



**Real Attorneys
Professional Defenders**

ASSIGNED COUNSEL PROGRAM

Michelle Parker, Director/Chief Defender

EC LEG JUL 19 '21 AM 11:42

The Brisbane Building
403 Main Street, Suite 215
Buffalo, NY 14203

Phone (716) 856-8804
Fax (716) 856-0424

Officers 2021-2022

Catherine E. Nagel
President

James DeMarco III
Vice President

Anne Joynt
Secretary

Ayoka Tucker
Treasurer

Daniel P. Grasso
First Deputy Defender
Criminal Division

Yvonne Vertlieb
Second Deputy Administrator
Family Division

Mark A. Worrell
Deputy for Quality Assurance

Nicholas T. Texido
Deputy for Litigation Support
And Appellate Bureau

Thomas P. Franczyk
Deputy for Legal Education
Director of the
John R. Nucheren
Center for Legal Excellence

Alicia M. Lilley
Deputy of Forensic Practice
Group

Mission Statement

We strive to help those who cannot help themselves; who face steep odds against the power of the State; and who struggle with poverty, mental issues, helplessness, and dread. We save lives and we save families. We are the first line of defense for the freedoms granted to us by the U.S. Constitution and the Bill of Rights.

July 14, 2021

Robert 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, cash basis, for the period 1/1/21-6/30/21, 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.

Thank you.

Very truly yours,

Michelle Parker
Director/Chief Defender

MP:hpk
Encs.

**ECBA AIP
Assigned Counsel Program**

Report to the Clerk of Erie County Legislature

Period 1/1/21-6/30/21

Source of Funds:

County of Erie:	\$4,408,694
NYS: ILS (2020)	1,351,865
Donation - Training Restricted	0

Total: \$5,760,559

Program Expenditures:

Attorney Fees	2,798,739
Transcripts	20,342
Experts	76,337
Investigators	20,054

Total: \$2,915,473

Administration:

Personnel (Wages, Hosp, FICA, Unemploy, Disability, Work. Comp & Pension)	1,364,080
Util/Telephone	13,748
Space Rental	79,339
Office Supplies	15,287
Postage	207
Travel/Conferences	6,781
Vehicle Lease (ILS/NYS approved)	1,434
Insurance	3,003
Legal/accounting (Accountant)	0
Dues & Assoc. Membership Fees	3,535
Office Printing/copying (Reproduction)	5,512
Training	56,881
Equipment Purchase	1,917
Computer Maintenance	34,589
Legal Publications	10,392
Temp & Law Student	0
Consultants	14,432
Payroll Service	3,042
Bank Charges	0
Online Billing Software fees	18,544
Misc (Misc & Misc Volunteer Support)	908

