



OFFICE OF THE PUBLIC DEFENDER

ANNUAL REPORT

2008

INTRODUCTION

In 2008 the Monroe County Public Defender's Office faced significant challenges. As a result of new anti-crime initiatives implemented by the City of Rochester and the County of Monroe, the number of new criminal cases handled by the Office increased approximately 13% over last year. Additionally, changes to New York family law imposed greater burdens on the Family Court Bureau.

Despite these challenges, and due to the extraordinary dedication of the attorneys and support staff, we were able to continue to provide excellent representation for our clients. Such dedication was exhibited in the enormous amount of unpaid overtime worked by the attorneys in the Office, and the efforts of the support staff. The 59 attorneys in this Office worked almost 8000 hours of unpaid overtime last year, and the support staff expended considerable effort in assisting the attorneys in dealing with the enormous increase in cases.

But 2008 was also a year of change for the Office. Ed Nowak, the highly-respected Monroe County Public Defender for thirty years, retired and a new Public Defender was appointed. With a new Public Defender, the Office examined how to improve our representation of our clients, and began several new initiatives designed to improve the quality of services we provide.

In Part I of this Report, the Office's efforts to improve client representation, increase contact with the community that we serve, recruit highly qualified attorneys to be assistant public defenders, and improve diversity in our staff will be discussed. In Part II of this Report, the Office, its staffing, and caseloads will be outlined. Part III of this Report will discuss community involvement and support, and Part IV will discuss future plans for the Office.

PART I: OFFICE INITIATIVES

A. Introduction

The strength of this Office is in the enormously talented and committed people who work here. Recognizing that, I asked all staff persons in this Office to volunteer their time and effort in implementing a number of initiatives. It is through their efforts that the following improvements and initiatives were undertaken and accomplished in 2008.

B. Hiring Committee

Ensuring that each new hire exemplifies the qualities that make an excellent public defender is the responsibility of the Hiring Committee. Chaired by Special Assistant Public Defender John Bradley, the Committee members (Special Assistant Public Defender Drew DuBrin, Special Assistant Public Defender Julie Cianca, Second Assistant Public Defender Jill Paperno, and

Assistant Public Defender Karine Haselbauer) screen all applicants for open attorney positions, conduct all initial interviews with prospective applicants, and recommend to the Public Defender the top three applicants for each open position.

Based upon their excellent work this past year, the Office has hired nine attorneys, who were well-qualified for the position of assistant public defender, and who exhibited a commitment to public defense. Two assistant public defenders that were hired had prior experience with an institutional defender office (Legal Aid, Brooklyn; and the Capital Defender Office), one had prior experience in the Monroe County Public Defender's Office as a violent felony attorney, three had significant criminal defense experience as private defense attorneys, and three attorneys who had recently graduated from law school with excellent academic credentials and a devotion to public interest law.

C. Recruitment and Diversity Committee

A highly qualified, racially and ethnically diverse staff is essential to the ability of the Monroe County Public Defender's Office to fulfill its mission of providing quality legal representation to poor persons in family and criminal courts in Monroe County. To ensure that the Office is making the maximum effort in recruiting highly qualified assistant public defenders, and in expanding our Office's diversity, the Recruitment and

diversity Committee was established. The Committee is chaired by Special Assistant Public Defenders Andre Vitale and Julie Cianca. It is a testament to this Office's commitment to diversity that in addition to Ms. Cianca, and Mr. Vitale, nine other attorneys have volunteered their time and effort to ensure that we hire qualified, committed candidates who also increase our staff's diversity. To that end, we have been in contact with a variety of organizations and associations indicating our desire to hire dedicated attorneys from a wide range of backgrounds.

I am pleased to report that these efforts have already been highly successful. Last year, with the assistance of the Diversity and Recruitment Committee and the Hiring Committee, the Office hired nine attorneys. All are excellent attorneys who are committed to the goal of this Office - seeking justice for our clients. Of these attorneys, seven are women. One is an African-American, one a Hispanic, and another a Pakistani-American. Besides being sharp and knowledgeable, all share a commitment to the provision of high quality public defense. It is my hope and expectation that their varied backgrounds and experience, added to the varied and diverse backgrounds of our current staff, will enable our office to better represent our clients.

