

**ASSIGNED COUNSEL PROGRAM
ERIE COUNTY BAR ASSOCIATION
AID TO INDIGENT PRISONERS SOCIETY, INC.**

**ROBERT D. LONSKI
ADMINISTRATOR**

**CLAUDIA S. SCHULTZ
DEPUTY ADMINISTRATOR**

**THE CROSBY BUILDING
170 FRANKLIN STREET, SUITE 400
BUFFALO, NY 14202-2412
(716) 856-8804
FAX (716) 856-0424**

March 12, 2013

Robert M. Graber
Clerk of the Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Re: Resolution 233 of May 6, 1975

Dear Mr. Graber:

Pursuant to the above-referenced Resolution, I am enclosing a financial report for the period 7/1/12 – 12/31/12, along with a list of attorneys who are currently on our panel. I am also enclosing copies of the minutes of each meeting of our Board of Directors that has been held within that six month period.

I apologize for the delay in submitting this report, which was caused by my absence for a number of weeks for surgery.

Thank you.

Sincerely,



**Robert D. Lonski
Administrator**

RDL:rl
encs.

**ECBA AIP
Assigned Counsel Program**

Report to the Clerk of Erie County Legislature

Period 7/01/12 - 12/31/12

Source of Funds:

| | |
|--------------------------------|-------------|
| County of Erie: | \$3,879,724 |
| NYS: | 110,500 |
| ILS | 30,194 |
| Interest: | 0 |
| Donation - Training Restricted | 6,640 |

Total: \$4,027,058

Program Expenditures:

| | |
|---------------|-----------|
| Attorney Fees | 3,357,483 |
| Transcripts | 28,648 |
| Experts | 21,970 |
| Investigators | 19,670 |

Total: \$3,427,771

Administration:

| | |
|--|---------|
| Personnel (Wages, Hosp, FICA, Unemp | 454,950 |
| Util/Telephone | 6,594 |
| Space Rental | 23,366 |
| Office Supplies | 8,965 |
| Postage | 17,089 |
| Travel | 2,691 |
| Insurance | 8,619 |
| Legal/accounting (Accountant) | 8,650 |
| Dues & Assoc. Membership Fees | 1,038 |
| Office Printing/copying (Reproduction) | 6,102 |
| Training | 4,993 |
| Equipment Purchase | 517 |
| Computer Maintenance | 5,852 |
| Legal Publications | 2,881 |
| Courier Service | 2,430 |
| Temp & Law Student | 3,150 |
| Payroll Service | 1,007 |
| Misc (Misc & Misc Volunteer Support) | 710 |

