



OFFICE OF THE PUBLIC DEFENDER

ANNUAL REPORT

2018

INTRODUCTION

In 2018, the Monroe County Public Defender's Office continued to provide excellent representation to indigent clients in the criminal, family, and appellate courts in Monroe County. Due to the mandated increase in criminal court eligibility guidelines that were implemented July 1st of 2017, the Office saw increased caseloads throughout 2017 and 2018.

Despite the challenges we faced, due to the extraordinary dedication of the attorneys and support staff, we were able to continue to provide excellent representation for our clients. The attorneys in the Office continued to work significant, unpaid overtime to ensure that we continue to provide excellent representation to our clients. The support staff also expended considerable effort in assisting the attorneys in dealing with the heavy caseload.

But the hard work expended by staff led to excellent results for our clients. For example, in 2018 the attorneys in the Office prevailed in 60% of the felony trials conducted by staff (a complete acquittal, top count acquittal, or trial order of dismissal granted).

In 2018, the Office continued its efforts in examining how to improve the representation we provide our clients. We also completed several initiatives began in 2015, and began several new initiatives, all designed to improve the quality of services we provide, and assist the criminal defense bar in providing quality representation to criminal defendants in the Greater Rochester Area.

In Part I of this Report, the Office's efforts to improve client representation, increase contact with the community that we serve, and continue our efforts to recruit

highly qualified attorneys to be assistant public defenders, and increase office diversity, is discussed. In Part II of this Report, the Office, its staffing, and caseloads will be outlined. Part III of this Report will discuss Office recognition, 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. They are truly an asset to our community. It is through their efforts that the following improvements and initiatives were undertaken and accomplished in 2018.

B. New Financial Eligibility Guidelines

On July 1, 2017 the Monroe County Public Defender's Office implemented new financial eligibility guidelines in criminal cases that were mandated by the New York State Office of Indigent Legal Services. Under the new criteria an applicant is presumptively eligible for assignment of counsel when the applicant's net income is below 250% of the Federal Poverty Guidelines. "Net income" means an individual's wages or other earnings after deductions for any taxes.¹

As a result of the new eligibility criteria, the number of potential applicants for assigned counsel has significantly increased. As a result, the Monroe County Public Defender's Office caseloads have increased approximately 1,000 cases over 2016 numbers in both 2017 and 2018.

¹ Previously, the Monroe County Public Defender's Office determined that an applicant was eligible for assignment of counsel if their income did not exceed 125% of the federal poverty guidelines.

C. Raise the Age Implementation

On October 1, 2018 “Raise the Age” legislation was implemented state-wide. The legislation became effective for 16-year-olds on that date. On October 1, 2019 it becomes effective for 17-year-olds. This legislation is designed to divert youth charged with misdemeanors from criminal court prosecution to family court, and the majority of youth charged with felony offenses from criminal court to family court.

As the Raise the Age legislation created a new court part, designated “Youth Part”, the Office was required to assign an experienced felony attorney to this rotation. Once Raise the Age is fully in effect, it is anticipated that there will be a need to assign two attorneys to the Youth Part rotation in the Office.

It is our goal to vigorously advocate for our clients in Youth Part to maximize the number of clients whose cases are removed to family court.

D. Appellate *Pro Bono* Program

The Office’s Appellate *Pro Bono* Program seeks to establish *pro bono* relationships with law firms who are willing to handle an appellate case *pro bono*. The firms involved agree to handle complex appeals *pro bono*, which allows our appellate staff to concentrate on other appellate cases assigned to the Office. This has allowed the Office to reduce an existing appellate backlog without expending additional taxpayer dollars.

E. 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 in 2018 (Special

Assistant Public Defender Drew DuBrin, Special Assistant Public Defender Josh Stubbe, 1st Assistant Public Defender Jill Paperno, Assistant Public Defender Katherine Higgins, and Assistant Public Defender Nicole Morris) screened all applicants for open attorney positions, conducted all initial interviews with prospective applicants, and recommended to the Public Defender the top three applicants for each open position.

Based upon their excellent work this past year, the Office hired eight attorneys who were well-qualified for the position of assistant public defender and who exhibited a commitment to public defense. All of the new hires possessed excellent academic credentials and a dedication to public interest law. Importantly, the new hires further expanded the diversity of our staff.