The members of the Recruitment and Diversity Committee have also been very active in traveling to various law schools in New York State to promote this Office and the important work that it

does for our clients and the community. For example, recently members of the Committee traveled to Buffalo Law School for the Public Interest Law Job/Internship Networking Night to promote the Office to law students interested in public interest work. Through these efforts, we hope to attract other highly qualified and committed young attorneys to be assistant public defenders.

D. Continuing Legal Education (CLE) Committee

In order to effectively represent our clients, our attorneys must be provided frequent and regular trainings on changes in the law, and how to improve their trial skills. It is the responsibility of the CLE Committee to organize continuing legal education programs for staff attorneys. In 2008 it was chaired by Second Assistant Public Defender Jill Paperno.

In 2008 the Monroe County Public Defender's Office became an accredited CLE provider in New York State. This allows the Office to provide CLE credits towards each staff attorney's state mandated CLE requirements.

In 2008 the CLE Committee organized CLE programs on such topics as effective legal writing, litigating identification issues, issues surrounding grand jury, goals of the alternatives to incarceration program, defective accusatory instruments in town and city court, basics of sentencing for new attorneys, sentencing proceedings, how to handle a DWI case, overview of motion practice for new attorneys, *Huntley* hearings, issues

surrounding the sex offender registration act (SORA), and crime scene investigations.

On September 13, 2008, as a result of the hard work of the CLE Committee, the Office co-sponsored a CLE program with the New York State Association of Criminal Defense Lawyers. At which several attorneys in the Office were faculty presenters at the CLE program.

On November 24 and 25, 2008 the CLE Committee also conducted a trial techniques trainer, in conjunction with the National Institute of Trial Advocacy (NITA), for the 20 attorneys in the Town and City Court sections of the Office.

Attorneys in the Office are often asked to present at various CLE programs throughout New York State. In 2008 Office attorneys presented at CLEs sponsored by the Monroe County Bar Association, the New York State Defenders Association, and the New York State Association of Criminal Defense Attorneys.

E. Law Office Technology Committee

Co-chaired by Assistant Public Defenders Don Scalia and James Eckert, this Committee examines ways to use affordable technology to improve Office operations. As a result of the efforts of this Committee, the Office implemented a new document library, an automated telephone answering system, and is working on implementing a new web-site.

Working with the New York State Defenders Association (NYSDA), the Office developed a searchable document library containing over 3000 legal documents prepared by this Office. Each month hundreds of new documents are added. The document library allows attorneys to save time by locating documents previously created by other staff attorneys.

Working with Monroe County's Information Services Department, the Office resolved a long-standing concern of our clients - the time it took to speak with a receptionist when the Office's general number was dialed. Previously, the two receptionists in the Office handled hundreds of calls per day, in addition to assisting clients who came into the Office, and attempting to answer client questions (or referring them to the appropriate person) as expeditiously as possible. Unfortunately, this would create a situation in which calls went unanswered as the receptionists were busy helping other callers, or people in our waiting room. The Office now has a new automated answering system, which seeks to address common client questions before the call is referred to the receptionists. If a receptionist is not immediately available, the caller is placed into a queue and the call answered as soon as a receptionist is available. Now all calls to the Public Defender's Office are answered, and directed to the appropriate person.

The Office is also developing a new web-site. It is the goal of the Office to make the web-site as informative as possible for our clients and the community.

F. Investigators Committee

Defense investigation is a specialty in the area of criminal investigations. Our investigators must be up-to-date on innovative investigation techniques and it is the goal of this Committee to ensure that is the case. Chaired by Special Assistant Public Defender Erik Teifke, the committee is responsible for organizing trainers for staff investigators. Working with NYSDA, the Office sponsored the first ever day-long training for criminal defense investigators in New York State. Investigators from 12 different defender programs attended and learned about effective investigative techniques. It is hoped that these trainings will continue.

G. Internship Committee and Program

In 2008 the Office greatly expanded our internship program.