Total: \$559,604

Grand Total: \$3,987,375

Assigned Counsel Panel As Of January 31, 2012

| | | | |
|-----------|--------------|-----------|-------------|
| JEFFREY | ABATE | PAUL | CLEARY |
| ANTHONY | ABBARNO | EMILIO | COLAIACOVO |
| DAVID | ABBATOY | MICHAEL | COLE |
| EUGENE | ADAMS | RICHARD | COLE |
| GEORGE | ADAMSON | CORNELIUS | COLLINS |
| DAVID R | ADDELMAN | KEVIN | CONDON |
| FERN | ADELSTEIN | ROBERT | CONVISSAR |
| JERRY M | ADER | DOUGLAS | CURELLA |
| MARK | ADRIAN | WILLIAM | CURTIN |
| JOSEPH | AGRO | ROBERT | CUTTING |
| CHERYL | ALOI | CRAIG | CWICK |
| FRANCIS | AMENDOLA | PHILLIP | DABNEY, JR. |
| ELENA | ANCONA | DON | DALLY |
| THOMAS | ANDRUSCHAT | DANA | DANTONIO |
| JOHN | ANGE | SAMUEL | DAVIS |
| S. LEE | ANTHIS | BRIAN | DEGNAN |
| ANN | ARNOLD | PAUL G. | DELL |
| JAMES | AURICCHIO | REGINA | DELVECCHIO |
| LAURIE | BAKER | JAMES | DEMARCO III |
| MICHAEL | BARONE | JAMES | DEMATTEO |
| PAUL | BARR | CATHERINE | DEMPSEY |
| KEVIN | BAUER | JORGE | DEROSAS |
| RUTH | BAUM | GINA | DEPRIMA |
| JOHN | BEDASKA | LAWRENCE | DESIDERIO |
| DEBRA | BENDER | KATHLEEN | DEVEREAUX |
| CATHERINE | BERCHOU | EDWARD | DINKI |
| PETER | BERGENSTOCK | JASON | DIPASQUALE |
| ALAN | BIRNHOLZ | MARK | DOANE |
| JENNIFER | BLACKHALL | BARRY | DOLGOFF |
| DAVID | BLACKLEY | ALAN | DONATELLI |
| DANIEL | BOECK | CECILE | DORLIE |
| FRANK | BOGULSKI | JOHN | DORN |
| GAIL | BREEN | JAMES | DOWSEY |
| TIMOTHY | BRIDGE | DANIEL | DUBOIS |
| WILLIAM | BRODERICK JR | JOHN | DUDZIAK |
| MATTHEW | BROOKS | KELLY | DUNN |
| WESLEY | BROWN | KATHRYN | EASTMAN |
| ANGELO | BUFFOMANTE | LAURA | EL-BAHTITY |
| FRANK | BUFFOMANTE | KELIANN | ELNISKI |
| KARA | BUSCAGLIA | ANTHONY | EMMI |
| FRANK | BYBEL | HOLLY | ERICK |
| DOMINIC | CANDINO | TARA | EVANS |
| E. CAREY | CANTWELL | TERRANCE | FALK |
| ANTONIO | CARDARELLI | ANDREW | FANIZZI |
| CATHERINE | CAREY | THOMAS C | FARLEY |
| BENJAMIN | CARLISLE | JENNIFER | FARRELL |
| A. JOSEPH | CATALANO | KENNETH | FARRELL |
| ANTHONY | CERVI | KAREN | FEGER |
| MARY | CHAN | WAYNE | FELLE |
| ELIZABETH | CIAMBRONE | NOEMI | FERNANDEZ |
| DANIEL | CIMINELLI | M. KREAG | FERULLO |
| JAMES | CIMINELLI | SHANNON | FILBERT |
| DIANE | CIURCZAK | SARAH | FILOCAMO |

Assigned Counsel Panel As Of January 31, 2012

| | | | |
|-------------|------------|-------------|------------|
| GREGORY | FINA | JOHN | JENNY |
| ANDREW | FISKE | CLARENCE | JOHNSON |
| ROBERT | FLYNN | ROBERT | JOHNSON |
| ROMAN | FONTANA | ROCHELLE | JONES |
| TAMARA | FOWLSTON | JOHN K | JORDAN |
| GARY | FREEDMAN | SUSAN | KARALUS |
| KATHRYN | FRIEDMAN | RANDALL | KAY |
| TIMOTHY | GALLAGHER | THOMAS | KEANE |
| JOHN | GARRITY | JOHN M | KEAVEY |
| PATRICK | GARRITY | THOMAS | KEEFE |
| GIOVANNI | GENOVESE | DAVID | KELLY |
| MATTHEW | GIANNETTI | MICHAEL | KELLY |
| LESLIE JEAN | GIBBIN | SEAN | KELLY |
| KENNETH | GIBBONS | JAMES | KENNEDY |
| KEVIN | GIBBONS | STEPHEN | KENNEDY |
| BRENDAN | GILBERT | EDWARD | KEY |
| JOHN | GILMOUR | DENIS | KITCHEN |
| JUSTIN | GINTER | HOWARD | KLEIMAN |
| ROBERT | GOLDSTEIN | MICHAEL | KOBIOLKA |
| ALBERT | GRANDE | ADAM | KOCH |
| TERRY | GRANGER | JOSHUA | KORMAN |
| DANIEL | GRASSO | ANTHONY | KOWALSKI |
| CHARLES | GREENBERG | JEFFREY | KRAJEWSKI |
| ALVIN | GREENE | RACHEL | KRANITZ |
| JOHN | GRENNELL | PATRICK | KREY |
| DANIEL | GRIEBEL | KATHLEEN | KUGLER |
| DAVID | GUTOWSKI | PAUL | KULLMAN |
| LYLE | HAJDU | JEFFREY | LACEY |
| IAN | HARRINGTON | LEE CHARLES | LAMENDOLA |
| JEFFREY | HARRINGTON | ANTHONY | LANA |
| KEVIN | HARRIS | CHRISTINA | LANA SHINE |
| GEORGETTE | HASIOTIS | ELIZABETH | LANDWEHR |
| TINA | HAWTHORNE | FREDERICK | LANG |
| TIMOTHY | HEBERT | JAMES | LAZARUS |
| TIMOTHY | HENNESSY | MICHAEL | LEFF |
| DANIEL | HENRY JR | RICHARD | LEFF |
| KAREN | HENSLEY | CLAYTON | LENHART |
| AUDREY | HERMAN | DEAN | LILAC JR |
| MICHAEL | HERON | MICHAEL | LOCICERO |
| NICHOLAS | HICKS | THOMAS | LOKKEN |
| JOSEPH | HODAN | FRANK | LONGO |
| ALAN | HOFFMAN | JENNIFER | LORENZ |
| LORI | HOFFMAN | ANDREW C | LOTEMPIO |
| BERNADETTE | HOPPE | TIMOTHY R | LOVALLO |
| JANE | HUGHES | JOHN | LUHR |
| STEPHEN | HUGHES | DANIEL | LUKASIK |
| TRISTAN | HUJER | EVAN | LUMLEY |
| THOMAS | HURLEY | TEHSHENG | MA |
| FRANK | IERACI | LOUIS | MAINO |
| MICHAEL | INGHAM | JAMES | MALONEY |
| RAMON | IRIZARRY | JOAN | MALONEY |
| DAIRE BRIAN | IRWIN | J. MICHAEL | MARION |
| HOPE | JAY | MINDY | MARRANCA |

