

THE COUNCIL OF THE CITY OF NEW YORK



Hon. Melissa Mark-Viverito  
Speaker of the Council

Hon. Elizabeth Crowley  
Chair, Committee on Fire and Criminal Justice Services

## Hearing on the Fiscal 2015 Preliminary Budget & the Fiscal 2014 Preliminary Mayor's Management Report

Legal Aid Society/Indigent Defense

**March 27, 2014**

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## Indigent Defense Fiscal 2015 Preliminary Budget Overview

New York City, according to State law, is solely responsible for funding legal representation for indigent criminal defendants in New York City. Whereas some jurisdictions across the country have government-employed public defenders, New York City contracts with several law firms to represent indigent criminal defendants and also operates the Assigned Counsel Program. The goal of the City's indigent defense services is to insure that all individuals charged with crimes have effective assistance of counsel, both at trial and on appeal. The Mayor's Criminal Justice Coordinator (CJC) is responsible for managing the indigent defense system and for contracting with providers.

The Legal Aid Society (LAS) serves as the City's primary indigent criminal defense provider in the State courts at both the trial and appellate levels. The LAS is also the sole institutional provider in Richmond County and the City's only institutional provider of indigent parole revocation defense representation on Rikers Island. The City also has engaged five alternative firms to represent indigent defendants. They are New York County Defenders which handles cases in New York County, Brooklyn Defender Services in Kings County, Bronx Defenders in Bronx County, Queens Law Associates, P.C. in Queens County and, the Neighborhood Defender Service (NDS) which represents defendants from northern Manhattan. Lawyers appointed to the Assigned Counsel Program, also known as the 18B Program may also represent indigent defendants in all counties.

In the Appellate Courts, the LAS and three alternative contractors, Appellate Advocates, Center for Appellate Litigation, the Office of the Appellate Defender, and 18-B attorneys handle cases. The City also provides, on a limited basis, institutional representation for adults in Family Court.

This report presents an analysis of the Indigent Defense portion of the City's Miscellaneous Budget (Agency 098) as proposed in the Fiscal 2015 Preliminary Budget. The section below provides an overview of indigent defense spending for Fiscal 2014 and Fiscal 2015 by provider and a discussion of year over year changes. An overview of the criminal indigent defense providers follows. Finally, the civil legal services provided by Legal Aid and funded through City Council Initiatives are discussed.

### Indigent Defense Funding Summary

<i>Dollars in Thousands</i>	2014 Adopted	2014 Prelim. Plan	2015 Prelim. Plan	*Difference 2015-2014
<b>18-B Assigned Counsel Program</b>	<b>\$74,836</b>	<b>\$74,836</b>	<b>\$53,943</b>	<b>(\$20,893)</b>
Legal Aid Society – Criminal Defense	88,415	88,798	88,798	383
Legal Aid Society - Appellate	9,481	9,481	9,481	0
Legal Aid Society - Conflict	0	4,621	5,643	5,643
<b>Legal Aid Society - sub-total</b>	<b>\$97,896</b>	<b>\$102,900</b>	<b>\$103,922</b>	<b>\$6,026</b>
NY County Defenders	\$7,236	\$7,236	\$7,236	\$0
Bronx Defenders	11,732	11,809	11,809	77
Brooklyn Defender Services	14,440	14,517	14,517	77
Neighborhood Defender Services (Upper Manhattan)	4,750	4,827	4,827	77
Queens Law Associates, P.C.	8,448	8,525	8,525	77
<b>Alternative Providers - Trial Level sub-total</b>	<b>\$46,606</b>	<b>\$46,914</b>	<b>\$46,914</b>	<b>\$308</b>
Appellate Advocates	\$5,350	\$5,350	\$5,350	\$0
Center for Appellate Litigation	5,040	5,040	5,040	0
Office of the Appellate Defender	2,054	2,054	2,054	0
<b>Alternative Providers - Appellate Level sub-total</b>	<b>\$12,444</b>	<b>\$12,444</b>	<b>\$12,444</b>	<b>\$0</b>
Center for Family Representation - NY	\$2,792	\$2,792	\$2,380	(\$412)
Center for Family Representation - Queens	2,483	2,483	2,483	0
Bronx Family Defense Practice - Bronx Defenders	4,513	4,513	3,988	(525)
Brooklyn Family Defense Project - Brooklyn Defender Services	4,196	4,176	3,605	(591)
<b>Family Court Providers - sub-total</b>	<b>\$13,984</b>	<b>\$13,964</b>	<b>\$12,455</b>	<b>(\$1,528)</b>
New York County Defenders Services	\$0	\$594	\$755	\$755
Bronx Defenders	0	2,273	2,769	2,769
Brooklyn Defender Services	0	2,260	2,897	2,897
Queens Law Associates, P.C.	0	538	671	671
Miscellaneous	0	3,714	2,595	2,595
<b>Conflict Case Providers - subtotal</b>	<b>\$14,000</b>	<b>\$9,379</b>	<b>\$9,687</b>	<b>(\$4,313)</b>
Miscellaneous	\$2,233	\$2,233	\$2,233	\$0
<b>Total Indigent Defense Services Budget</b>	<b>\$261,999</b>	<b>\$262,669</b>	<b>\$241,598</b>	<b>(\$20,400)</b>
<b>Funding Source</b>				
City	\$221,979	\$221,979	\$200,908	(\$21,071)
State	40,020	40,690	40,690	669
<b>Total</b>	<b>\$262,000</b>	<b>\$262,669</b>	<b>\$241,598</b>	<b>(\$20,402)</b>