The Monroe County Public Defender's Office provides to local college students several internship opportunities throughout the year. Our internship coordinators, Sharon Warner and Assistant Public Defender Don Scalia, work very hard to provide our interns a challenging, positive experience as they work in the criminal justice community. Our college interns work with our paralegals and with our attorneys on a schedule that works best for the

student. Interns are offered the opportunity to observe the criminal justice system from a unique perspective, and they gain valuable experience. Working with their attorney-supervisors, interns review client files, assist staff during court proceedings, and observe a variety of court proceedings. Our interns also assist the Office, as we ask each intern to volunteer a few hours per week performing office work, such as filing and copying.

We receive very positive reviews from the students who intern in the Office, and have successfully placed students from SUNY Brockport, SUNY Geneseo, the University of Rochester, and Nazareth College.

The Office also places law students as interns. Recognizing that law students who are interested in public service are potential assistant public defenders, the Office actively recruits law students as summer interns. The Office also proudly participates in the Monroe County Bar Association's Minority Clerkship Program, which places minority law students with local firms.

In 2008 the Internship Committee began a collaboration with the Strong Hospital Legal Nurse Consultant Program. Students in the program are registered nurses who are seeking to become legal nurse consultants. As part of their instruction, two students from the program interned in the Office and assisted staff with

reviewing and interpreting medical records, and researching medical issues.

H. Other Initiatives

Recognizing that it is a challenge (given the caseloads that each attorney in this Office carries) for the assistant public defenders to meet with incarcerated clients, years ago the Office instituted "Jail Night". On Monday evenings staff attorneys in the Office who are not scheduled to appear in court are required to meet with their incarcerated clients in the visiting area of the Monroe County Jail. Each Monday the Jail Administration is provided a list of clients that each attorney will see, and when the attorney arrives for "Jail Night" on Monday evenings, those clients are waiting in the visiting area.

Working with Sheriff's Jail Administration, the Office expanded this program and began a day visit program. Similar to the "Jail Night" program, attorneys are provided a time during the week where they may meet with clients. They provide a list of names to the Jail Administration and when the attorney arrives at the visiting area those clients will be waiting for them. Although attorneys are always able to visit their clients at the Jail during the day, the advantage of this program is that the attorney is able to visit with many more clients than he or she would otherwise be able to, given the time it takes to arrange a visit at the client's holding area.

Additionally, in 2008 every area of the Office was examined to determine where efficiencies could be improved, or to determine where resources needed to be distributed to handle increased caseloads. The Office has made several significant changes to how support staff assists the attorneys. As a result, the support staff has taken on additional responsibilities, which allows attorneys greater time to represent their clients.

PART II: OFFICE ORGANIZATION

A. Creation of Office and its jurisdiction

In a 1963 landmark decision, the Supreme Court of the United States ruled that all indigent defendants had the right to be represented by counsel in criminal proceedings. In order to comply with the Supreme Court ruling, Article 18-B of the County Law of the State of New York was adopted by the State Legislature in 1965. This law required the various counties throughout the State to adopt a plan for the representation of indigent defendants. In compliance with the state mandate, on May 23, 1968, by virtue of Resolution No. 250 of 1968, the Monroe County Legislature adopted Local Law No. 5 of 1968, thus creating the Office of the MONROE COUNTY PUBLIC DEFENDER.

By law, the Public Defender is required to "represent, without charge, at the request of the defendant, or by order of the court with the consent of the defendant, each indigent defendant who is charged with a crime...in the county...in which such public defender serves."

The Monroe County Public Defender's Office represents individuals in the courts within Monroe County, including the City of Rochester and the towns and villages within the geographical boundaries of the County. This area has a population of approximately 700,000 people.

The office handles cases in:

- A. Town and Village Justice Courts
- B. Rochester City Court
- C. County Court
- D. Supreme Court
- E. Family Court
- F. Appellate Division and Court of Appeals
- G. United States Supreme Court (when required)

The Public Defender represents the indigent accused at every stage of the criminal proceeding from the arraignment through final disposition, including, when appropriate, appeals from adverse judgments and decisions.

