

# Warren County Board of Supervisors

## RESOLUTION NO. 145 OF 2011

**Resolution introduced by Supervisors Bentley, Thomas, Monroe, Girard, Sokol, McCoy and Wood**

### **URGING LEGISLATORS TO AMEND COUNTY LAW TO ALLOW COUNTIES TO CONTRACT WITH LOCAL ATTORNEYS TO PROVIDE CONFLICT DEFENDER SERVICES FOR THE INDIGENT**

WHEREAS, pursuant to the current provisions of the County Law, Section 722 et al, the only approved mechanisms for provision of representation to qualified indigents would be in one of the five enumerated manners set forth in this law, and

WHEREAS, in accordance with indigent representation procedures authorized pursuant to County Law, the County undertakes indigent representation in appropriate matters by means of a Public Defender Officer, which the County established pursuant to a Local Law in 2003, and

WHEREAS, conflict defender representation is often necessary, but in the manners set forth in County Law, Section 722 , is permissible only through use of assigned counsel or through an approved program sponsored by the local bar association, and

WHEREAS, the Criminal Justice Committee, in discussing this issue, wishes to urge the State Legislature to expand County Law §722 to permit counties to contract with individual local attorneys to provide indigent representation, and

WHEREAS, the Criminal Justice Committee referred said matter to the Legislative Committee for their review, and the Legislative Committee concurred, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors urges the State Legislature to amend the County Law as pertains to indigent representation to allow the County to contract for conflict defender services so that the indigent are adequately represented, and be it further,

**RESOLUTION NO. 145 OF 2011**

**PAGE 2 OF 2**

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution to the New York State Association of Counties; Governor Andrew Cuomo; Senator Elizabeth O’C. Little; and Assemblywoman Teresa Sayward.