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COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

June 30, 2011

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

RE: Indigent Legal Services Grant

Honorable Members:

The attached resolution requests authorization to enter into contract with the State of New York Office of Indigent Legal Services to accept grant funding in the amount of \$213,225. Funds will be used to help improve the quality of representation to indigent defendants through the efforts of the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo.

Should your honorable body require further information, I encourage you to contact the Office of the County Attorney. Thank you for your consideration on this matter.

Sincerely,

CHRIS COLLINS
Erie County Executive

MEMORANDUM

TO: Honorable Members of the Erie County Legislature
FROM: Office of the County Attorney
RE: Indigent Legal Services Grant
DATE: June 30, 2011

SUMMARY

It is recommended that the Erie County Legislature authorize the County Executive to enter into contract with State of New York Office of Indigent Legal Services to accept grant funding in the amount of \$213,225. In addition, the resolution requests authorization to establish a grant budget and to subcontract with the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver the services required through the grant.

FISCAL IMPLICATIONS

There are no fiscal implications on the operating budget. All services will be fully reimbursed through New York State in the amount of \$213,225. \$106,500 of said funds will be utilized by the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo will receive \$106,725.

REASONS FOR RECOMMENDATION

Legislative approval is required for the County Executive to enter into contract, establish grant budgets and enter into subcontracts with community agencies.

BACKGROUND INFORMATION

The State of New York Office of Indigent Legal Services has made \$203,225 available to Erie County to improve the quality of representation provided to indigent defendants. Erie County will utilize the funds to improve services through the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo who contract with Erie County to provide all mandate indigent defense services.

The Erie County Bar Association Aid to Indigent Prisoners Society will utilize funding to enhance:

- the use of investigative and expert services
- attorney training
- existing services provided through social workers in order to link clients and their families to needed social or mental health services
- arraignment representation at the highest volume town court
- the use of co-counsel in extraordinarily complex cases

The Legal Aid Bureau of Buffalo will utilize funding to add additional staffing. One attorney will be added to the Bureau to further reduce caseloads in Buffalo City Court which has seen a significant increase in cases. A part time social worker will also be added in order to work in the Drug Court, Mental Health Court and Veteran's Court, whose clients typically require services

beyond legal counsel. Social work intervention is designed to help work with a client to identify appropriate community resources, monitor compliance between court appearances, provide support to clients who are having difficulties with their programs, and recommend appropriate alternatives when the court is considering incarceration as a sanction.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this resolution will serve to hinder the improvement of State mandated indigent legal services in Erie County.

STEPS FOLLOWING APPROVAL

Grant budgets will be established by the Division of Budget and Management. Contracts will be executed after final review by the Department of Law as to form.

A RESOLUTION SUBMITTED BY:
OFFICE OF THE COUNTY ATTORNEY

RE: Indigent Legal Services Grant

WHEREAS, the State of New York Office of Indigent Legal Services will provide \$213,225 to Erie County for the provision of enhanced indigent defense services, and

WHEREAS, Erie County will contract with the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver the services required through the grant,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York Office of Indigent Legal Services, in the amount of \$213, 225 to provide enhanced representation to indigent defendants; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into subcontracts in the amount of \$106,500 for Erie County Bar Association Aid to Indigent Prisoners Society and \$106,725 for the Legal Aid Bureau of Buffalo to deliver said services; and be it further

RESOLVED, that authorization is provided to establish grant funding in the County Attorney's Office as follows:

Erie County Attorney's Office	
Grant Fund 281	
June 1, 2011 to May 31, 2011	
Revenue	Increase
Account 409000 State Aid Revenue	\$213,225
Appropriation	Increase
Account 516601 Legal Aid Bureau	\$106,725
Account 516602 EC Bar Association	<u>106,500</u>
Total Appropriation	\$213,225

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to authorized personnel levels and county share amounts: and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Attorney, the Office of the Comptroller, the County Executive's Office and the Division of Budget and Management.