Total: \$1,633,631

Grand Total: \$4,549,103

Assigned Counsel Panel**Active****As Of June 30, 2021**

JEFFREY	ABATE	ANTHONY	DOMENICO
ANTHONY	ABBARNO	ALAN	DONATELLI
CHERYL	ALOI	CECILE	DORLIAE
FLORINA	ALTSHER	CONNOR	DOUGHERTY
FRANCIS	AMENDOLA	DANIEL	DUBOIS
ELENA	ANCONA	THEARTHUR	DUNCAN
RYAN	ANDERSON	JASON	EVANS
HEATHER	ANDERSON	COURTNEY	FAIRCLOTH
JOHN	ANGE	ANTHONY	FARACO, JR
SARA LEE	ANTHIS	JENNIFER	FARRELL
JAMES	AURICCHIO	NOEMI	FERNANDEZ
ARIEL	BAUERLE	M. KREAG	FERULLO
WILLIAM	BECK	GREGORY	FINA
JOHN	BEDASKA	ANDREW	FISKE
DEBRA	BENDER	ROBERT	FLYNN
CATHERINE	BERCHOU	CORTNEY	FRANK
SCOTT	BERNARD	KATHRYN	FRIEDMAN
CATHERINE	BILLANTI	ANDREW	FRITSCH
RACHEL	BLACHOWICZ	TIMOTHY	GALLAGHER
ASHLEY	BLAHOWICZ	PATRICK	GARRITY
FRANK	BOGULSKI	GIOVANNI	GENOVESE
ADAM	BOJAK	KENNETH	GIBBONS
GAIL	BREEN	KEVIN	GIBBONS
ELIZABETH	BREWER	JAMES	GIOIA
WILLIAM	BRODERICK JR	REBECCA	GIOIA
MATTHEW	BROOKS	ROBERT	GOLDSTEIN
ANGELO	BUFFOMANTE	CHARLES	GREENBERG
FRANK	BYBEL	ALVIN	GREENE
MARK	BYRNE	JOHN	GRENNELL
IAN	CANTERBURY	DANIEL	GRIEBEL
ANTONIO	CARDARELLI	MARK	GUGLIELMI
CATHERINE	CAREY	IAN	HARRINGTON
RYAN	CARNEY	JEFFREY	HARRINGTON
ANTHONY	CHABALA	TIMOTHY	HENNESSY
MARY	CHAN	KAREN	HENSLEY
ELIZABETH	CIAMBRONE	MARISSA	HILL
MICHAEL	CIMASI	KAITLYN	HOERNER
JAMES	CIMINELLI	ALAN	HOFFMAN
RICHARD W.	COLE	FRANK	HOUSH
KEVIN	CONDON	STEPHEN	HUGHES
CAITLIN	CONNELLY	FRANK	IERACI
MICHAEL	CONROY	JUSTIN	JABLONSKI
CINDY	COOPER	KATHLEEN	PLATZER
AMY	COUNTER	MICHAEL	PORETTA
WILLIAM	CURTIN	TODD	POTTER
ROBERT	CUTTING	JOSEPH	JARZEMBEK
SAMUEL	DAVIS	HOPE	JAY
PAUL G.	DELL	ROBERT	JOHNSON
JAMES	DEMATTEO	DEONNA	JONES
GINA	DEPRIMA	KEVIN	KANE
LAWRENCE	DESIDERIO	KELLY	KAPPERMAN
BARRY	DOLGOFF	SUSAN	KARALUS

**Assigned Counsel Panel
Active
As Of June 30, 2021**

SEAN	KELLY	MARK	SACHA
STEPHEN	KENNEDY	BRENT	SALEVSKY
DENIS	KITCHEN	SALVATORE	SANFILIPPO
MICHAEL	KOBIOLKA	SABBY	SANTARPIA
JEFFREY	KRAJEWSKI	JEFFREY	SANTORO
PAUL	KULLMAN	DAVID	SARKOVICS
JESSICA	KULPIT	DANIEL	SCHAUS
LEE	LAMENDOLA	JEFFREY	SCHERER
ANTHONY	LANA	SAMANTHA	SCHULTZ
JAMES	LAZARUS	LAWRENCE	SCHWEGLER
RICHARD	LEFF	DEBORAH	SCINTA
CLAYTON	LENHARDT	JOSEPH	SCINTA
DEAN	LILAC	SETH	SEEGERT
FRANK	LONGO	MARC	SHATKIN
KATRINA	LOSS	KRISTOPHER	SIGETI
BRIAN	MACDONALD	CARA	SMITH
PARKER	MACKAY	VICTORIA	SMITH
JAMES	MALONEY	JENNIFER	SMITH
JOAN	MALONEY	KEVIN	SPITLER
CORINNE	MANFREDI	KRISTEN	SPULECKI
MINDY	MARRANCA	MICHAEL	STACHOWSKI
RACHEL	MARRERO	JOSEPH	STADLER
JENNIFER	MCCANN	ROBERT	STEINHAUS
STEPHEN	MCCANN	DOUGLAS	STILLER
KATHLEEN	MCDONALD	MATTHEW	SWERDLIN
MICHAEL	MCKEATING	CELIA	SZCZUR
PATRICK	MCLAUGHLIN	DANIEL	TARANTINO
PAUL	MICHALEK JR	JOSEPH	TERRANOVA
TARA	MIDLIK	FRANCIS	TESSEYMAN JR
SAMUEL	MISERENDINO	PAMELA	THIBODEAU
JOSEPH	MUSCATO	DELREASE	TOTA-NEAL
TERENCE	NEWCOMB	BRIAN	TOWEY
JON ALLON	NICHOLS	EMILY	TROTT
ANN	NICHOLS	AYOKA	TUCKER
BARBARA	O'NEILL	LANA	TUPCHIK
EVELYNE	O'SULLIVAN	JOSEPH	TURNER
MAYADA	OSMAN	STEPHEN	UNDERWOOD
DAVID	PAJAK	GINA	VALLONE-BACON
BRIAN	PARKER	PETER	VASILION
VINCENT	PARLATO	CATHARINE	VENZON
KIM	PAUL	JESSICA	VESPER
TIMOTHY	PAWARSKI	LOUIS	VIOLANTI
BRITTANY LEE	PENBERTHY	JEFFREY	VOELKL
MARY	PENN	DANIEL	WARD
DEAN	PULEO	PIETER	WEINRIEB
PATRICK	QUINLIVAN	CRYSTAL	WENTZ
ANDREW	RADACK	DANIEL	WHORLEY
SCOTT	RIORDAN	WALLACE	WIENS
LINWOOD	ROBERTS	DAVID	WILSON
NORA	ROBSHAW	THOMAS	WOJTAN
MARIA	ROSCIGLIONE	PAUL	WOLF
NICHOLAS	ROSSI	MICHAEL	ZOSH
DEBRA	ROUGEUX		
BRIAN	RUFFINO		
LISSETTE	ROUTOLO		
KAREN	RUPP		