Assigned Counsel Panel As Of January 31, 2012

| | | | |
|-------------|--------------|-------------|--------------|
| SHAWN | MARTIN | JOSHUA | RAMOS |
| EDWARD J | MARTNSHIN | KEVIN | REEDY |
| KATHLEEN | MCDONALD | MELISSA | REESE |
| DENNIS | MCGRATH | SUSAN | REINECKE |
| MICHAEL | MCKEATING | SCOTT | RIORDAN |
| PATRICK | MCLAUGHLIN | NORA | ROBSHAW |
| ROSEANNE | MCMORROW | JULIE | ROGERS |
| RALPH | MEGNA | LORI | ROMAN |
| CHARLES | MESSINA | WALTER | ROOTH III |
| JENNIFER | METZGER | MARIA | ROSCIGLIONE |
| PAUL | MICHALEK JR | CAROL | ROSENTHAL |
| TARA | MIDLIK | DEBRA | ROUGEUX |
| RAYMOND | MILES III | BRIAN | RUFFINO |
| CORY | MISSELL | SEAN | RYAN |
| JOHN | MOLLOY | MARK | SACHA |
| MARK | MONTOUR | JOHN | SANCHEZ |
| ROSEANNE | MORAN | SALVATORE | SANFILIPPO |
| RICHARD | MORRISROE | SABBY | SANTARPIA |
| CHRISTOPHER | MULLEN | JEFFREY | SANTORO |
| MARK | MULTERER | DOMINIC | SARACENO |
| MOLLY JO | MUSARRA | DAVID | SARKOVICS |
| JOSEPH | MUSCATO | ANTONIO | SAVAGLIO |
| CATHERINE | NAGEL | RACHAEL | SAVANYU |
| TERRENCE | NAPLES | JEREMY | SCHWARTZ |
| CINDY | NAVARRO | LAWRENCE | SCHWEGLER |
| TERENCE | NEWCOMB | DEBORAH | SCINTA |
| ANN | NICHOLS | DENIS | SCINTA |
| JON ALLON | NICHOLS | JOSEPH | SCINTA |
| LEAH | NOWOTARSKI | SETH | SEEGERT |
| JOHN | NUCHERENO | MARC | SHATKIN |
| MICHAEL G | O'ROURKE | RICHARD | SHAW II |
| MICKEY | OSTERREICHER | ROBERT | SHEPHERD |
| EVELYNE | O'SULLIVAN | DANIEL | SHINER |
| RADHIKA | PADMANABHAN | DAVID | SILVERBERG |
| DAVID | PAJAK | NADEEN | SINGH |
| BRIAN | PARKER | JOSEPH | SINKEWICZ JR |
| LUCIAN | PARLATO | JENNIFER | SMITH |
| FRANK | PASSAFIUME | VICTORIA | SMITH |
| KIM | PAUL | KEVIN | SPITLER |
| TIMOTHY | PAWARSKI | MICHAEL | STACHOWSKI |
| NEIL | PAWLOWSKI | JOSEPH | STADLER |
| DOROTHY | PEARMAN | PATRICK | STAFFORD |
| BRITTANY | PENBERTHY | RICHARD | STANTON |
| MARK J | PESZKO | R. HUGH | STEPHENS |
| PAUL | PIOTROWSKI | R. WILLIAMS | STEPHENS |
| KATHLEEN | PLATZER | SCOTT | STEPIEN |
| MATTHEW | POTENZA | JENNIFER | STERGION |
| MICHAEL | PORETTA | D. DANIEL | STEVANOVIC |
| BECKY | POWELL | DOUGLAS | STILLER |
| ARTHUR | PRESSMAN | JOSEPH | TERRANOVA |
| DEAN | PULEO | FRANCIS | TESSEYMAN JR |
| PATRICK | QUINLIVAN | THOMAS | THEOPHILOS |
| ANDREW | RADACK | DAVID | TODARO |