\*The difference of Fiscal 2014 Adopted compared to Fiscal 2015 Preliminary Plan.

The Fiscal 2015 Preliminary Budget for indigent defense services is \$241.6 million. City-tax levy accounts for \$200.9 million or 83.2% of the budget and the remaining \$40.7 million or 16.8% is funded by the State. The Fiscal 2015 budget is \$20.4 million less than the Fiscal 2014 Adopted amount of \$262 million and \$21.1 million less than the current Fiscal 2014 modified budget of \$262.7 million.

At the time of Adoption for Fiscal 2014, the Fiscal 2015 projected budget of \$240.9 was already \$21.1 million less as the budget reflected the reduction of approximately \$20.9 million from the Assigned Counsel 18-B program expenditures, \$1.5 million from the three Family court providers offset by an additional \$1.3 million for conflict cases above the Fiscal 2014 Adopted amount of \$14 million. (At the time of Adoption for Fiscal 2014, \$14 million in funding was in the budget

however, the contracts had not been let.) Taking into account that the projected Fiscal 2015 budget was already \$21.1 million lower than the Fiscal 2014 Adopted Budget, other adjustments of approximately \$669,000 reconcile the budget to its current amount.

The Fiscal 2014 Budget remains essentially unchanged since adoption, however, the recognition of \$669,000 in State Office of Indigent defense funds (OILS) to support immigrant legal services has increased the Fiscal 2014 budget to \$262.7 million. (Please see the provider section below for individual contract details.)

**Criminal Defense Conflict Cases**

In Fiscal 2014 the Administration's began to transfer conflict cases, which are, typically, criminal cases with more than one defendant, from 18-B lawyers to institutional defenders. In September of 2013, the CJC let contracts with five institutional providers to handle conflict case assignments in arraignments in Manhattan, Brooklyn, the Bronx and Queens. The providers are LAS, New York County Defender Services, Brooklyn Defender Services, the Bronx Defender and Queens Law Associates. On September 9, 2013 providers began taking conflict assignments in weekday arraignments excluding Midtown Community Court and Red Hook Community Justice Center and phased in the additional shifts by December 2013. Please see the alternate indigent defense provider section on page 6 for a breakdown of the conflict cases by provider.

