



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

February 10, 2023

OFFICIAL FILE COPY	
No.	<u>230055</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
PUBLIC SAFETY	-L
WAYS & MEANS	

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Additional Material on File
in the Clerk's Office ✓

Subject: Authorize the Monroe County/Monroe County Bar Association Plan Regarding the Conflict Defender's Office and Assigned Counsel Program and Authorize One Position Upgrade

Honorable Legislators:

I recommend that Your Honorable Body authorize The Monroe County/Monroe County Bar Association Plan regarding the Conflict Defender's Office and Assigned Counsel Program pursuant to Section 722 of the New York State County Law, and authorize upgrading the Assigned Counsel Administrator position from a Group 21 to a Group 23.

The Monroe County/Monroe County Bar Association Plan Regarding the Conflict Defender's Office and Assigned Counsel Program ("the Plan") is a cooperative effort between Monroe County and the Monroe County Bar Association ("the Bar Association") for the provision of high quality legal services to eligible public defense clients. The Monroe County Assigned Counsel Program began operation in all courts in Monroe County in 1992. In 2003, by agreement between Monroe County, the Bar Association, and New York State, the Monroe County Conflict Defender's Office was created. At that time, the Monroe County Assigned Counsel Program became part of the Conflict Defender's Office. The Conflict Defender's Office and Assigned Counsel Program have continued to operate as one office, under a single administrator, since that time.

In 2019, the New York State Office of Indigent Legal Services ("ILS") adopted Standards for Establishing and Administering Assigned Counsel Programs. These "Black Letter Standards" recommend that assigned counsel programs operate independently of a Conflict Defender's office. Monroe County's funding agreement with ILS contemplates that the Conflict Defender's Office and Assigned Counsel Program will split beginning in 2023. The revised Plan effectuates this split. The ILS Standards and revised Plan also each require that the Assigned Counsel Administrator be an independent office leader at the same grade as the Conflict Defender. Adoption of this referral would upgrade the Assigned Counsel Administrator to the same grade as the Conflict Defender.

The Board of Trustees of the Monroe County Bar Association has approved this revised Bar Plan.

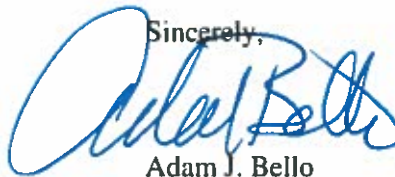
The specific legislative actions required are:

1. Authorize the Monroe County/Monroe County Bar Association Plan regarding the Conflict Defender's Office and Assigned Counsel Program pursuant to Section 722 of the New York State County Law.
2. Authorize the County Executive, or his designee, to upgrade the Assigned Counsel Administrator position from a Group 21 to a Group 23.

The legislative action requested in this referral is not an "Action," as that term is defined in 6 NYCRR § 617.2(b), and is not subject to review under the State Environmental Quality Review Act.

Funding for this position is included in the 2023 operating budget of the Department of Public Safety, general fund 9300, funds center 2402010000, Legal Representation No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committees for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive

AJB:db