MINUTES
Meeting of the Board of Directors
Erie County Bar Association Aid to Indigent Prisoners Society, Inc.
Regular Meeting Called By President
February 17, 2021

Board Members present: Hon. Michael Hudson; Robert Feldman; Hon. John J. Aman; Catherine Nagel; Robert Goldstein; Anne Joynt; Brittanylee Penberthy; Hon. Jennifer Stergion; Ayoka Tucker; Peter Vasilion; James C. DeMarco III; Matthew Kibler; Hon. JaHarr Pridgen; Hon. Sharon LoVallo; Terence Newcomb; Emily Trott; Hon. Craig T. Hannah; Michelle Parker, Administrator.

Guests present: Hope Keilman, CFO.

The Chair, Vice-president Terry Newcomb, acting by designation by President Barnes called the meeting to order at approximately 12:20 p.m.; a quorum was present.

Item 1 – Minutes. The Minutes of the prior Board Meeting were moved for approval. Director Feldman raised a point of order that one Board Member's name was misspelled. A motion was thereafter made by Director Nagel to accept the minutes as corrected; seconded by Director DeMarco. Carried; no abstentions or "nay" votes.

Item 2 – Administrator's Report. The Chair recognized the Administrator, Michelle Parker, to give her report.

1. The Program is ensuring updates to the panel list regarding local changes arising from Covid-19; started a Friday missive to the panel list re: various items of interest; this week there was a protocol issued re: non-jury trials; Deputy for CLE and Training Hon. Tim Franczyk (ret.) will develop a CLE. The Buffalo News ran an article about City Court dismissals; J. Franczyk will re-issue to the panel his prior communications about trial-readiness and the DA's obligation re: discovery.
2. The Administrator reported that she met with her counterpart at the Legal Aid Bureau of Buffalo and the Bureau's leadership team. The meeting went well; each organization resolved to cooperate in their respective missions. This was a goodwill meeting and the Administrator's first opportunity to meet with Mr. Schopp. ACP is now tee'd up for a collaboration with the Bureau for a CLE on re-entry services for both programs' attorneys.
3. The Administrator Parker met virtually with the statewide Chair of the Indigent Legal Services, William J. Leahy, and Counsel Patricia Warth, and separately with ILS Interim Chief Statewide Implementation Attorney, Matt Alpern. Mr. Leahy advised that he will be retiring this summer.