<b>Conflict Caseload by Provider</b>		
<b>Alternate Providers</b>	<b>FY14</b>	<b>FY15</b>
Legal Aid Society	8,253	11,000
Bronx Defenders	3,564	4,750
Brooklyn Defender Services	3,825	5,100
NY County Defenders	936	1,250
Queens Law Associates	936	1,250
<b>Total Cases</b>	<b>17,514</b>	<b>23,350</b>

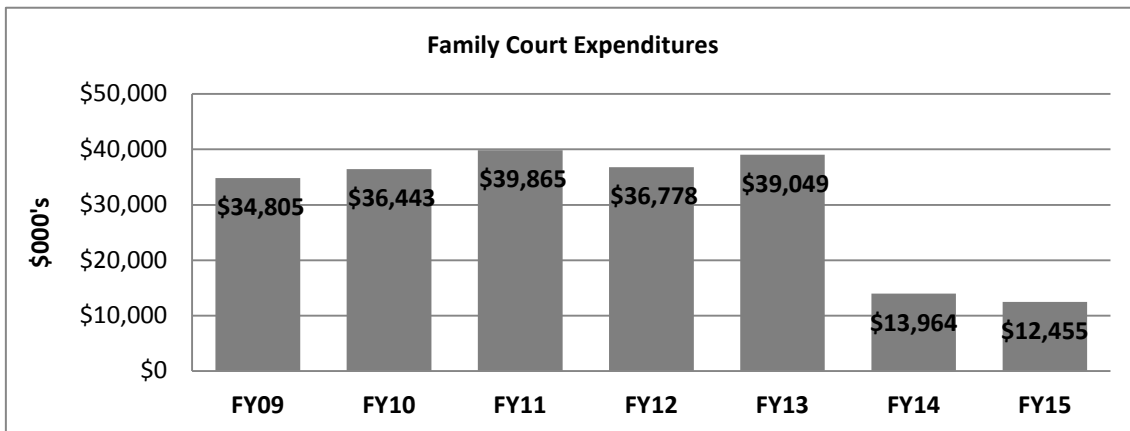
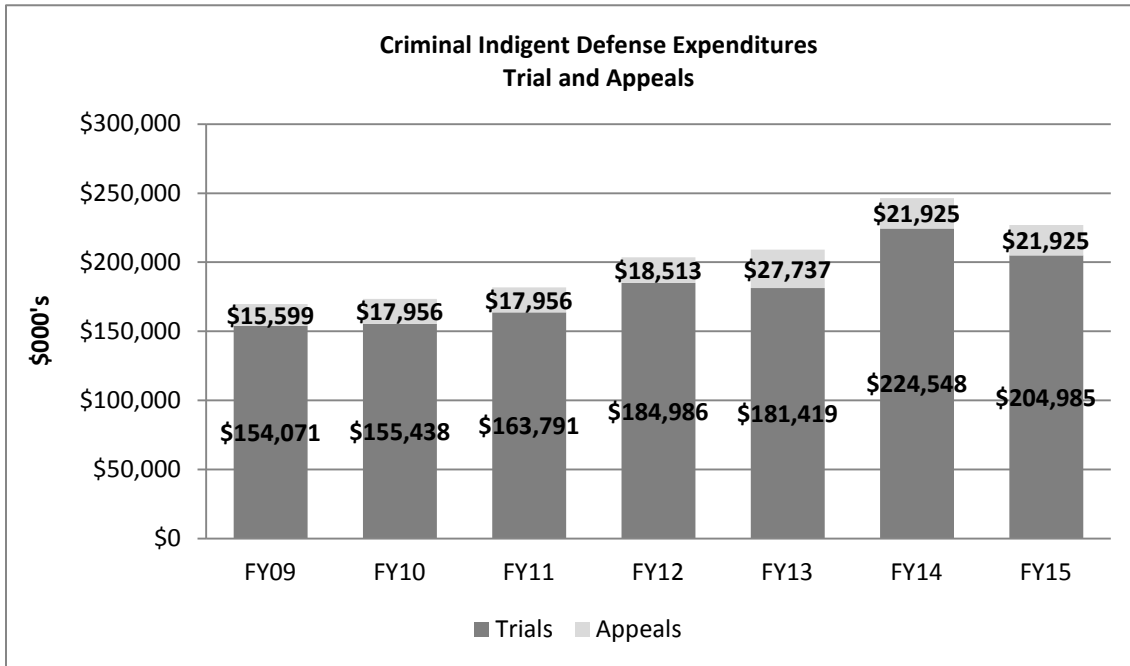
It was anticipated that the shift would yield a net savings of \$6 million annually beginning in Fiscal 2015. According to OMB, preliminary analyses indicated that savings would be attributed to a lower cost per case of the institutional providers compared to 18-B attorneys. The projected savings was based on an anticipated caseload of 26,000 conflict cases that would be handled by institutional defenders.