Our goal is to provide to the poor who are accused of a crime, or who are entitled to representation in Family Court, truly competent legal representation which is at least equal to that which they would expect to obtain from privately retained counsel. An individual's constitutional rights must be protected regardless of his or her financial circumstances.

B. Staff

During 2008, our staff included 58 attorneys, 1 confidential assistant, 6 investigators, 5 investigative assistants, 2

Alternatives to Incarceration workers, 10 full-time secretaries and 2 receptionists, both of whom are bilingual. The attorneys are precluded from engaging in private practice.

Assistant public defenders are assigned to work in either the Town Court Bureau, the City Court Bureau, the Superior Court Bureau (Non-Violent Felony Section and the Violent Felony Section), the Family Court Bureau, or the Appeals Bureau.

C. City Court Bureau

The Rochester City Court has a heavier caseload than any other Criminal Court in Monroe County. All felonies, misdemeanors and violations of the law committed within the geographical boundaries of the City of Rochester are handled by City Court. A City Court judge has preliminary jurisdiction over all felonies and complete jurisdiction over misdemeanors and violations.

The responsibilities of the Assistant Public Defender assigned to City Court include gathering information to assist the court in determining a defendant's eligibility for representation, appearing at arraignment, making bail applications, participating in pre-trial conferences, preparation and argument of various types of motions, pre-trial hearings, preliminary hearings, trials, social service agency referrals, and sentencing. The City Court Section also has the added responsibility of representing individuals who were charged with violations of their parole, and individuals whose cases have been

transferred to Rochester Drug Treatment Court, or Monroe County Veterans Court.

In 2008, all of these responsibilities were carried out by a total of fourteen Assistant Public Defenders and one Special Assistant Public Defender, who is in charge of the City Court Section (while also handling violent felony cases). The attorneys share the enumerated responsibilities on a rotating basis.

In 2008, this Office was called upon to represent clients in approximately 14,200 cases in the City Court of Rochester. In addition, the attorneys in this section were assigned to represent more than 875 parolees who were charged with violating the conditions of their parole release. That means, on average, each Assistant Public Defender would have been assigned to approximately 1075 cases during the course of the year. That number of case assignments is more than double the recommended maximum caseload as established by the National Legal Aid and Defender's Association.

D. Town Court Bureau

The Office is required to represent persons accused of crimes throughout the County. There are six attorneys assigned to cover the 46 separate Town and Village Justice Courts within the 21 towns and villages of Monroe County. These courts handle misdemeanors, violations, and have preliminary jurisdiction over felony matters. They are supervised by a Special Assistant Public Defender.

The newly hired Assistant Public Defenders are traditionally assigned to the Town Courts. The Town Courts have heavy case loads, erratic court hours and varying local court procedures. The assignment of a Special Assistant Public Defender to the section enables us to provide our new attorneys with the appropriate training and orientation to the local justice court process and essential supervision so as to ensure quality representation for our clients. In addition to supervising the Town Court Bureau, the Special Assistant also handles violent felony cases.

In 2008, approximately 4,600 clients were assigned to our Justice Court Staff of six full-time attorneys. Therefore, each of the newly hired attorneys in the section was assigned to an average of approximately 765 cases. In the busier courts, our caseload is compressed due to the fact that the court is only in session once or twice a week. This means that an attorney may be required to represent as many as one hundred clients during a single court night.

E. Superior Court Bureau

In 2008, the Superior Court Bureau (divided into the Non-Violent Felony Section and the Violent Felony Section) was staffed with 19 attorneys, including the First Assistant Public Defender, the Second Assistant Public Defender, and four Special Assistant Public Defenders.

The attorneys in the Bureau handled felony cases, the most serious charges against the indigent accused. The attorneys appeared in all courts, including: Supreme Court, County Court, City Court and Town/Justice Courts. They handled violent and nonviolent felony offenses.

The attorneys in this Bureau handled most aspects of the criminal process, to include: some local court preliminary hearings, local court pleas and sentencing; superior court pleas and sentencing, hearings, motions, and trials. In addition, these attorneys handle: probation violation proceedings, parole cases (preliminary hearings, final hearings, administrative appeals); habeas corpus proceedings; and mental health proceedings under the Criminal Procedure Law.

