

**Public Hearings:**  
**Witnesses and Written Submissions**

**3<sup>rd</sup> Judicial District Public Hearing, July 16, 2015**

***Witnesses:***

Daniel P. McCoy, County Executive, Albany County

Robert Linville, Columbia County Public Defender

Greg Lubow, Attorney and former Chief Public Defender, Greene County

Hon. Dr. Carrie A. O'Hare, Stuyvesant Town Justice, Columbia County; current Director of the New York State Magistrates Association and former President of the Columbia County Magistrates Association

Lee Kindlon, Attorney, Kindlon Law Firm

James Milstein, Albany County Public Defender

Melanie Trimble, Director of the Capital Region Chapter of the New York Civil Liberties Union

***Written submissions:***

Robert Linville, Columbia County Public Defender

Daniel P. McCoy, County Executive, Albany County

Melanie Trimble, Director of the Capital Region Chapter of the New York Civil Liberties Union

Hon. Dr. Carrie A. O'Hare, Town Court Justice, Town of Stuyvesant, Columbia County; current Director of the New York State Magistrates Association and former President of the Columbia County Magistrates Association

Greg Lubow, Attorney and former Chief Public Defender, Greene County

**4<sup>th</sup> Judicial District Public Hearing, August 26, 2015**

***Witnesses:***

Senora Bolarinwa, currently incarcerated at the Taconic Correctional Facility

Gerard Wallace, Director, New York State Kinship Navigator Office, and Professor at the University of Albany, School of Social Welfare

Hon. Peter J. Herne, Chief Judge, St. Regis Mohawk Tribal Court

Peter Racette, Deputy Director, Legal Aid Society of Northeastern New York  
Molly Hann, Assistant Public Defender, Essex County Public Defender Office  
Kellie King, Confidential Secretary, Essex County Public Defender Office  
Marcy I. Flores, Warren County Public Defender  
Joy A. LaFountain, Administrator/Coordinator, Warren County Assigned Counsel Plan  
Thomas G. Soucia, Franklin County Public Defender

***Written submissions:***

Peter Racette, Deputy Director, Legal Aid Society of Northeastern New York  
Daniel L. Palmer, County Manager, Essex County (on behalf of the Essex County Board of Supervisors)  
Gerard Wallace, Director, New York State Kinship Navigator Office, and Professor at the University of Albany, School of Social Welfare, (“In Support of Legal Assistance for Kinship Caregivers”)  
Hon. Peter J. Herne, Chief Judge, St. Regis Mohawk Tribal Court  
Susan L. Patnode, Executive Director, Rural Law Center of New York, Inc.

**5<sup>th</sup> Judicial District Public Hearing, July 9, 2015**

***Witnesses:***

Barrie Gewanter, Director of the Central New York Chapter of the New York Civil Liberties Union  
Professor Todd A. Berger, Director of the Criminal Defense Clinic, Syracuse University College of Law, Office of Clinical Legal Education  
Jason B. Zeigler, Onondaga County Assigned Counsel Panel Attorney and Member of the Onondaga County Gideon Society  
Sally Curran, Executive Director, Volunteer Lawyers’ Project of Onondaga County, Inc.  
Tina Hartwell, Assistant Public Defender, Criminal Division, Oneida County Public Defender Office  
Frank J. Furno, Assistant Public Defender, Civil Division, Oneida County Public Defender Office  
Geneva Fortune, Advocate, Jail Ministry of Syracuse

Francis Walter, former President of the Board of the Onondaga County Assigned Counsel Program

***Written submissions:***

Barrie Gewanter, Director of the Central New York Chapter of the New York Civil Liberties Union

Professor Todd A. Berger, Director, and Jason D. Hoge, Practitioner in Residence, Criminal Defense Clinic, Syracuse University College of Law, Office of Clinical Legal Education

Jason B. Zeigler, Onondaga County Assigned Counsel Panel Attorney and Member of the Onondaga County Gideon Society

Tina Hartwell, Assistant Public Defender, Criminal Division, Oneida County Public Defender Office

Samuel Young, Director of Advocacy, and Dennis Kaufman, Executive Director, Legal Services of Central New York

Tina C. Bennett and Beth A. Lockhart, former panel attorneys, Onondaga County Assigned Counsel Program