F. Continuing Legal Education (CLE) Committee, Training and Skills Programs

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. To accomplish the necessary training for staff, the Office conducts numerous Continuing Legal Education (CLE) programs and training programs. It is the responsibility of the CLE Committee to organize continuing legal education programs for staff attorneys and the legal community. In 2018 it was chaired by Special Assistant Public Defender Julie Cianca.

The Monroe County Public Defender's Office is an accredited CLE provider. The Office strives to provide staff attorneys and attorneys in the legal community high-quality CLE programs at no cost. In 2018 the Office sponsored the following CLE programs for the attorneys in the Office, and the private defense bar:

1/12/2018	2017 Statutory Changes in the Law of Identification Evidence
2/9/2018	Standardized Field Sobriety Testing: What Officers are Being Taught
2/12/2018	2018 Monroe County Law Department CLE
3/23/2018	Reducing One Aspect of the Pernicious Impact of Recordings of Interrogations: Police Statements of Opinions and Lies
3/26/2018	Ethical Issues in Conflict Checking
6/29/2018	Five Not-So-Easy-Pieces: Client Autonomy After <i>McCoy V. Louisiana</i>
7/13/2018	Handling a CPCS7 Case
7/20/2018	Ethics and Social Media
8/17/2018	Who's the Boss? Town Court Trainer
9/7/2018	He Started it: The Defense of Justification
9/14/2018	Trial Lawyer's Responsibility to Effectuate the Client's Right to Appeal
9/21/2018	Challenging Electronic Surveillance Post- <i>Carpenter</i>
9/28/2018	32nd Annual Steinberg Series Lecture
10/5/2018	Motor Vehicle Searches
10/5/2018	Basics of Felony Practice- Part I
10/26/2018	Understanding Intimate Partner Violence and How it Can Affect Your Client's Case
11/2/2018	A View From the Bench: Motion Practice
11/9/2018	Practice in the Fourth Department: New Rules and the Way the Court Works
12/10/2018	Who's The Boss? Attorney-Client Decision-Making and the Application of Rule 3.3

Hundreds of attorneys from upstate New York attended the above CLE programs. All of the above programs were **provided at no cost to the attendees**.

Attorneys in the Office are often asked to present at various CLE programs throughout New York State. In 2018, 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 Lawyers.

Because of the work of this committee, and the attorneys in this Office who donated their time and effort speaking at CLEs, the legal community received valuable instruction in criminal and family law. As a result of the numerous high-quality CLE programs presented by the Office over the last several years, the Office was awarded the Monroe County Bar Association's Raymond J. Pauley Award in 2016. The Pauley Award recognizes an attorney or organization that has made "exceptional contributions

to the furtherance of legal education".

In late 2017, 1st Assistant Public Defender Jill Paperno assumed the responsibilities of Training Director. In 2018, under her direction, the Office partnered with the New York State Defenders Association to create a new mock trial program for our local court staff. The three-day training was held from May 4th to 6th. Experienced attorney coaches, both from our own staff and from private firms, including two of the premier DWI firms in New York, lectured staff, brainstormed with them, and then observed and critiqued them as they engaged in exercises involving cross-examination of the breath test officer and the arresting officer. Jurors were drawn from the community, and retired officers played the role of the two officers. The program was extremely well received, and staff felt more confident and knowledgeable about handling their next DWI trial.

G. Internship Committee and Program

In 2018, the Office continued our internship program. In addition to placing college students as interns, the Office continued to place law students, and in select cases, high school students. In 2018, the Office hosted over 20 student interns (from law schools, local colleges, and high schools) throughout the year. All of the student interns obtained valuable experience working in a large law office, and gained additional insight into the criminal justice system.

In 2018, the Office continued its "externship program" with the participating law schools. Student externs receive course credit toward their degree requirements, while also learning valuable knowledge about our criminal justice system. Additionally, the

student externs assist attorneys in the Office by conducting legal research, drafting motions, and other forms of legal assistance.

College and high school interns are offered the opportunity to observe the criminal justice system from a unique perspective, and they gain valuable experience as well. 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, Nazareth College, and the Rochester City School District.

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 750,000 people.