While our present staffing level does not permit us to provide vertical representation in all felony cases, we do provide this type of representation in violent felony offender and repeat offender cases. Vertical representation was also provided in all homicide cases and to select clients charged with other serious felonies, such as class A and B drug offenses.

This Office remains committed to providing vertical representation whenever possible since it provides the indigent accused the most effective representation possible. Our goal is to provide vertical representation to all those accused of a felony offense.

In 2008, we were assigned to approximately 4,000 felony cases. The felony caseload per attorney ratio is approximately

210 new cases per attorney. That represents a current felony assignment rate which is far above National Standards for caseload maximums.

The felony trial staff was involved in 66 trials in 2008. Of those 66 trials, 35 (53%) were VFO's, 27 (41%) were NVFO's and 4 (6%) were A/B Drug cases. Four of the 66 trials (6%) ended in mistrials; 62 trials went to verdict. Of those 62 trials, we obtained favorable verdicts (complete acquittal, top count acquittal or trial order of dismissal) in 44 cases.

F. Family Court Bureau

The role of the Public Defender's Office in Family Court has continually grown. The State Legislature has consistently expanded the right to counsel for indigent persons involved in the Family Court process to include more cases where counsel is required. The State has also passed legislation requiring more court appearances in certain types of Family Court actions which requires our Family Court attorneys to devote a significant amount of time to appearing in court.

Our Family Court staff is comprised of one Special Assistant Public Defender and seven Assistant Public Defenders. Each attorney is assigned to the "intake part" on a rotating basis and is responsible for handling the cases assigned to our office through completion.

In 2008, this Office was assigned to represent 3,944 new clients. To put this caseload into a historical perspective, in

1987, the five attorneys in our Family Court section were assigned to represent 865 clients. That caseload was within 10% of management guidelines which suggest that a maximum caseload of approximately 150 cases be assigned to each attorney per year. By contrast, currently our Family Court attorneys are each required to provide representation to approximately 337 clients each year. This caseload is more than double the recommended caseload guidelines.

The goal of our office is to try and maintain the family unit whenever possible and to assist clients to negotiate the network of court ordered services and providers thereby holding the state to its statutorily mandated obligation "to help the family with services [in order] to prevent its breakup."

G. Appeals Bureau

A person who is aggrieved by the final determination of a court has the constitutional right to at least one appeal. The Public Defender's Office is assigned by the Appellate Division or the appropriate appellate court to handle such proceedings. The Public Defender is assigned to appeal not only cases of our clients, but also for those defendants who want to appeal, but have exhausted their funds and who, after it is determined by the Court, cannot afford to retain private attorneys for purpose of an appeal.

The preparation and argument of appeals is a specialty within the field of criminal law. Proper appellate practice requires not only a strong background in law, but also strong

writing skills and the ability to orally argue the law before an appellate court. The appellate attorney must first familiarize himself with what went on in the court below and then must research the law pertaining to the issues which have been discovered. The appeals attorneys argue cases before the Monroe County Court, Appellate Division (Fourth Department), Court of Appeals and the United States Supreme Court (when required).

In 2008, our authorized appeal staff consisted of the Special Assistant Public Defender in-charge of the section and the eight Assistant Public Defenders.

The attorneys in the Appeals Bureau of the Office are primarily responsible for representing persons appealing felony convictions, and perfecting family court appeals.

Finally, the Bureau has continued to assist in the research, analysis and presentation of trial court cases. This work is instrumental in insuring that our attorneys are able to provide the best possible representation for our clients. This work occurs on a variety of levels. Pretrial motions and written requests for jury charge in felony cases are regularly reviewed and edited by attorneys from this Bureau. Additionally, Bureau attorneys research numerous evidentiary issues, -- sometimes preparing memoranda or motions. Bureau attorneys have also assisted trial attorneys on collateral issues which sometimes arise.

In 2008, the eight attorneys in our Appeals Bureau closed 206 cases.