Patricia Moriarty, Advocate, Jail Ministry of Syracuse

**6<sup>th</sup> Judicial District Public Hearing, August 20, 2015**

***Witnesses:***

Jay Wilbur, Broome County Public Defender

Julia Hughes, Coordinator, Tompkins County Assigned Counsel Program

James T. Murphy, Legal Services of Central New York

Karri Beckwith, Administrator, Chenango County Assigned Counsel Program

Keith Dayton, Cortland County Public Defender

Jonathan Becker, Attorney

John Brennan, Chemung County Public Advocate's Office

***Written submissions:***

Karri Beckwith, Administrator, Chenango County Assigned Counsel Program (2013 Report to the N.Y. Unified Court System for Chenango County Public Defender)

James T. Murphy, Legal Services of Central New York

**7<sup>th</sup> Judicial District Public Hearing, August 6, 2015**

***Witnesses:***

John Garvey, Ontario County Administrator

Edward Nowak, President of the New York State Defenders Association and former Monroe County Public Defender

Timothy P. Donaher, Monroe County Public Defender

Andrew Correia, First Assistant, Wayne County Public Defender Office

Leanne Lapp, Ontario County Public Defender

KaeLyn Rich, Director of Genesee Valley Chapter of the New York Civil Liberties Union

Marcea Clark Tetamore, Livingston County Public Defender

Velma Hullum, New York State Defenders Association, Client Advisory Board

Charles Noce, Monroe County Conflict Defender

***Written submissions:***

Velma Hullum, New York State Defenders Association, Client Advisory Board

KaeLyn Rich, Director of the Genesee Valley Chapter of the New York Civil Liberties Union

Timothy P. Donaher, Monroe County Public Defender, (Memorandum, dated December 15, 2014, addressed to staff attorneys regarding “New assignment of counsel procedure pre-arraignment”)

**8<sup>th</sup> Judicial District Public Hearing, July 30, 2015**

***Witnesses:***

Mark Williams, Cattaraugus County Public Defender

Gary Horton, Director, Veterans Defense Program, New York State Defenders Association and former Genesee County Public Defender

Jerry Ader, Genesee County Public Defender

Robert Convissar, Chief Defender and Administrator, Erie County Assigned Counsel Program

David C. Schopp, Chief Executive Officer and Executive Director, Legal Aid Bureau of Buffalo

Norman Effman, Wyoming County Public Defender and Executive Director, Wyoming-Attica Legal Aid Bureau

Hon. Mark G. Farrell, former President of the New York State Magistrates Association

David J. Farrugia, Niagara County Public Defender

Robert M. Elardo, Managing Attorney, Erie County Bar Association Volunteer Lawyers Project

***Written submissions:***

David C. Schopp, Chief Executive Officer and Executive Director, Legal Aid Bureau of Buffalo

John A. Curr, III, Director of Western Regional Chapter, New York Civil Liberties Union

Robert M. Elardo, Managing Attorney, Erie County Bar Association Volunteer Lawyers Project, (“Equal Protection Denied in New York to Some Family Law Litigants in Supreme Court: An Assigned Counsel Dilemma for the Courts,” 29 Fordham Urban Law Journal 1125 (2002))

Diana M. Straube, Supervising Attorney, Neighborhood Legal Services, Inc., Buffalo, NY

**9<sup>th</sup> Judicial District Public Hearing, July 23, 2015**

***Witnesses:***

Clare J. Degnan, Executive Director, Legal Aid Society of Westchester County

Tracey Alter, Director, Family Court Legal Program, Pace Women’s Justice Center, Pace University School of Law

Joanne Sirotkin, Attorney-in-Charge, Legal Services of the Hudson Valley

Hon. David Steinberg, Town Justice, Hyde Park

Merble Reagon, Executive Director, Women’s Center for Education and Career Advancement

Beth Levy, Senior Associate Counsel, My Sister’s Place (testifying on behalf of Karen Cheeks-Lomax, Chief Executive Officer, My Sister’s Place)

Saad Siddiqui, Attorney and Board Member of the Lower Hudson Valley Chapter of New York Civil Liberties Union

Guisela Marroquin, Interim Director, Lower Hudson Valley Chapter of the New York Civil Liberties Union

