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COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

November 28, 2011

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

RE: Legal Aid Bureau - Retention of 2010 Surplus

Honorable Members:

The attached resolution requests authorization to allow the Legal Aid Bureau of Buffalo Inc. to retain a 2010 surplus of \$32,216.24. These funds were generated through their County funded Indigent Defense program which provides mandated legal services to those who cannot afford an attorney.

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: Legal Aid Bureau - Retention of 2010 Surplus
DATE: November 15, 2011

SUMMARY

The attached resolution requests authorization to allow the Legal Aid Bureau of Buffalo Inc. to retain a 2010 surplus of \$32,216.24. These funds were generated through their County funded Indigent Defense program which provides mandated legal defense services to those who cannot afford an attorney.

FISCAL IMPLICATIONS

There will be no negative impact on County finances. Funding will be utilized to support mandated County expense.

REASONS FOR RECOMMENDATION

It is recommended that the Bureau be allowed to utilize said funds in 2011 because the funding will provide mandated indigent defense services and help offset cutbacks in State grant funding.

BACKGROUND INFORMATION

The contract between Legal Aid and the County allows the Bureau to retain their year-end surplus if approved by the Legislature. Year-end 2010 financial statements identified a surplus of \$32,216.24 for the indigent defense program.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this request will hinder the operation of the Legal Aid Bureau.

STEPS FOLLOWING APPROVAL

The Legal Aid Bureau will retain their surplus.

A RESOLUTION SUBMITTED BY:
OFFICE OF THE COUNTY ATTORNEY

RE: Legal Aid Bureau –
Retention of 2010 Surplus

WHEREAS, the Legal Aid Bureau of Buffalo Inc. has a 2010 general fund surplus of \$32,216.24; and

WHEREAS, the County contract with said agency allows for retention of any operating surplus in the next fiscal year, subject to approval of the Legislature; and

WHEREAS, the Legal Aid Bureau will utilize said funds to provide State mandated indigent defense services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Legal Aid Bureau of Buffalo Inc., to retain their 2010 general fund surplus of \$32,216.24 for 2011 operational needs in the Indigent Defense Program; 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.