Assigned Counsel Panel As Of January 31, 2012

| | |
|-----------|-------------|
| NELSON S | TORRE |
| DELREASE | TOTA-NEAL |
| RONALD | TRABUCCO |
| JAMES D | TRESMOND |
| EMILY | TROTT |
| AYOKA | TUCKER |
| LANA | TUPCHIK |
| DENIS | UMINSKI |
| STEPHEN | UNDERWOOD |
| JASON | URBANIAK |
| LISA | VALVO |
| JAMES | VANDETTE |
| PETER | VASILION |
| CATHARINE | VENZON |
| YVONNE | VERTLIEB |
| JESSICA | VESPER |
| LOUIS | VIOLANTI |
| SURINDER | VIRK |
| JEFFREY | VOELKL |
| DANIEL | WARD |
| THOMAS | WEBB |
| DOUGLAS | WEINERT |
| PIETER | WEINRIEB |
| DAVID | WIDENOR |
| WALLACE | WIENS |
| MARK | WILLIAMS JR |
| DAVID | WILSON |
| THOMAS | WOJTAN |
| KEVIN | WOLF |
| PAUL | WOLF |
| MARK | WORRELL |
| LISA | YAEGER |
| GRANT | ZAJAS |
| JOHN | ZIMBERLIN |
| MICHAEL | ZOSH |

MINUTES
Meeting of the Board of Directors
Erie County Bar Association Aid to Indigent Prisoners, Inc.
January 24, 2013

Present: John Aman, Richard Barnes, Robert Convissar, Julie Dee, James DeMarco III, Brenda Freedman, Robert Goldstein, Daniel Henry Jr., Hon. Michael Hudson, Catherine Nagel, John Nucheren, Robert Lonski, Joseph Terranova, Ayoka Tucker, and Peter Vasilion

Mr. Convissar convened the meeting at approximately 12:15 p.m.

The minutes of the meeting of November 15, 2012 were reviewed and approved unanimously.

Mr. Lonski reported that the 2013 budget was approved by both the County Executive and the Legislature at the amounts requested by the Program. He also reported that the primary funding contract between the county and the Assigned Counsel Program has been drafted and is in the process of being signed, as is the 2012-2015 ILS contract for approximately \$720,000. Likewise, he reported that billing against the current one-year ILS contract of \$106,500 has been completed in the total amount of slightly over \$103,000.

He advised that a three-year ILS grant application for counsel at arraignment in the amount of approximately in the amount of nearly \$600,000 is being finalized and will be submitted within the next two weeks. It involves a combination of attorneys scheduled to be present for arraignments in the larger courts for specified periods of time each day, along with a system of on-call attorneys throughout the county.

The financial report was discussed and received by the Board.

Mr. Lonski reported on 2012 CLE programs presented by the Program. He noted that there were 5 large-group programs and 43 small-group programs presented, with a total of over 700 attorneys attending live trainings last year. An additional 182 attorneys reviewed DVD recordings of Assigned Counsel Program presentations and received CLE credit as a result.

Mr. Lonski advised the Board that he will likely be out of the office for most of the month of February as a result of an elective surgical procedure that he will be undergoing.

