

By Legislators Long and Maffucci

Intro. No. ____

RESOLUTION NO. ____ OF 2025

AUTHORIZING AMENDMENTS TO MONROE COUNTY/MONROE COUNTY BAR ASSOCIATION PLAN REGARDING CONFLICT DEFENDER'S OFFICE AND ASSIGNED COUNSEL PROGRAM

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

Section 1. The Monroe County Legislature hereby authorizes amendments to the Monroe County/Monroe County Bar Association Plan Regarding the Conflict Defender's Office and Assigned Counsel Program, as approved by the New York State Office of Indigent Legal Services and Monroe County Bar Association, pursuant to Section 722 of the New York State County Law.

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; February 25, 2025 – CV: 11-0
Ways & Means Committee; February 25, 2025 – CV: 11-0
File No. 25-0045

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

February 7, 2025

Additional Material on File
in the Clerk's Office ✓

OFFICIAL FILE COPY	
No.	250045
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

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

Honorable Legislators:

I recommend that Your Honorable Body authorize amendments to 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.

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 for the provision of high quality legal services to eligible public defense clients. The Monroe County Conflict Defender's Office and Assigned Counsel Program operate under the provisions of the Plan. In 2023, Your Honorable Body approved an updated Plan that created separate, independent offices for the Conflict Defender and Assigned Counsel program, which had previously operated as a single office. That update ensured that Monroe County was compliant with the Standards for Establishing and Administering Assigned Counsel Programs adopted by the New York State Office of Indigent Legal Services ("ILS").

ILS subsequently requested several minor changes to the Plan. These changes include strengthening language which permits legal representation prior to court filings in both Criminal and Family Court cases, clarification of who may sit on the Assigned Counsel Program Advisory Committee and its duties, and simplifying the process by which assigned counsel attorneys utilize specialists to assist with their cases. ILS and the Board of Trustees of the Monroe County Bar Association have already approved the updated Plan. A copy of the proposed updated Plan is on file in the office of the Clerk of the Legislature.

The specific legislative action required is to authorize amendments to the Monroe County/Monroe County Bar Association Plan Regarding the Conflict Defender's Office and Assigned Counsel Program, as approved by the New York State Office of Indigent Legal Services and Monroe County Bar Association, pursuant to Section 722 of the New York State County Law.

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.

This plan will have to impact on the revenues or expenditures of 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