4. Ms. Parker discussed indigent representation in the face of the 2022 State Budget. She believes that the State will fully fund its obligations under the *Hurrell-Harring* settlement.
5. The Administrator reports that she developed and issued an ACP policy for staff regarding political activity.
6. Administrator Parker discussed the recent Buffalo News article about a spate of criminal case dismissals due speedy trial rules. Ms. Parker advises that the panel attorneys have been advised to review their cases and where appropriate file motions to dismiss under 30.30 and 180.80 limitations. Director Penberthy asked whether ACP could query the defenderData system to show how many Buffalo City Court files were opened between January 1, 2020, and June 30, 2020 that are still open and for which motions can be made. The Administrator believes that individual attorneys must still make the motions and decide in each of his or her professional judgement whether to bring such a motion. The Program does not have direct control over panel attorneys to the degree that the Public Defender's office does. There was further discussion. The Administrator pointed out that, using Constant Contact, the program is making sure the panel attorneys are aware of the issue and that they should individually review their files to make motions where appropriate.
7. Ms. Parker discussed the implementation of the LEAD (Liberating and Empowering All Defendants) which was initiated by Deputy Director Mr. Grasso; this provides social worker services to the client and panel attorneys on the Criminal side. There was a recent case where one of the criminal panel attorneys obtained an extraordinarily favorable resolution using our mitigation specialist, Tara Evans and LEAD supervising social worker Amy Trabert, LMSW. This is now tee'd up for a CLE by Judge Franczyk to train the panel on how to engage with and rely upon the assistance of mitigation support and a social worker.
8. The Administrator noted that on the Family Court side, there is a Family Court services coordinator to assist the FC panel and their clients.
9. The Administrator then discussed the 2022 ACP budget. The current plan contemplates creating a social worker managerial position. This future hire would hold a Ph.D. and be responsible to manage our on-staff social workers and handle associated matters. This future position contemplates a \$10,000 raise over our current rate. Also, the program desires to add a dedicated writer to serve under our mitigation specialist. This contemplates a change in the assignment process whereby attorneys will be assigned before first appearance in all cases where the litigants qualify for indigent representation and express a desire for a referral to assigned counsel.
10. Ms. Parker also discussed Deputy Director Mr. Grasso's proposal for a program where panel attorneys will be able to set up an individual retirement plan and designate a portion of their monthly checks to be diverted to a tax deferred retirement

account. This is tee'd up with Equitable, the company that manages the ACP employee retirement savings program.

11. The Administrator then discussed having entered into a verbal agreement with a former panel attorney with connections in underrepresented communities who would be willing to return to the panel and provide mentoring assistance.
12. Lastly, Administrator Parker discussed the Bar Association's 21-Day Diversity Challenge and advised she has committed to participate in the 21-Day program. She encouraged all Board Members to familiarize themselves with the program and make an individual commitment.

Item 3 – CFO Report. Hope Keilman was recognized by the Chair for her report. Ms. Keilman reports that staffing has nearly doubled from 18 employees to 31 employees in three years. All the new hires were in connection with the *Hurrell-Harring* settlement. Ms. Keilman reported that the program is currently under budget for 2021, year-to-date. Filings are significantly lower than the same time last year; all due to COVID and the Court's hiatus. The CFO anticipates that this will not last long and that there will be an increase in filings as the year progresses.

Item 4 - New Business. The Administrator advised that Board of Director tenures expire on April 1 and there will be a round of re- and new appointments.

A Motion was by Director Hon. Stergion to enter executive session in order to discuss personnel matters. Seconded by Director Joynt. Carried.

The Board left executive session.

The Chair recognized Director Tucker. Ms. Tucker desired to extend her appreciation to the Board for all of the members who took seriously the Executive Director search and tackled many thorny issues in the last year.

Director Hon. Stergion then moved to close the meeting. This was seconded by Director Hon. LoVallo. Motion carried, unanimously. Meeting closed at 1:08pm.

The next meeting is the Annual Meeting of the Board on April 21, 2021.

Respectfully submitted,

Peter Vasilion, Esq
Secretary

MINUTES
Meeting of the Board of Directors
Erie County Bar Association Aid to Indigent Prisoners Society, Inc.
April 21, 2021

Present: Michelle Parker, Hon. John Aman, Hon. Christopher Burns, James DeMarco, Hon. Craig Hannah, Hon. Michael Hudson, Anne Joynt, Hon. Sharon LoVallo, Rashied McDuffie, Terence Newcomb, Hon. JaHarr Pridgen, Catherine Nagel, Brittanylee Penberthy, Emily Trott, Ayoka Tucker, Peter Vasilion.

Excused: Richard Barnes; Oliver Young

Guests: Hope Keilman, CFO; Amy Brown, ACP Executive Admin. Assistant

1. A quorum being present, Administrator Michelle Parker called the meeting to order at 12:16 p.m.
2. The Board minutes from February 17, 2021, will be presented and approved at the next Board meeting in June.
3. Annual Meeting: Motion to postpone Annual meeting until after the Administrator's Report and CFO's Report to permit additional Board members to sign on; moved by Hon. Sharon LoVallo; seconded by Hon. Craig Hannah. Unanimous.
4. Administrator Report to Board:

Michelle Parker issued an oral report on Program Operations:

- i. Communications to the Panel: Weekly Constant Contact, also started posting on the ACP's Facebook page;
- ii. Diversity training completed; obtaining quarterly reports as to the diversity makeup of the criminal panel, the family court panel, and the Program staff;
- iii. Judge Feroletto's Order suspending client eligibility screenings has not changed;
- iv. Report of communications with NYS Office of Indigent Legal Services;
- v. Family Court: ILS Grant for Parental Representation: meeting with ACP Board Family Court Subcommittee on April 23 at noon;
- vi. Criminal: LEAD Program-Adding 2 social workers in May 2021; a mitigation success by Tara Evans was adopted into a CLE by Judge Franczyk; ACP held first podcast concerning marijuana reform by Nicholas Texido, Judge Franczyk and Board member Brittanylee Penberthy; temporary hire of an Investigator to replace John Garcia while he is on unpaid leave (campaigning for Erie County Sheriff);
- vii. Services to Panel Attorneys: follow to Dan Grasso's idea re: retirement savings -- held a Practice Management CLE for Panel Attorneys re: how the Program to permit retirement savings from voucher payments;

- viii. Legal Aid Bureau of Buffalo: several communications and virtual conferences with LABoB ED David Schopp re issues shared by our programs; collaborated with LABoB for a CLE re: re-entry with presenters from both programs;
- ix. Space: description of neighboring space at Suite 225 as set forth in the proposed layout; the need for space arising from growth as to social workers and investigators whose work requires and the need for walled offices and intention to execute a lease for the space. There were no questions by the Board.

5. Chief Financial Officer's Report to the Board

Hope Keilman issued an oral report on Program Finances:

- i. February 2021-under budget, \$440,000;
- ii. Slightly over on NYS unemployment insurance due to former employee CD and an employee whose spouse had to move out of state for employment reasons;
- iii. Cash flow is strong because Erie County paid through 6/30/21;
- iv. ILS reimbursed ACP for everything requested through 12/31/2020;
- v. Cases are down 30% but have begun ramping up; referrals are mainly through emails and we now have a texting service for Intake personnel to communicate with clients;
- vi. Filed the ILS 195 by the 4/1/2021 deadline; requires to be broken down by more definitive case categories for 2021; need to report arraignments with 2022 report and provide Aid to Defense report every quarter for major violent felonies;
- vii. There is no written report at this time for the consideration of the Treasurer and the Board; that will occur in August after receipt of the Annual Financial Report upon review by an independent auditor.

6. Minutes – Motion to permit Amy Brown, confidential Executive Administrative Assistant to Michelle Parker, to assist in taking meeting notes today and all future board meetings; moved by Anne Joynt; seconded by Terence Newcomb. Unanimous; abstain: Emily Trott.
7. Annual Meeting- Motion to go into the Annual Meeting; moved by Hon. Sharon LoVallo; second by Hon. Michael Hudson; motion passed unanimously. Pursuant to the Board's action at the 2020 Annual Meeting, the following Board members were elevated from -elect to officer positions:

Catherine Nagel-President
James DeMarco-Vice President
Ayoka Tucker-Treasurer
Anne Joynt-Secretary

The following outgoing Officers were thanked for their service for 2020/2021:

Richard Barnes-President

Terrence Newcomb-Vice-president
Peter Vasilion-Secretary

The following outgoing Director was thanked for his service for 2015-2021 (2 terms):
Robert Feldman.

Ayoka Tucker (Treasurer for 2020/2021, and 2021/2022) spoke about the impressive service to the Board by the outgoing Officers and Director, and all the Board members, during a challenging year.

Terence Newcomb, on behalf of Richard Barnes, advised that the Nominating Committee has not completed its slate of officer-elect positions for 2021/2022; President Nagel instructed that their report will be on the June 2021 agenda.

Motion to instruct the Administrator and CFO to take steps to obtain a plaque or other recognition to be given to outgoing Board members to acknowledge the Board's gratitude for their service, for this year and all future years; moved by James DeMarco; on the question: Michelle Parker noted that at present, this would apply to Robert Feldman, since the outgoing officers (Barnes, Newcomb, and Vasilion) still have time in their term of service; proposed that the plaques should recognize both director and officer service when issued to one going off the Board; and requested that the Board include for a plaque Mark Worrell in recognition of his long-term service on the board which concluded in 2020 due to a bylaw change; moved as amended by James DeMarco; seconded by Hon. Craig Hannah. Unanimous.

