

By Legislators Boyce and Delehanty

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2021

**ACCEPTING GRANT FROM NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES  
FOR SECOND UPSTATE MODEL FAMILY REPRESENTATION OFFICE AND AUTHORIZING  
CREATION OF FOUR NEW POSITIONS IN THE PUBLIC DEFENDER'S OFFICE**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to accept a \$2,610,417 grant from, and to execute a contract and any amendments thereto with, the New York State Office of Indigent Legal Services for the Second Upstate Model Family Representation Office for the period of October 1, 2021 through September 30, 2024.

Section 2. The 2021 operating budget of the Office of the Public Defender by appropriating the sum of \$870,139 into general fund 9300, funds center 2601010000, Public Defender Administration.

Section 3. The County Executive, or his designee, is hereby authorized to create four (4) new positions in the Public Defender's Office as part of the Second Upstate Model Family Representation Office as follows: one (1) Special Assistant Public Defender, Group 22 and three (3) Public Defender Assistant Grade I, Group 19.

Section 4. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section 5. Should funding for this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; November 22, 2021 - CV: 9-0  
Ways and Means Committee; December 2, 2021 - CV: 11-0  
File No. 21-0429

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

November 5, 2021

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

<b>OFFICIAL FILE COPY</b>	
No.	<u>210429</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
<b>PUBLIC SAFETY</b>	<b>-L</b>
<b>WAYS &amp; MEANS</b>	

Subject: Acceptance of a Grant from the New York State Office of Indigent Legal Services for the Second Upstate Model Family Representation Office and Authorize the Creation of Four New Positions in the Public Defender's Office

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the New York State Office of Indigent Legal Services in the amount of \$2,610,417 for the Second Upstate Model Family Representation Office for the period of October 1, 2021 through September 30, 2024, and authorize the creation of four (4) new positions in the Public Defender's Office as follows: one (1) Special Assistant Public Defender, Group 22 and three (3) Public Defender Assistant Grade I, Group 19.

This grant will establish the Family Representation Office in the Office of the Monroe County Public Defender. The Family Representation Office will use a holistic approach to provide clients who are under investigation by child protective services with continuous legal representation. The Family Representation Office will assess the legal, financial, and social determinants of health needs of each client and their family members, including the needs of the subject children, to develop a strategy that will maximize the likelihood the client's children are not removed from the home, or if removal cannot be avoided, that the children are unified with the parent at the earliest possible time.

Additionally, acceptance of this grant will accomplish a recommendation of the Commission on Racial And Structural Equity ("RASE") that called for fully funding the Monroe County Public Defender's Office's Family Court Section to ensure families are provided quality representation.

This grant will provide funding for all of the salary costs equivalent to one (1) Special Assistant Public Defender, Group 22 and three (3) Assistant Public Defender Grade I, Group 19 and additional support staff. We have been notified of the funding amount for the Family Representation Office of \$2,610,417 over a three (3) year period. This is the first time the County has received this grant.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, to accept a \$2,610,417 grant from, and to execute a contract and any amendments thereto with, the New York State Office of Indigent Legal Services for the Second Upstate Model Family Representation Office for the period of October 1, 2021 through September 30, 2024.

2. Amend the 2021 operating budget of the Office of the Public Defender by appropriating the sum of \$870,139 into general fund 9300, funds center 2601010000, Public Defender Administration.
3. Authorize the County Executive, or his designee, to create four (4) new positions in the Public Defender's Office as part of the Second Upstate Model Family Representation Office as follows: one (1) Special Assistant Public Defender, Group 22 and three (3) Public Defender Assistant Grade I, Group 19.
4. Authorize the County Executive to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.
5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

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

This grant is 100% funded by the New York State Office of Indigent Legal Services. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,  


Adam J. Bello  
Monroe County Executive

AJB:db