

## 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 2020 Executive Budget recommends \$210.9 million All Funds support for the Office of Indigent Legal Services, an increase of \$49.7 million from FY 2019, and a workforce level of 36 FTEs, an increase of two from FY 2019. The \$49.3 million increase in Local Assistance funding levels from FY 2019 is directly attributable to the statewide implementation of the Hurrell-Harring Settlement terms. In addition, \$373,000 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 2019	Appropriations Recommended FY 2020	Change From FY 2019	Reappropriations Recommended FY 2020
State Operations	5,717,000	6,090,000	373,000	140,000
Aid To Localities	155,530,000	204,810,000	49,280,000	320,337,000
<b>Total</b>	<b>161,247,000</b>	<b>210,900,000</b>	<b>49,653,000</b>	<b>320,477,000</b>

NYS DOB | FY 2020 Executive Budget | Agency Appropriations  
**ALL FUND TYPES**  
**PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM**  
**FILLED ANNUAL SALARIED POSITIONS**

Program	FY 2019 Estimated FTEs 03/31/19	FY 2020 Estimated FTEs 03/31/20	FTE Change
Indigent Legal Services Program			
Special Revenue Funds - Other	18	20	2
HHS Statewide Implementation			
Special Revenue Funds - Other	8	8	0
Hurrell-Harring Settlement			
Special Revenue Funds - Other	8	8	0
<b>Total</b>	<b>34</b>	<b>36</b>	<b>2</b>

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

Fund Type	Available FY 2019	Recommended FY 2020	Change
Special Revenue Funds - Other	5,717,000	6,090,000	373,000
<b>Total</b>	<b>5,717,000</b>	<b>6,090,000</b>	<b>373,000</b>

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

Program	Available FY 2019	Recommended FY 2020	Change
HHS Statewide Implementation			
Special Revenue Funds - Other	1,402,000	1,354,000	(48,000)
Hurrell-Harring Settlement			
Special Revenue Funds - Other	1,299,000	1,375,000	76,000
Indigent Legal Services Program			
Special Revenue Funds - Other	3,016,000	3,361,000	345,000
<b>Total</b>	<b>5,717,000</b>	<b>6,090,000</b>	<b>373,000</b>

**STATE OPERATIONS - OTHER THAN GENERAL FUND**  
**SUMMARY OF APPROPRIATIONS AND CHANGES**  
**FY 2020 RECOMMENDED**  
(dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
HHS Statewide Implementation	1,354,000	(48,000)	717,000	35,000
Hurrell-Harring Settlement	1,375,000	76,000	724,000	0
Indigent Legal Services Program	3,361,000	345,000	1,767,000	176,000

NYS DOB | FY 2020 Executive Budget | Agency Appropriations

<b>Total</b>	<b>6,090,000</b>	<b>373,000</b>	<b>3,208,000</b>	<b>211,000</b>
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Program	Nonpersonal Service	
	Amount	Change
HHS Statewide Implementation	637,000	(83,000)
Hurrell-Harring Settlement	651,000	76,000
Indigent Legal Services Program	1,594,000	169,000
<b>Total</b>	<b>2,882,000</b>	<b>162,000</b>

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

Fund Type	Available FY 2019	Recommended FY 2020	Change
Special Revenue Funds - Other	155,530,000	204,810,000	49,280,000
<b>Total</b>	<b>155,530,000</b>	<b>204,810,000</b>	<b>49,280,000</b>

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

Program	Available FY 2019	Recommended FY 2020	Change
HHS Statewide Implementation			
Special Revenue Funds - Other	50,720,000	100,000,000	49,280,000
Hurrell-Harring Settlement			
Special Revenue Funds - Other	23,810,000	23,810,000	0
Indigent Legal Services Program			
Special Revenue Funds - Other	81,000,000	81,000,000	0
<b>Total</b>	<b>155,530,000</b>	<b>204,810,000</b>	<b>49,280,000</b>

Note: Most recent estimates as of 1/15/2019