The office handles cases in:

- A. Town and Village Justice Courts
- B. Rochester City Court (including Rochester Drug Treatment Court)
- C. County Court (including Mental Health Court, Veterans Court, and Judicial Diversion Program Court)
- D. Supreme Court
- E. Family Court
- F. Appellate Division, Fourth Department
- G. Court of Appeals
- H. 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 indigent who are accused of a crime, or who are entitled to representation in family court, truly competent legal representation which

exceeds 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 2018, our staff included 72 attorneys, 1 confidential assistant, 6 investigators, 8 investigative assistants, 9 full-time secretaries and 1 receptionist, who is bilingual. The attorneys are precluded from engaging in private practice.

Assistant public defenders are assigned to work in 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.

The Office staff takes great pride in the quality of the work they provide to our clients. Their work results in high-quality representation that advances justice in our community. **As an example, in 2018 the Office conducted 143 trials (felony or misdemeanor/violation) to completion. Of those, we obtained favorable dispositions (Complete Acquittals, Top Count Acquittals and Trial Orders of Dismissal) in more than 60% of the trials.**

C. Caseload Standards

On May 10, 2017 the New York State Office of Indigent Legal Services issued new caseload standards for indigent defense offices handling criminal cases. The new caseload standards replace the outdated national standards of no more than 400 misdemeanors per attorney, or no more than 150 felony cases per attorney. The new standards state that an attorney should not have more than the following maximum cases per year:

Case Type	Maximum Annual Assignments	Minimum Average Hours
Violent Felonies ⁴⁵	50	37.5
Non-Violent Felonies	100	18.8
Misdemeanors and Violations	300	6.3
Post-Disposition (including Probation Revocation)	200	9.4
Parole Revocation	200	9.4
Appeals of Verdicts	12	156.3
Appeals of Guilty Pleas	35	53.6

Current caseloads in the criminal trial sections of the Monroe County Public Defender's Office greatly exceed these caseload standards.

D. 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, investigating and preparing a defense to the charges, preparation and argument of various types of motions, pre-trial hearings, preliminary hearings, trials, social service agency referrals, and sentencing.

In 2018, all of these responsibilities were carried out by a total of 14 Assistant

Public Defenders and two Special Assistant Public Defenders who supervised the City Court Section (while also handling a violent felony caseload). The attorneys share the enumerated responsibilities on a rotating basis.

In 2018, this Office was called upon to represent clients in approximately 7,500 cases in the City Court of Rochester. That means, on average, each Assistant Public Defender would have been assigned to approximately 535 cases during the course of the year. Although this number is significantly lower than in past years due to increased staffing being allocated to this Bureau, that number of case assignments is significantly higher than the recommended maximum caseload as established by the Office of Indigent Legal Services.

E. Town Court Bureau

The office is required to represent persons accused of crimes in the various town and villages throughout the County. In 2018 the Office had 14 assistant public defenders (overseen by two Special Assistant Public Defenders) assigned to cover the Town and Village Justice Courts within the 21 towns and villages of Monroe County.²

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 two Special Assistant Public Defenders (who also carry a violent felony caseload) to supervise 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.

² Although there are 21 Town and Villages in Monroe County with a justice court, almost all of those courts have at least two judges. The attorneys in the Town Court section must handle 49 separate courts in the 21 Towns and Villages in Monroe County.

In 2018, approximately 7,500 clients were assigned to our justice court staff of 14 full-time attorneys. In addition, the attorneys in this section were assigned to represent more than 1,132 parolees who were charged with violating the conditions of their parole release. Therefore, each of the newly hired attorneys in the section was assigned to an average of approximately 616 cases. Additionally, each staff attorney in the Town Court Bureau is required to staff one 12 hour arraignment shift (8:00 a.m. to 8:00 p.m.) each week under the CAFA Program. The Town Court Section also has the added responsibility of representing individuals whose cases have been transferred to Rochester Drug Treatment Court, Monroe County Mental Health Court, the Integrated Domestic Violence Court, or Monroe County Veterans Court.

F. Superior Court Bureau

In 2018, the Superior Court Bureau (divided into the non-violent felony section and the violent felony section) was staffed with the full time equivalent of 22 attorneys, including the 1st Assistant Public Defender, the 2nd Assistant Public Defender, and three Special Assistant Public Defenders (some senior staff have reduced caseloads due to supervisory responsibilities).

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. The Bureau handled violent and nonviolent felony offenses.

The attorneys in this Bureau handled all aspects of the criminal process, including 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, and 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 2018, we were assigned to approximately 4,220 felony cases. This was an decrease of approximately 121 cases over 2017. The felony caseload per attorney ratio is approximately 185 new cases per attorney. That represents a current felony assignment rate that is significantly above ILS caseload maximums.