Motion to close the Annual Meeting; moved by Hon. John Aman; seconded by Ayoka Tucker. Unanimous.

8. Unfinished business and general orders: Work of the Nominating Committee carried over to June meeting.
9. By-Law Committee for 2021/2022: Michelle Parker noted that the by-laws do not provide for a standing By-law committee, and that the President can otherwise designate such a committee. President Nagel instructed that she will form a By-Law Committee; she requested that any board member who wishes to serve on this Committee to please email her of their interest. Formation of such a Committee can be approved by the Board's action at the June meeting, once the persons serving are identified.

10. New Business:

- a. Michelle Parker discussed the Resolution from Chrysler; the company requires a not-for-profit Board to issue approval with respect to vehicle lease; this will be for use by the Investigators; discussed the Motor Vehicle Use policy developed by Supervising Investigator David Kubiak and her; responded to inquiries by Hon. Christopher Burns re: the competitive pricing method and type of vehicle (a Jeep Cherokee.) Motion to approve the Resolution by Terence Newcomb; seconded by Emily Trott. Unanimous.

- b. Emily Trott raised questions about if there was any progress in raising attorney rates; Michelle Parker described the bills in the Senate and Assembly to raise the 18-B rates but that these were not part of the April 5 state budget when it passed. Trott inquired about use of ACP funds to supplement the 18-b rate. CFO Hope Keilman described that ACP is bound by its contract with the County as to reliance upon the statutory rate and that the Program can be penalized for use of funds outside of the contract; that the Program requires the State to change the 18-B rates. Trott queried about the efforts to change the 18-B rates; Parker advised that it not known to her why the Legislature did not pass the raise in the budget. Trott noted that this would impair the Program ability to attract talent; Parker agreed but noted that for now, our Performance Report to ILS by April 30 will note that the Program added 20 new attorneys to our panel in 2020 and the first quarter of 2021.

Peter Vasilion noted that an organization was formed to lobby specifically on this issue: the ACA-NYS (Assigned Counsel Association – NYS, Inc.; note: <https://www.facebook.com/acanysinc/>.) Parker noted that she, First Deputy Director Dan Grasso and Second Deputy Administrator Yvonne Vertlieb have each joined ACA-NYS.

Vasilion agreed to President Nagel's request to Chair an *ad hoc* committee to address Lobbying, particularly with respect to an increase to 18-B rates. President Nagel ask the Board members to contact Vasilion if they are interested in serving in that respect. Formation of such a Committee can be approved by the Board's action at the June meeting, once the persons serving are identified.

- c. There was no other business raised for discussion.

11. Motion to adjourn until the June meeting on Wednesday, June 16 (third Wednesday in June) at 12:15 p.m.; moved by James DeMarco; seconded by Anne Joynt. Unanimous.

MINUTES
Meeting of the Board of Directors
Erie County Bar Association Aid to Indigent Prisoners Society, Inc.
June 16, 2021

Present: Michelle M. Parker, Hon. Christopher J. Burns, Vice-president James C. DeMarco III, Robert M. Goldstein, Hon. Craig D. Hannah, Hon. Michael E. Hudson, Matthew J. Kibler, Hon. Sharon LoVallo, President Catherine E. Nagel, Terence B. Newcomb, Brittanylee Penberthy, Emily Trott, Treasurer Ayoka Tucker, Peter P. Vasilion.

Excused: Hon. John J. Aman, Secretary Anne Joynt, Hugh M. Russ, Joseph Terranova

Guests: Hope Keilman, CFO; Amy Brown, Executive Admin. Assistant.

