

Indigent Legal Services, Office of

Mission

The Office of Indigent Legal Services and the associated Indigent Legal Services Board are responsible for examining, overseeing, and improving the quality of New York's county-based system of providing legal representation to people who are unable to afford an attorney.

Organization and Staffing

The Office and nine member Indigent Legal Services Board were created in 2010 to assist county governments in providing counsel to those persons who are legally entitled to counsel, but cannot afford to hire an attorney. The Board is appointed by the Governor and chaired by the Chief Judge of the Court of Appeals. The Board is responsible for nominating a Director to run the day-to-day operations of the Office.

Budget Highlights

The FY 2019 Executive Budget recommends \$161.2 million All Funds support for the Office of Indigent Legal Services, an increase of \$51.6 million from FY 2018, and a workforce level of 34 FTEs, an increase of four from FY 2018. The \$50.7 million increase in Local Assistance funding levels from FY 2018 is directly attributable to the statewide implementation of the Hurrell-Harring Settlement terms. In addition, \$887,000 in State Operations has been made available to support the increased workload associated with the statewide implementation.

Program Highlights

Indigent Legal Services Program

The Office is responsible for the distribution of State funds appropriated to the counties from the State's Indigent Legal Services Fund. The State established this dedicated Fund in 2003 to assist localities in meeting the duty to provide legal representation to persons unable to afford counsel. The Office distributes these funds to improve the quality of indigent legal services provided by the counties.

Hurrell-Harring Settlement Program

The Office is responsible for implementing the terms of the Hurrell-Harring Settlement, in which the State will provide counsel at arraignment, establish Caseload Standards and Eligibility Criteria, and improve the quality of defense in the following five counties: Onondaga, Ontario, Schuyler, Suffolk, and Washington.

HHS Statewide Implementation

The Office is tasked with the statewide implementation of counsel at arraignment, Caseload Standards for providers of indigent legal services, and quality improvement initiatives in a manner similar to the plans implemented by the Hurrell-Harring Settlement.

ALL FUNDS APPROPRIATIONS (dollars)

Category	Available FY 2018	Appropriations Recommended FY 2019	Change From FY 2018	Reappropriations Recommended FY 2019
State Operations	4,830,000	5,717,000	887,000	195,000
Aid To Localities	104,810,000	155,530,000	50,720,000	255,615,000
Total	109,640,000	161,247,000	51,607,000	255,810,000

NYS DOB | FY 2019 Executive Budget | Agency Appropriations
ALL FUND TYPES
PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM
FILLED ANNUAL SALARIED POSITIONS

Program	FY 2018 Estimated FTEs 03/31/18	FY 2019 Estimated FTEs 03/31/19	FTE Change
Indigent Legal Services Program			
Special Revenue Funds - Other	14	18	4
HHS Statewide Implementation			
Special Revenue Funds - Other	8	8	0
Hurrell-Harring Settlement			
Special Revenue Funds - Other	8	8	0
Total	30	34	4

STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE
APPROPRIATIONS
(dollars)

Fund Type	Available FY 2018	Recommended FY 2019	Change
Special Revenue Funds - Other	4,830,000	5,717,000	887,000
Total	4,830,000	5,717,000	887,000

STATE OPERATIONS
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS
(dollars)

Program	Available FY 2018	Recommended FY 2019	Change
Indigent Legal Services Program			
Special Revenue Funds - Other	2,310,000	3,016,000	706,000
HHS Statewide Implementation			
Special Revenue Funds - Other	1,250,000	1,402,000	152,000
Hurrell-Harring Settlement			
Special Revenue Funds - Other	1,270,000	1,299,000	29,000
Total	4,830,000	5,717,000	887,000

STATE OPERATIONS - OTHER THAN GENERAL FUND
SUMMARY OF APPROPRIATIONS AND CHANGES
FY 2019 RECOMMENDED
(dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Indigent Legal Services Program	3,016,000	706,000	1,591,000	371,000
HHS Statewide Implementation	1,402,000	152,000	682,000	82,000
Hurrell-Harring Settlement	1,299,000	29,000	724,000	24,000

NYS DOB | FY2019 Executive Budget | Agency Appropriations

Total	5,717,000	887,000	2,997,000	477,000
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Program	Amount	Nonpersonal Service	Change
Indigent Legal Services Program	1,425,000		335,000
HHS Statewide Implementation	720,000		70,000
Hurrell-Harring Settlement	575,000		5,000
Total	2,720,000		410,000

**AID TO LOCALITIES
ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE
APPROPRIATIONS
(dollars)**

Fund Type	Available FY 2018	Recommended FY 2019	Change
Special Revenue Funds - Other	104,810,000	155,530,000	50,720,000
Total	104,810,000	155,530,000	50,720,000

**AID TO LOCALITIES
ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM
APPROPRIATIONS
(dollars)**

Program	Available FY 2018	Recommended FY 2019	Change
Indigent Legal Services Program			
Special Revenue Funds - Other	81,000,000	81,000,000	0
HHS Statewide Implementation			
Special Revenue Funds - Other	0	50,720,000	50,720,000
Hurrell-Harring Settlement			
Special Revenue Funds - Other	23,810,000	23,810,000	0
Total	104,810,000	155,530,000	50,720,000

Note: Most recent estimates as of 01/16/2018