G. 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.³ The State has also passed legislation requiring more court appearances in

³ The Public Defender's jurisdiction in Family Court is specifically set forth in § 262 of the Family Court Act, which includes representing indigent respondents in child abuse, child neglect, permanent termination of parental rights, family offense, custody, paternity/support and support violation cases.

certain types of family court actions, which requires our family court attorneys to devote a significant amount of time to appearing in court.

In 2018, our Family Court staff was comprised of one Special Assistant Public Defender and nine 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 2018, this office was assigned to represent approximately 2,142 clients and approximately 3,000 new cases. To put this caseload into a historical perspective, in 1987, there were 5 attorneys in our Family Court section who were assigned to represent 865 clients. That 1987 caseload was within 10% of management guidelines which suggest that a maximum caseload of approximately 150 cases be assigned to each attorney per year. Currently our 10 Family Court attorneys are each required to provide representation to significantly greater number of clients each year. Last year, each family court attorney was asked to represent over 300 cases per year.

This number is far above the recommended caseload for family court attorneys.

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."

H. 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 are specialties 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 that 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 2018, our authorized appeal staff consisted of the Special Assistant Public Defender in-charge of the section and six Assistant Public Defenders.

The attorneys in the Appeals Bureau of the Monroe County Public Defender 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 ensuring 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 for trial attorneys. Bureau attorneys have also assisted trial attorneys on collateral issues that sometimes arise.

In 2018, the seven attorneys in our Appeals Bureau closed approximately 162 cases.

I. Investigation Bureau

During 2018, 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 2018 are as follows:

INVESTIGATIVE SECTION ANNUAL STATISTICS	CRIMINAL TRIAL PARTS	FAMILY COURT/ APPEALS	TOTAL
INVESTIGATION/ INTERVIEWS	3,036	419	3,455
SUBPOENAS	270	236	506
LOCATE/NOTIFY	77	11	88
MISCELLANEOUS (TRANSLATIONS, PHOTOS, MEASUREMENTS, ETC.)	914	74	988

In 2018, more than 5,000 criminal and family court 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: OFFICE RECOGNITION, COMMUNITY
INVOLVEMENT AND SUPPORT

A. The Jeffrey A. Jacobs Award

In 2010, the Office established an annual award in the memory of former Special Assistant Public Defender Jeffrey A. Jacobs. Jeff Jacobs was a truly outstanding attorney and person. His commitment to justice for the indigent was unparalleled in our community. Jeff was a fierce advocate, and was justifiably proud of his trying over 100 felony cases. Many of those cases were difficult, complex cases requiring Jeff to become familiar with novel scientific theories, and develop effective trial strategies.

Jeff was also a role model for younger assistant public defenders. He generously gave his time to assist younger attorneys on their cases and provide encouragement as they handled difficult cases. His dedication to his clients, perseverance despite the circumstances, and commitment to a fair justice system were a source of inspiration for defense attorneys throughout our community.

Jeff tragically passed away in November of 2006 after a courageous eight-month battle with brain cancer.

The Jacobs Award recognizes a criminal defense attorney from the greater Monroe County area who exemplifies the above qualities, and who has performed truly outstanding trial work in the preceding year. The award winner is chosen according to the following criteria: (a) the complexity of the cases tried, which may include the effective use of experts, and/or litigating complex forensic or scientific issues; and/or (b) fearless advocacy exhibited on behalf of the client; and/ or (c) creativity demonstrated in the presentation of the defense.

In 2018, the Office continued its recognition of a local attorney who exemplified Jeff's commitment to excellent defense of the indigent with the awarding of the 2018 Jeffrey A. Jacobs Award to Assistant Public Defender Katherine Higgins.

B. Award for Excellence in Indigent Adult Representation in Family Court

The important work of family court is too often overlooked by the legal profession. Despite dealing with complicated and often emotionally charged issues that profoundly affect families, from custody and visitation cases to termination of parental rights cases, family court is not always recognized for the quality of justice it strives to provide to its litigants.

The attorneys who represent indigent adults in family court work tirelessly to preserve one of the most important human relationships – that between parent and child. Their dedication deserves to be recognized by the legal community. To address this, the Monroe County Public Defender's Office created an award in 2014 to recognize excellence in indigent adult representation in Monroe County Family Court.