Vojtech Bystricky, Attorney, 18-B misdemeanor panel, City of White Plains Criminal Court

Karen Needleman, Chief Administrator, Assigned Counsel Plan, Legal Aid Society of Westchester County

***Written submissions:***

Tracey Alter, Director, Family Court Legal Program, Pace Women's Justice Center, Pace University School of Law

Joanne Sirotkin, Attorney-in-Charge, Legal Services of the Hudson Valley

Karen Cheeks-Lomax, Chief Executive Officer, My Sister's Place

Merble Reagon, Executive Director, Women's Center for Education and Career Advancement, (written submission and copy of 2010 Self-Sufficiency Standard for New York State)

Guisela Marroquin, Interim Director, Lower Hudson Valley Chapter of the New York Civil Liberties Union

Patrick J. Brophy, Chief Attorney, Putnam County Legal Aid Society, Inc.

James D. Licata, Rockland County Public Defender, and Keith I. Braunfotel, Chair Administrator, Rockland County Assigned Counsel Plan

**10<sup>th</sup> Judicial District Public Hearing, August 12, 2015**

***Witnesses:***

Jonathan E. Gradess, Executive Director, New York State Defenders Association, Inc.

Marguerite Smith, Attorney, New York Federal and State Tribal Justice Forum

William Ferris, former President of the Suffolk County Bar Association

Hon. Andrew Crecca, Supervising Judge of the Suffolk County matrimonial parts

Elizabeth Nevins, Associate Clinical Professor and Attorney-in-Charge of the Criminal Justice Clinic, Hofstra University's Maurice A. Deane School of Law

Kent Moston, Attorney-in-Chief, Legal Aid Society of Nassau County

Laurette Mulry, Assistant Chief Attorney-in-Charge, Legal Aid Society of Suffolk County

Sabato Caponi, East End Bureau Chief, Legal Aid Society of Suffolk County

Amol Sinha, Director of the Suffolk County Chapter of the New York Civil Liberties Union

Jason Starr, Director of the Nassau County Chapter of the New York Civil Liberties Union

Robert M. Nigro, Administrator, Nassau County Assigned Counsel Defender Plan

Michael Demers, concerned citizen

***Written submissions:***

Marguerite A. Smith, Attorney, New York Federal and State Tribal Justice Forum

Elizabeth Nevins, Associate Clinical Professor and Attorney-in-Charge of the Criminal Justice Clinic, Hofstra University's Maurice A. Deane School of Law

Amol Sinha, Director, Suffolk County Chapter and Jason Starr, Director, Nassau County Chapter of the New York Civil Liberties Union

Laurette D. Mulry, Assistant Chief Attorney-in-Charge, Legal Aid Society of Suffolk County

**Other Written Submissions:**

Edward Frankel, "Public Hearings on Eligibility for Assignment of Counsel Written Testimony – Eligibility of Children Subject to Adoption Contestment," dated June 29, 2015

New York State Defenders Association (NYSDA) "Statement on the Criteria and Procedures for Determining Eligibility in New York State," dated August 12, 2015, and "Assigned Counsel Eligibility of Minors in Criminal Court: No Parental Liability," dated July 8, 2015

Paulette Brown, President of the American Bar Association (ABA), "Eligibility for Assignment of Counsel," dated August 26, 2015

Chief Defenders Association of New York (CDANY), "Recommendations on the Criteria for Financial Eligibility Determinations," dated August 26, 2015

David P. Miranda, President, New York State Bar Association (NYSBA), letter dated August 26, 2015

Immigrant Defense Project, "Assignment of Counsel and the Immigrant Defendant/Respondent," dated July 13, 2015

Michelle Bonner, Chief Counsel, Defender Legal Services, National Legal Aid & Defender Association (NLADA), "Letter in Support of NYSDA's August 12, 2015 Statement Submitted to the New York State Office of Indigent Legal Services for Public Hearings on Eligibility for Assignment of Counsel"

Emmett J. Creahan, Director, Mental Hygiene Legal Service, Appellate Division, Fourth Department, "Determining Eligibility of County Law 18-B Assignment of Counsel," dated November 5, 2015

Letters from people in the custody of the New York State Department of Corrections and Community Supervision