The Fiscal 2015 Preliminary Budget includes \$10.3 million in Fiscal 2014 for the provision of 17,514 conflict cases and \$12.7 million in Fiscal 2015 and the outyears for the provision of 23,500 conflict cases. Although the actual number of contracted cases is lower than originally projected, the finalized award for each provider is lower therefore, the Fiscal 2015 Preliminary Budget recognizes additional savings. Total savings are as follows: \$3.7 million in Fiscal 2014, \$8.6 million in Fiscal 2015, \$9.2 million in Fiscal 2016 and \$9.9 million in Fiscal 2017 and the outyears. The Chart below providers a breakdown of conflict cases by provider. See page two for associated funding.

**Overall Indigent Defense Spending**

The charts below provide actual expenditures for indigent defense and family court providers. Chart one provides total expenditures for criminal trials and criminal appeals for the last five years and projected spending for Fiscal 2014 and Fiscal 2015. Chart two provides total expenditures for all family court providers through Fiscal 2013. The projections for Fiscal 2014 and Fiscal 2015 are lower because the administration does not project spending for 18B attorneys

in Family Court. The 18B attorneys are paid by the court on a case by case basis, not through a contract with the city.



Source of Charts: CJC



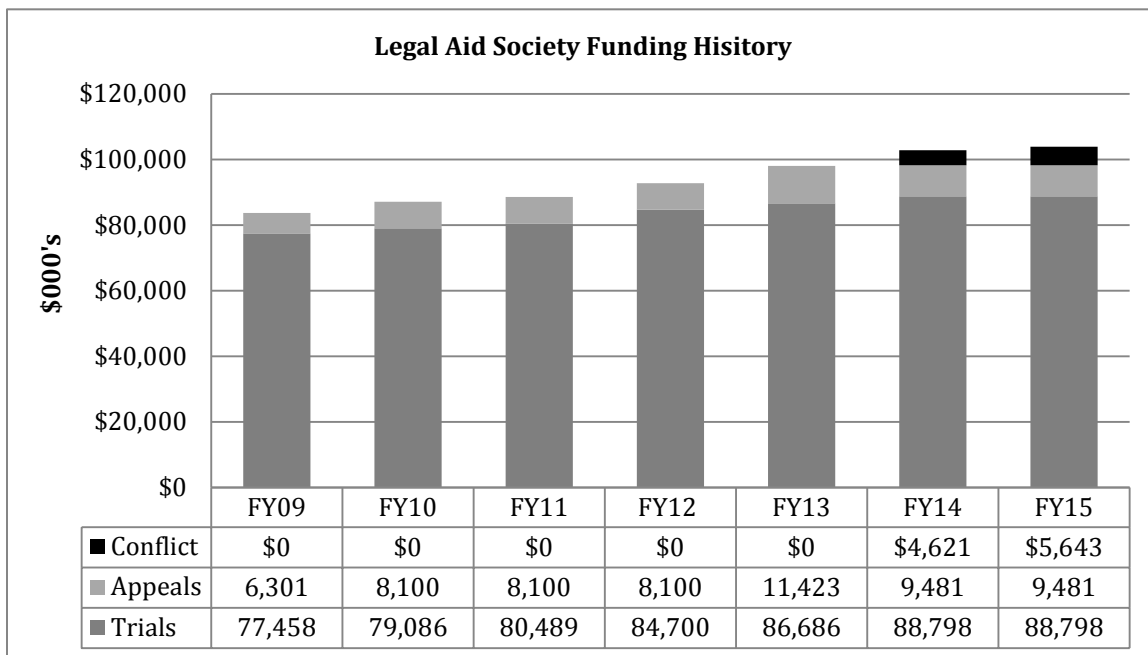
## The Providers

### The Legal Aid Society (LAS)

The Fiscal 2015 Preliminary Budget for Legal Aid is \$103.9 million, \$6 million more than the Fiscal 2014 Adopted Budget of \$97.8 million. For Fiscal 2015, \$88.8 million is for criminal indigent defense, \$9.5 million is for appellate litigation service and, \$5.7 million is for conflict cases. The increase of \$6 million in Fiscal 2015 is attributable to \$5.6 million for conflict cases and \$383,000 in State OILS funding.

LAS is contracted to handle 8,253 conflict cases in Fiscal 2014 and 11,000 of cases annually beginning in Fiscal 2015. The Fiscal 2015 Preliminary Budget includes \$4.6 million in Fiscal 2014 and \$5.6 million in Fiscal 2015 and the outyears. Of note, as the primary indigent criminal defense provider in the State court system there is no cap on the number of criminal indigent cases that LAS handles. LAS handled 209,741 cases in Fiscal 2012 and 211,820 cases in Fiscal 2013. On the appellate level LAS is funded to handle 1,118 cases annually.

The chart below provides LAS’ actual expenditures for criminal trials and criminal appeals for the last five years with projected spending for Fiscal 2014 and the Fiscal 2015. .