The award recognizes an attorney who practices in Monroe County Family Court and who, in the previous two years, displayed exceptional dedication to his or her indigent, adult clients, excellent advocacy skills, and superior knowledge of the law. The attorney must have represented one or more indigent adult clients in a custody/visitation, child support, abuse or neglect, or termination of parental rights case. The award is also open to appellate attorneys who represent adult, indigent appellants or respondents in New York State appellate courts and who, in the previous two years displayed exceptional dedication to his or her clients, excellent advocacy skills, and superior knowledge of the law in an appeal from a custody/visitation, child

support, abuse or neglect, or termination of parental rights case.

In 2018, the recipient of the award were Assistant Public Defender Seana Sartori.

C. 50th Anniversary Celebration

On September 14, 2017 the Office celebrated its 50th Anniversary with a celebration held at the Inn on Broadway. Over 150 staff, former staff, local attorneys, judges, and family members attended and celebrated the excellent work done by the Public Defender's Office since its inception.

PART IV: THE FUTURE OF THE OFFICE

As we look ahead to 2019, the Office plans to continue its efforts to improve our representation to our clients, improve our discourse with the community we serve, and enhance the diversity of our staff. The initiatives outlined above will continue, and we will also continue looking at how technology may improve Office operations and efficiency.

PART V: CONCLUSION

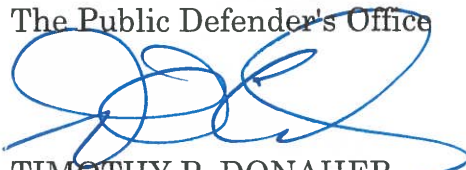
Each and every member of the Public Defender's Office is proud of the amount of work done in the past year, but each individual takes a great deal more pride in the quality of the services we provide. We continue to stress respect for the judicial process and absolute integrity in the handling of all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

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 County 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.

In conclusion, 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.

Respectfully submitted for
The Public Defender's Office



TIMOTHY P. DONAHER
Monroe County Public Defender

COURT ACTIVITY SUMMARY 2018

NEW CLIENTS.....27,278

FELONY..... 2,665

FELONY (Drug A and B).. 484

FELONY (VFO)..... 1,046

HOMICIDE 25

MISDEMEANOR.....11,634

VIOLATION..... 2,961
(City and Justice)

PROBATION VIOLATION.... 417
(Superior)

PROBATION VIOLATION.... 484
(City and Towns)

APPEALS..... 233

FAMILY COURT..... 6,056

PAROLE..... 1,132

FUGITIVES..... 80

SORA..... 61

PLEAS AS CHARGED.....1,482

FELONY..... 334

MISDEMEANOR..... 960

VIOLATION..... 188

PLEAS TO LESSER

FELONIES..... 1,072

To Lesser Felony..... 99

To Misdemeanor..... 973

PLEAS TO LESSER (Con't)

MISDEMEANORS.....2,727

To Lesser Misd..... 193

To Violation..... 2,534

CLOSED CASES: [OTHER]:

A.C.D..... 2,695

PRIVATE ATTY..... 1,023

ASSIGNED COUNSEL..... 5,538

W/D D.A, DIS'D ON MOTION..... 4,253

TRIALS.....143

FELONY..... 52

MISDEMEANOR..... 44

VIOLATION..... 54

FINDING AFTER TRIAL*

GUILTY AS CHARGED
(or to part of indict.
when highest court)..... 29

GUILTY TO LESSER
(or to part of indict.
when lesser court)..... 24

NOT GUILTY..... 34

TRIAL ORDER OF DISMISSAL..... 19

MISTRIAL..... 3

* does not include pleas taken during
trial or cases where PD relieved before
sentencing

PUBLIC DEFENDER STAFF
(as of 1/15/19)

Administration

Donaher, T. Public Defender
Paperno, J. 1st Asst. Pub. Def.
Tronolone, T. Conf. Asst. to the Public Defender
Duerr, C. Exec. Secretary to the Public Defender
Rivera, N. Receptionist-Bilingual

