaisons, as well as work with ILS to operationalize data collection and reporting requirements and submit data from all providers. This position will dedicate between 17.5 to 20 hours per week and funding will support the salary and fringe benefits.