1. A quorum being present, Administrator/Chief Defender Parker called the meeting to order at 12:22 p.m.
2. Approval of Board Minutes form February 17, 2021. No comments. Motion to approve by Mr. Goldstein; seconded by Hon. LoVallo. Unanimous.
3. Approval of Board Minutes from April 21, 2021. No comments: motion to approve by Mr. Goldstein; seconded by Hon. Lovallo. Unanimous.
4. Administrator Report to the Board:
 - Parker issued an oral report on Program Operations:
 - i. Continue Constant Contact on a weekly basis, the weekly missive received positive feedback from ILS;
 - ii. Quarterly Diversity Reports to continue;
 - iii. The program is currently interviewing for 2 Investigators positions, second interviews are currently in progress and a decision should be made this week;
 - iv. Remote staff to continue working from home.
 - v. Training seminars to take place:
 - a. Interview training in Fall of 2021 for Executive Staff and Supervisors;
 - b. Sexual Harassment Training for all staff which will take place on June 29.
 - c. Both trainings will be led by Triple Track HR Partners which is a locally women-owned business. They will also lead the Workplace Violence Training to be held in the near future.
 - d. Disney Leadership Training for Executive Staff – was purchased in 2020, no trainings yet completed; this will take place on Friday July 2, 2021.
 - e. The Program will aim to rely upon locally owned support for future training.
 - vi. Client eligibility has not yet changed under the Administrative Order issued in March 2020 by Hon. Paula Feroletto. Judge Feroletto is to step down and we will await a rescission of this order.

- vii. ILS:
 - a. Patricia Warth has been elevated to Director of ILS
 - b. We timely filed the ILS Performance Measures Report by 4/30/2021; a copy of the report was shared with the Board.
 - c. ILS Eligibility CLE will be held on Wednesday, 6/30/21; attending: Parker, Daniel Grasso, Yvonne Vertlieb, Jill Crist, and Yvonne Banks.
 - d. We applied for the \$2.5 million dollar grant for improvement to parental representation; Erie County ACP was 1 of 7 counties that applied. Marie Cannon, Commissioner of Erie County Department of Social Services sent a letter of support. Parker thanked Hon. Sharon LoVallo for her leadership and the Board's Family Court committee on their assistance and support.
- viii. Auditors will be in the week of June 28th and once available a financial report will be submitted to the Board Treasurer Ms. Tucker.

5. Chief Financial Officers Report to the Board:

Hope Keilman issued an oral report on Program Finances:

- i. June 2021-Under budget, \$730,000; due to Covid.
- ii. June 2021-Employee wages under budget, \$44,000.
- iii. June 2021-Hospitalization under budget, \$21,000.
- iv. June 2021-Slightly over on NYS unemployment insurance, \$9,000.
- v. June 2021-Voucher program slightly over, \$5000; due to not charging panel attorneys the voucher fee due to Covid; we will hold this until numbers go back up.
- vi. Good on receivables; Caseloads have risen to 500 per week. Paid \$500,000, 2 months ago paid \$400,000.
- vii. Virtual audit has been ongoing this week; a Financial Report will be submitted when completed.

6. Unfinished Business:

By-Laws Committee: Parker noted the outstanding matter; President Nagel stated that she would like to staff the subcommittee today; there were three volunteers: Hon. John J. Aman; Terence B. Newcomb; and Hon. Michael E. Hudson. President Nagel said she would step in for the time being as Chair until the Committee can meet and select its own chair.

7. New Business:

- i. Parker advised that former Director Robert Feldman had been listed as a contact for the Whistleblower Policy under "Contact Information." Since he is no longer on the Board, a substitute is required. Vice-president DeMarco volunteered. Motion to nominate Mr. DeMarco by Hon. Michael E. Hudson, seconded by Hon. Sharon LoVallo. Unanimous.

8. Nominating Committee:

- i. Parker read the report of the Nominating Committee meeting held on 5/6/2021:
 - a. Single open Board seat: Joseph Terranova nominated for 2021-2024.
 - b. Nominations for Board April 2022: Terence B. Newcomb, President-elect; Peter Vasilion, Vice-President-elect; Anne Joynt, Secretary-elect; Rashied McDuffie, Treasurer-elect.
 - c. No further nominations. Motion to close nominations by Mr. Goldstein; seconded by Mr. Vasilion. Unanimous.
 - d. President Nagel took a vote for the nominations slate; passed unanimously.

9. Executive Session:

- i. Mr. Vasilion volunteered to take Executive Session notes. Motion to go into Executive Session by Mr. Newcomb; seconded by Mr. Goldstein; passed unanimously. Hope Keilman and Amy Brown exited the meeting.
- ii. The Board left Executive Session.

10. The next meeting is on Wednesday, August 11, 2021 at 12:15 pm (one week earlier than usual due to Parker's scheduled vacation.) The next meeting after that is Wednesday, November 11, 2021 at 12:15 pm (the third Wednesday in November.)

11. Motion to close the meeting by Hon. LoVallo; seconded by Treasurer Tucker. Meeting closed at 1:23 pm.