Source of Charts: CJC

- In the last five years expenditures for the LAS has averaged \$81,684 for criminal trials and \$8,405 for criminal appeals.
- Expenditures for criminals trials increased by approximately \$2 million from Fiscal 2012 to Fiscal 2013 due to labor-related costs. Expenditures for criminal appeals increased

\$1.9 million from Fiscal 2012 to 2013 to cover costs associated with 218 appellate cases that were handing in Fiscal 2012.

**Alternative Criminal Trial and Criminal Appellate Indigent Defense Contractors**

In addition to the Legal Aid Society, the City contracts with eight other indigent defense firms, five at the trial level and three at the appellate level. The five that provide criminal defense services include New York County Defenders (NYCD), Bronx Defenders (BD), Brooklyn Defender Services (BDS), Queens Law Associates, P.C. (QLA) and Neighborhood Defender Services (NDS.)The three that provide appellate advocacy are the Center for Appellate Litigation (1<sup>st</sup> Appellate Department), Appellate Advocates (2<sup>nd</sup> Appellate Department) and, Office of the Appellate Defender (1<sup>st</sup> Appellate Department.) The alternate providers are contracted to represent a fixed number of cases, unlike Legal Aid.

**Trial Level Alternate Providers**

In Fiscal 2014, the CJC entered into supplemental contractual agreements with four of the five alternate indigent defense providers for conflict cases. The Fiscal 2015 Preliminary Budget includes \$52.6 million (\$46.9 million for trials and \$5.6 million for conflict cases) in Fiscal 2014 and \$54 million (\$46.9 for trials and \$7.1 million) in Fiscal 2015 for the trial-level alternative providers. Providers are contracted to handle 9,261 conflict cases in Fiscal 2014 and 12,350 conflict cases in 2015. The Fiscal 2014 modified budget and Fiscal 2015 Preliminary budget of \$46.9 million for criminal trials is \$308,000 more than the Fiscal 2014 Adopted budget of \$46.6 million due to State OILS funding to support legal services for immigrant criminal defendants. All of the alternate providers received state funding of \$77,000 except for NY County Defenders.

The chart below provides actual expenditures for alternate criminal trial providers for the last five years and projected spending for Fiscal 2014 and Fiscal 2015. Battiste, Aronowsky& Suchow (BAS) was not an alternate provider after Fiscal 2011. The second chart provides the number of intakes by provider for Fiscal 2012 and 2013.