H. Investigation Bureau

During 2008, the Monroe County Public Defender's Office employed six full-time investigators, one of whom is the Chief Investigator in charge of the section.

The statistics for 2008 are as follows:

	Criminal Trial Parts	Family Court Appeals Court	Total
Investigations/ Interviews	2,227	386	2,613
Subpoenas	429	329	758
Other Misc. Matters	337	45	382

In 2008 more than 2,900 criminal investigation requests were handled by our investigative staff. The work performed by our investigative staff is reflected in our ability to successfully resolve cases for our clients either by disposition or trial.

PART III: COMMUNITY INVOLVEMENT AND SUPPORT

Not only are the staff of this Office committed to the service of the indigent accused, but we also want to make a contribution to our community and to agencies or groups who are concerned about those in need. This commitment is reflected in the fact that many members of this Office are active members, volunteers, and/or board members in numerous agencies and organizations within the community.

In 2008 two Assistant Public Defenders were recognized by the community for their excellent work representing our clients. On July 21, 2008 the New York State Defender's Association, in conjunction with the Genesee County Public Defender's Office, awarded the 2008 Kevin M. Andersen Award to Andre Vitale, Monroe County Special Assistant Public Defender. This award is presented to an attorney who has been in practice less than fifteen years, practices in the area of indigent defense, and exemplifies the sense of justice, determination, and compassion that were Kevin Andersen's hallmarks.

Mr. Vitale was also recognized by the New York State Bar Association for his exemplary work. On January 29, 2009 the New York State Bar Association awarded Mr. Vitale the 2009 Denison Ray Award for Criminal Practitioners. The award is intended to recognize the extraordinary commitment of public service attorneys who provide zealous and skilled representation to low income and disadvantaged clients.

On November 10, 2008 First Assistant Public Defender (Ret.) Brian Shiffrin was awarded the 2008 Nathaniel Award, by the Daily Record, Rochester's Legal Newspaper. The Nathaniel Award recognizes and rewards an attorney's significant contribution to the administration of justice, above and beyond the daily responsibilities of his job.

The Office is also proud that members of the community are interested in and take an active role in this Office. Numerous community organizations are part of the Public Defender Advisory

Committee. The individuals on this committee have been of valuable assistance to me in planning to meet the needs of our community. The members of this committee represent the following agencies or organizations: Action for a Better Community; Ibero-American Action League; Jail Ministry; Judicial Process Commission; League of Women Voters; Monroe County Bar Association; and the Urban League of Rochester.

It is important to note that the success this Office has achieved is due in part to the support given to us by the Monroe County Legislature and the Administration. Both the Legislature and the Administration take seriously the obligation of government to ensure justice for all. We would like to take this opportunity to express our thanks for that support, and we look forward to their support in the future.

PART IV: THE FUTURE OF THE OFFICE

2009 will be a challenging year for the Office. It is anticipated that caseloads will remain at their very high levels, and that there will be increasing pressure on the Office to provide excellent representation to our clients, while maintaining costs. As such, the Office will continue its efforts at improving efficiencies in each Bureau, ever mindful that our number one priority is our clients. We are confident that given the enormously talented and committed staff at this Office we will meet those challenges.

As we look ahead to 2009 the Office plans to continue its efforts to improve our representation to our clients, continue our discourse with the community we serve, and improve the diversity of our staff.

As of this writing, the Office is planning a community outreach event in late February, 2009. The Office faces numerous challenges in seeking to accomplish its goal of excellent representation of the indigent clients we serve. This event will serve as a forum for the community to discuss with the staff of this Office their concerns, and be educated about the challenges facing the Office. It is hoped that this event will be a positive experience both for this Office, and the community members who attend.

The initiatives outlined above will continue as well. We will continue looking at how technology may improve Office operations. In 2009 we hope to integrate our Case Management System with Monroe County systems to reduce the amount of time support staff spends in file management. We will fully implement our web-site, and believe it will be a valuable resource for clients, and criminal law practitioners.

Working with the New York State Defenders Association, we hope to implement State-wide trainers for family law practitioners, and develop an on-line database of legal documents available to those who practice in the area of family law.

