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COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

January 12, 2018

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

Re: Indigent Legal Services Grant Amendment – ILS Distribution #5

Dear Honorable Members:

The attached resolution requests authorization to extend the term of a contract with the New York State Office of Indigent Legal Services for an additional one-year period. Funding is used to help improve the quality of representation to indigent defendants through the efforts of the Erie County Bar Association's 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,

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/map

MEMORANDUM

TO: Honorable Members of the Erie County Legislature
FROM: Office of the County Attorney
RE: Indigent Legal Services Grant Amendment– ILS Distribution #5
DATE: January 12, 2018

SUMMARY

It is recommended that the Legislature authorize the County Executive to enter into a contract amendment with the New York State Office of Indigent Legal Services to extend the contract term for an additional one-year period. In addition, the resolution requests authorization to subcontract with the Erie County Bar Association's 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.

REASONS FOR RECOMMENDATION

Legislative approval is required for the County Executive to enter into contract amendment to extend the grant periof and enter into subcontracts with community agencies.

BACKGROUND INFORMATION

Your Honorable Body previously approved COMM 10E-23 (2015) authorizing the County to enter into a three year contract with the New York State Office of Indigent Legal Services through which $2,910,255 was made available to Erie County to improve the quality of representation provided to indigent defendants. Erie County utilizes the funds to improve services through the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo who contract with Erie County to provide all mandate indigent defense services. At the request of the contract agencies, the New York State Office of Indigent Legal Services has agreed to extend the contract tem for an additional one year period to allow the agencies to complete the terms and conditions of the grant.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this resolution will serve to hinder the improvement of State mandated indigent legal services in Erie County. The contract agencies will be unable to realize full funding under the grant.

STEPS FOLLOWING APPROVAL

Grant period will be revised by the Division of Budget and Management. Contract amendments will be executed after final review by the Department of Law as to form.

A RESOLUTION SUBMITTED BY:
THE OFFICE OF THE COUNTY ATTORNEY

RE: Indigent Legal Services Grant Amendment– ILS Distribution #5

WHEREAS, the New York State Office of Indigent Legal Services provided a three-year grant totaling $2,910,255 to the County for the provision of indigent defense services, and

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

WHEREAS, the New York State Office of Indigent Legal Services has agreed to extend the contract tem for an additional one-year period to allow the agencies to complete the terms and conditions of the grant

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract amendment with the State of New York Office of Indigent Legal Services, extending the contract term for an additional one year period of January 1, 2018 to December 31, 2018; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into amendments to the subcontracts with the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of extending the contract term for an additional one-year period of January 1, 2018 to December 31, 2018; and be it further

RESOLVED, that authorization is provided to extend the grant period of 160QID5ILS1517 in the County Attorney's Office to December 31, 2018; 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.