By unanimous vote, the Board entered into executive session at approximately 12:40 p.m. to discuss personnel issues, those being attorney applicants and panel attorney reviews. The executive session was concluded at approximately 1:20 p.m., with recommendations

of the Professional Standards Committee being accepted unanimously with respect to the following attorneys applying for participation in the program: Jennifer McCann, Heather Anderson, Fritzgerald Tondreau, Julie Kruger, Lisa Gibertonik Lisa Valvo, Ann Anderson, Daniel Piotrowicz, and David Roggenbaum.

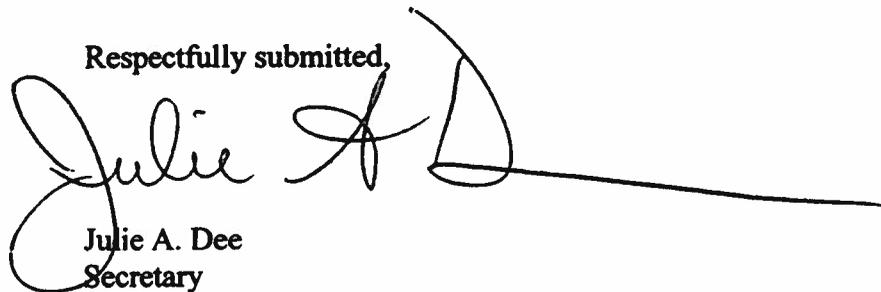
The recommendations of the Committee regarding the following attorneys, who were the subject of panel reviews, were also accepted unanimously: Daniel Boeck, Matthew Brooks, Wesley Brown, Catherine Carey, Tara Evans, Jennifer Farrell, Fred Lang, James Maloney, Joan Maloney, Mark Multerer, Arthur Pressman, Patrick Stafford, John Keavey (as modified by the Board), Stephen Kennedy, Kathleen McDonald, Susan Reinecke, Debra Rougeux, Pieter Weinrieb, David Wilson, Jeffrey Abate, Anthony Abbarno, Paul Cleary, James Dematteo, Paul Michalek Jr., Brian Parker, Kim Paul, and Barry Dolgoff.

The upcoming Attorney Recognition Reception was discussed, and the date of March 14th was agreed upon. The event will take place this year at Aqua, which is the former Harry's Harbor Place on Niagara Street. The Board agreed that the attorneys to be honored as outstanding practitioners this year will be William Broderick Jr. in the area of Family Court practice, and Nicholas Hicks in criminal defense.

Mr. Convissar emphasized the need for Board contributions toward the event, and Ms. Schultz advised that a letter soliciting donations will be going out in the near future.

There being no further business, the meeting was adjourned at 1:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Julie A. Dee", with a long horizontal line extending to the right from the end of the signature.

Julie A. Dee
Secretary

RDL:rl

MINUTES
Meeting of the Board of Directors
Erie County Bar Association Aid to Indigent Prisoners, Inc.
November 15, 2012

Present: John Aman, Robert Convissar, Julie Dee, James DeMarco III, Brenda Freedman, Robert Goldstein, Daniel Henry Jr., Earl Key, Catherine Nagel, Robert Lonski, Joseph Terranova, Ayoka Tucker, Peter Vasilion, JoAnn Wahl and Karen Welch

Mr. Convissar convened the meeting at approximately 12:20 p.m.

The minutes of the meeting of September 5, 2012 were reviewed and approved unanimously.

Mr. Lonski presented a summary of the recent Court of Appeals decision in NYCLA v. Bloomberg, along with a short analysis of the implications of the decision for the Assigned Counsel Program.

He then reported that the County Executive's budget reflected the entire amount requested by this organization, parenthetically noting that the budget only contained about 25% of the increase requested by the Legal Aid Bureau this year. He then presented a brief report on the current finances of the organization as a supplement to the written report that had previously been sent to the Board.

Mr. Lonski briefly reviewed the current ILS grants, and discussed the upcoming requests for proposals that are expected to be generated by the ILS office. These include expanded representation at arraignment in criminal cases, and possible regional initiatives. He discussed the possibility of combining arraignment "attorneys of the day" with an "on-call" system in order to maximize coverage in a cost-effective manner, and the Board indicated its approval of those possibilities. Additionally, it was the consensus of the Board that Mr. Lonski should continue to actively explore opportunities to offer programmatic assistance and oversight on a regional basis.