We also plan to expand our outreach to local law schools in the hope of attracting highly qualified young attorneys to this Office, and improving Office diversity. Working with a local law school we also hope to create a law school criminal law clinic in this Office.

PART V: CONCLUSION

Each and every member of the Public Defender's Office is proud of the amount of work done in the past year, but each individual takes a great deal more pride in the quality of the services we provide. We continue to stress respect for the judicial process and absolute integrity in the handling of all cases assigned to this Office.

I would also like to note that in 2008 two highly respected attorneys retired from the Office. First Assistant Public Defender Brian Shiffrin retired after thirty years of service to this Office and the community. In those thirty years, Brian was the head of the Office's Appeals Bureau, the Second Assistant Public Defender, and for the last ten years, its First Assistant Public Defender. As a result of Brian's commitment to our clients, his incomparable legal skills, and his willingness to tirelessly devote time and energy to assisting other attorneys in this Office, the justice system in this County was greatly improved.

Assistant Public Defender Michael Lacagnina retired after thirty-five years of service in the Office, most of it in the

Family Law Bureau of the Office. Mike was greatly respected not only by the staff of this Office, but by the judges with whom he worked, and by the legal community in general. His devotion to our clients was only exceeded by his calm demeanor, and his kindness to others. The excellent results he obtained for his clients were a source of inspiration for the attorneys in this Office.

Both will be sorely missed.

In concluding, I would like to note that this Office's excellent reputation is the result of the dedication, commitment, and talent of the attorneys and the support staff. I am enormously proud of their efforts and the results they achieve for our clients.

PUBLIC DEFENDERS

Charles L. Willis	Jul., 1968 - Dec., 1969
Nicholas P. Varlan	Jan., 1970 - Dec., 1973
Peter L. Yellin	Apr., 1974 - Jan., 1977
Edward J. Nowak	Apr., 1977 - Dec., 2007
Timothy P. Donaher	Feb., 2008 - Present

Respectfully submitted for
The Public Defender's Office

TIMOTHY P. DONAHER
Monroe County Public Defender

COURT ACTIVITY SUMMARY 2008

<u>NEW DEFENDANTS</u>	27,870	<u>PLEAS TO LESSER (Con't)</u>	
FELONY.....	2,130	MISDEMEANORS.....	2,824
FELONY (Drug A and B) ..	668	To Lesser Misd.....	263
FELONY (VFO).....	1,211	To Violation.....	2,561
MISDEMEANOR.....	11,970		
VIOLATION.....	5,400	<u>CLOSED CASES: [OTHER]:</u>	
(City and Justice)		A.C.D.....	2,856
PROBATION VIOLATION....	513	PRIVATE ATTY.....	771
(Superior)		ASSIGNED COUNSEL.....	4,626
PROBATION VIOLATION....	821	W/D D.A, DIS'D ON MOTION.....	3,112
(City and Towns)			
APPEALS.....	219	<u>TRIALS</u>	223
FAMILY COURT.....	3,944	FELONY.....	66
PAROLE.....	872	MISDEMEANOR.....	110
FUGITIVES.....	35	VIOLATION.....	47
SORA.....	87		
<u>PLEAS AS CHARGED</u>	4,135	<u>FINDING AFTER TRIAL</u>	
FELONY.....	810	GUILTY AS CHARGED	
MISDEMEANOR.....	2,572	(or to part of indict.	
VIOLATION.....	753	when highest court).....	50
<u>PLEAS TO LESSER</u>		GUILTY TO LESSER	
FELONIES.....	1,009	(or to part of indict.	
To Lesser Felony.....	241	when lesser court).....	57
To Misdemeanor.....	768	NOT GUILTY.....	66
		TRIAL ORDER OF DISMISSAL.....	19
		MISTRIAL.....	4

PUBLIC DEFENDER STAFF
(as of 2/1/09)

Administration

Donaher, T. Public Defender
Brazill, R. 1st Asst. Pub. Def.
Tronolone, T. Conf. Asst. to the Public Defender
Prescott, M. Exec. Secretary to the Public Defender
Colon, M. Receptionist-Bilingual
Rivera, N. Receptionist-Bilingual