Superior Court

Appeals

Teifke, E.	2 nd Asst. Pub. Def.	DuBrin, D.	Special Assistant
Cianca, J.	Special Assistant	DeMonte, J.C.	Secretary
Doran, M.	Special Assistant	Davis, T.	Sr. Asst. Pub. Def.
Scalia, D.	Special Assistant	Hobbs, J.	Asst. Pub. Def.
Cook, K.	Secretary	Juergens, D.	Asst. Pub. Def.
(Vacant)	Secretary	Nelson, B.	Asst. Pub. Def.
Bahr, R.	Sr. Asst. Pub. Def.	Somes, J.	Sr. Asst. Pub. Def.
Brach, K.	Asst. Pub. Def.		
Caputo, J.	Sr. Asst. Pub. Def.		
Clark, M.	Sr. Asst. Pub. Def.		
Grippe, J.	Asst. Pub. Def.		
Haselbauer, K.	Sr. Asst. Pub. Def.		
Higgins, K.	Asst. Pub. Def.		
Infantino, M.	Asst. Pub. Def.		
Murante, A.	Asst. Pub. Def.		
Myers, G.	Sr. Asst. Pub. Def.		
Opalinski, K.	Asst. Pub. Def.		
Rosmus, E.	Sr. Asst. Pub. Def.		
Roth, C.	Asst. Pub. Def.		
Santacroce, F.	Asst. Pub. Def.		
Syme, H.	Asst. Pub. Def.		
Tischler, S.	Sr. Asst. Pub. Def.		
Winward, T.	Asst. Pub. Def.		

City Court

Bradley, J. Special Assistant
 Griffin, J. Special Assistant
 Fish-Krasz, J. Secretary
 Graim, M. Secretary
 Sands, K. Invest. Asst.
 Behrndt, D. Invest. Asst.
 Short, E. Invest. Asst.
 Bahl, V. Asst. Pub. Def.
 Cummings, B. Asst. Pub. Def.
 Doran, J. Asst. Pub. Def.
 Ejimadu, C. Asst. Pub. Def.
 Hellwig, B. Asst. Pub. Def.
 Hiatt, T. Asst. Pub. Def.
 Lee, L. Asst. Pub. Def.
 McCarthy, M. Asst. Pub. Def.
 Mills-Lexvold, C. Asst. Pub. Def.
 Morris, N. Asst. Pub. Def.
 Park, D. Asst. Pub. Def.
 Spangler, T. Asst. Pub. Def.
 Spong, A. Asst. Pub. Def.

Family Court

Fine, A. Special Assistant
 Arguinzoni, A. Secretary
 Hutton, A. Paralegal
 Enright, C. Paralegal (Job
 Share)
 Blackburn, P. Paralegal (Job
 Share)
 Scrivens, M. Paralegal
 Altman, J. Asst. Pub. Def.
 Darby, A. Asst. Pub. Def.
 Erturk, E. Asst. Pub. Def.
 Luginbill, R. Asst. Pub. Def.
 Menard, J. Asst. Pub. Def.
 Sartori, S. Asst. Pub. Def.
 Turner, R. Asst. Pub. Def.
 Wirley, B. Asst. Pub. Def.
 (Vacant) Asst. Pub. Def.
 (Vacant) Asst. Pub. Def.

Justice Court

Stubbe, J. Special Assistant
 Riley, E. Special Assistant
 Loughridge, P. Secretary
 Hagan, T. Secretary
 Vargas, J. Invest. Asst.
 Pealo, M. Invest. Asst.
 Adam, J. Asst. Pub. Def.
 Baker, C. Asst. Pub. Def.
 Goodman, A. Asst. Pub. Def.
 Harned, L. Asst. Pub. Def.
 Knott, N. Asst. Pub. Def.
 Kuttner, J. Asst. Pub. Def.
 McClary, C. Asst. Pub. Def.
 Morrisson, S. Asst. Pub. Def.
 Nitko, V. Asst. Pub. Def.
 Phengsiaroun, A. Asst. Pub. Def.
 Phillips, M. Asst. Pub. Def.
 Sullivan, T. Asst. Pub. Def.
 Williams, R. Asst. Pub. Def.
 Weir, W. Asst. Pub. Def.
 Zielinski, A. Asst. Pub. Def.

Investigations

Morse, L. Chief Investigator
 Camacho, M. Spec. Urban Inv.
 Dowda, L. Spec. Urban Inv.
 Gordon, L. Spec. Urban Inv.
 Pagan, G. Spec. Urban Inv.
 Zimmer, L. Spec. Urban Inv.