He then reported on his communications with the Sheriff's Department regarding the possible development of attorneys' ability to check online the location, bail status, charging status, etc. of individuals in both the holding center and the county correctional facility. He was told that such capability is being planned, but will be undertaken only after a more general overhaul of the Department's computer system has been completed.

Mr. Lonski then reported on his positive meeting with Judges Feroletto, DiTullio and D'Amico regarding some concerns that had been expressed regarding one or two attorneys and the assignment processes. He advised that the concerns were fully addressed to the satisfaction of all.

Mr. Convissar advised that the Professional Standards Committee has a full schedule of interviews set up for the next two months, including felony, misdemeanor, and Family Court panel reviews, as well as interviews of new attorney applicants.

There being no further business, the meeting was adjourned at 1:20 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Julie A. Dee", with a long horizontal line extending to the right.

Julie A. Dee
Secretary

RDL:rl

MINUTES
Meeting of the Board of Directors
Erie County Bar Association Aid to Indigent Prisoners, Inc.
September 5, 2012

Present: John Aman, Richard Barnes, Robert Convissar, Julie Dee, James DeMarco III, Robert Goldstein, Daniel Henry Jr., Catherine Nagel, Robert Lonski, Joseph Terranova, Ayoka Tucker, Peter Vasilion, and JoAnn Wahl

Mr. Convissar convened the meeting at approximately 12:20 p.m. He welcomed Mr. Vasilion to the Board, and announced that John Nuchereno will be joining the Board in his capacity as the new Chair of the Criminal Law Committee of the Bar Association.

The minutes of the meeting of June 6, 2012 were reviewed and approved.

In light of the positive financial condition of the organization at this time, and the fact that the staff has not had pay increases since 2010, the Board approved a 2% increase for employees who currently earn less than \$40,000 per year, retroactive to July 1, 2012.

Mr. Lonski presented the proposed budget for 2013. In connection with that budget, the Board approved an average increase of 2% for all staff salaries. At his request, Mr. Lonski will receive a 1% increase. The budget, which reflects funding from the County of Erie in the amount of \$7,887,313, from ILS in the amount of \$250,266, and from NYS ATD in the amount of \$110,500, was approved unanimously. The county budget request is due on September 7th, and will be submitted in a timely manner.

Mr. Lonski presented the financial report of the organization through the end of July, 2012. He reported that, in addition to the revenue shown on the July 31st report, the program received in August its third payment from the county, and that cash flow remains good. He reported that the final payment for the year is in process. He also pointed out that program expenses continue to be significantly more manageable than they were at this time last year.

He also reported on his conversations with the County Budget Office and the ILS office in Albany, as a result of which the program is moving forward with preparation for the implementation of the 2012-2013 ILS grant at this time. The contracts are expected to be finalized shortly, and all assurances have been given that there will be no impediments to the finalizing of those contracts.

Mr. Lonski reported that a request for the extension of the 2011-2012 ILS contract has been approved.

The Professional Standards Committee reported on its activity since the last meeting and made its recommendations regarding new applicants, requests for panel upgrades, and

panel reviews. The recommendations with respect to all of those, which include the following attorneys, were approved unanimously:

New applicants: Justin Ginter, Kamran Hashmi, William Laakso, Christopher LaFever, Michael Leff, Roseanne McMorrow, Cory Missell, Cindy Navarro, Andres Ortiz, Neil Pawlowski, Charles Pitarresi, Daniel Novak, and Lori Roman;

Upgrade Request: Patrick Quinlivan (approved for full felony panel);

Misdemeanor Panel Review: Tamara Fowlston, Dean Lilac, and Gary Freedman;

Family Court Panel Review: George Adamson, Michael Cole, Gary Freedman, Joshua Korman, and Jessica Vesper.

The question as to whether the Board should continue to require membership in the New York State Defenders Association as a condition of participation on criminal panels was again tabled.

A resolution authorizing Mr. Lonski and the Treasurer, Mr. DeMarco, to conduct banking business for the organization at Citizens Bank was approved unanimously

There being no further business, the meeting was adjourned at 1:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Julie A. Dee". The signature is written in black ink and is positioned to the left of a long horizontal line that extends across the page.

Julie A. Dee
Secretary

RDL:rl