Superior Court

Paperno, J. 2nd Asst. Pub. Def.
Lapp, L. Spec. Asst. (Non-VFO)
Doran, M. Spec. Asst. (Drug)
Teifke, E. Spec. Asst. (VFO)
Vitale, A. Spec. Asst. (Parole)

Lamb, P. Secretary
Li Muti, F. Secretary

Appeals

Abdallah, W.	Asst. Pub. Def.	DuBrin, D.	Spec. Asst. (Appeals)
Griffin, J.	Asst. Pub. Def.	Amiger, S.	Secretary
Haselbauer, K.	Asst. Pub. Def.	DeMonte, J.C.	Secretary
Johnson, N.	Asst. Pub. Def.		
Karnyski, K.	Asst. Pub. Def.		
Lopez, M.	Asst. Pub. Def.	Abbatoy, D.	Asst. Pub. Def.
Maure, H.	Asst. Pub. Def.	Clauss, W.	Asst. Pub. Def.
Riley, E.	Asst. Pub. Def.	Davis, T.	Asst. Pub. Def.
Scalia, D.	Asst. Pub. Def.	Duguay, K.	Asst. Pub. Def.
Stubbe, J.	Asst. Pub. Def.	Clark, M.	Asst. Pub. Def.
Van Hooft, B.	Asst. Pub. Def.	Eckert, J.	Asst. Pub. Def.
Willkens, M.	Asst. Pub. Def.	Myers, G.	Asst. Pub. Def.
Winward, T.	Asst. Pub. Def.	Somes, J.	Asst. Pub. Def.

City Court

Bradley, J. Special Assistant
 Cook, K. Secretary
 Tobias, L. Secretary
 Allen, F. Invest. Asst.
 Warner, S. Invest. Asst.

Brach, K. Asst. Pub. Def.
 Conner, A. Asst. Pub. Def.
 Eaggleston, C. Asst. Pub. Def.
 Gross, R. Asst. Pub. Def.
 Harned, L. Asst. Pub. Def.
 Mazzarella, J. Asst. Pub. Def.
 Morrow, J. Asst. Pub. Def.
 Newman, E. Asst. Pub. Def.
 Oathout, B. Asst. Pub. Def.
 Oren, A. Asst. Pub. Def.
 Rosmus, E. Asst. Pub. Def.
 Yoon, J. Asst. Pub. Def.
 Zaidi, A. Asst. Pub. Def.
 Zoghlin, S. Asst. Pub. Def.

Justice Court

Cianca, J. Special Assistant
 Morley, L. Secretary
 McKie, M. Secretary
 Camacho, M. Invest. Asst.
 Sands, K. Invest. Asst.

Afoh-Manin, J. Asst. Pub. Def.
 Caputo, J. Asst. Pub. Def.
 Gibbons, P. Asst. Pub. Def.
 Lopez, S. Asst. Pub. Def.
 Luginbill, R. Asst. Pub. Def.
 Valleriani, S. Asst. Pub. Def.

Family Court

Guglin, T. Special Assistant
 Stephens, E. Secretary
 Ciaccia, C. Invest. Asst.
 (Job Share)
 Lucania, S. Invest. Asst.
 (Job Share)

Altman, J. Asst. Pub. Def.
 Bayer, P. Asst. Pub. Def.
 Bourne, L. Asst. Pub. Def.
 Fine, A. Asst. Pub. Def.
 Ponticello, C. Asst. Pub. Def.
 Sartori, S. Asst. Pub. Def.
 Wirley, B. Asst. Pub. Def.

Investigations

DuMont T. Chief Investigator
 Brugnoli, J. Spec. Urban Inv.
 Johnson, J. Spec. Urban Inv.
 Pagan, G. Spec. Urban Inv.
 Chambers, P. Spec. Urban Inv.
 Morse, L. Spec. Urban Inv.

Alternatives to Incarceration

Crabb, S. ATI Worker
 Begley, J. ATI Worker