Funding Summary Alternate Providers - Criminal Trials (\$000's)							
Provider	FY09	FY10	FY11	FY12	FY13	FY14	FY15
NYCD	\$6,260	\$6,260	\$6,597	\$7,236	\$7,236	\$7,830	\$7,991
BD	4,885	4,885	7,910	12,714	11,732	14,082	14,578
BDS	5,791	5,791	8,100	15,357	14,440	16,777	17,414
NDS	3,000	3,004	3,971	4,750	4,750	4,827	4,827
QLA	4,948	4,948	5,823	8,448	8,448	9,063	8,923
BAS	2,809	2,809	2,601	0	0	0	0
<b>Total</b>	<b>\$27,693</b>	<b>\$27,697</b>	<b>\$35,002</b>	<b>\$48,505</b>	<b>\$46,606</b>	<b>\$52,579</b>	<b>\$53,733</b>

- In the last five years expenditures for criminal trials have averaged \$37.1 million.
- Expenditures in Fiscal 2012 and 2013 reflect increased overhead costs/ or an expansion of responsibilities and caseloads emanating from the trial-level indigent defense contracts. A new contract period began in Fiscal 2012 and the change in terms led to higher spending

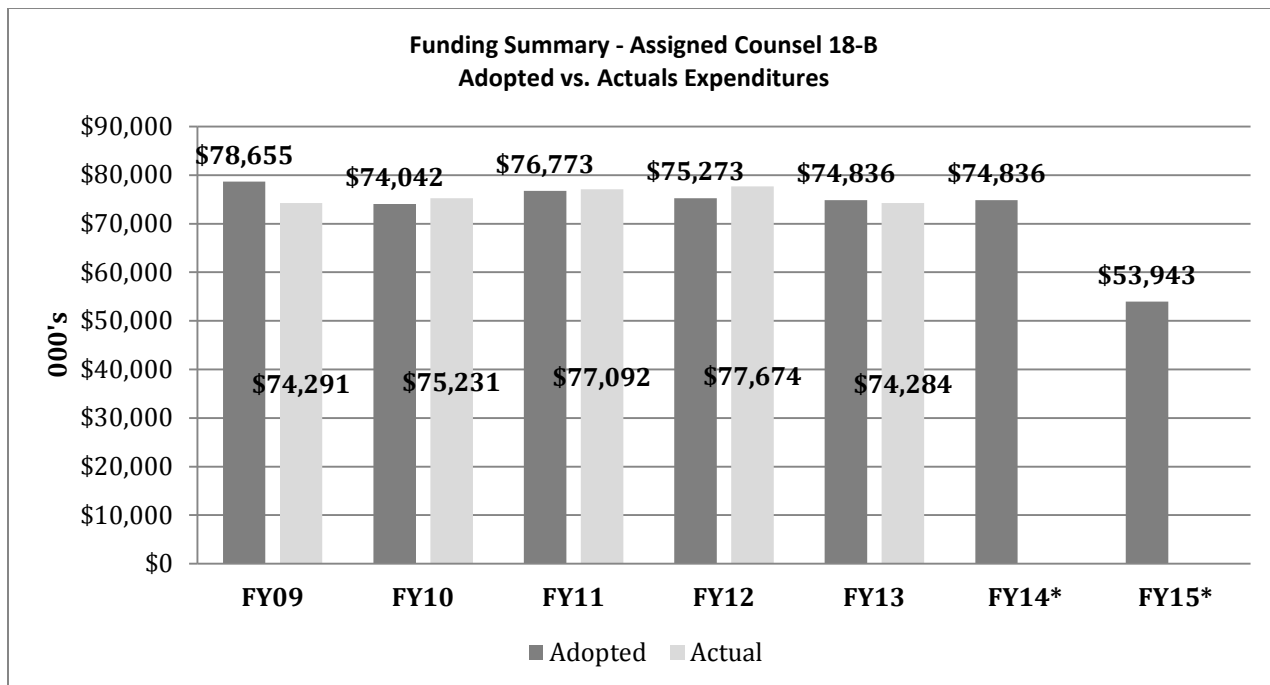
### Assigned Counsel Program (18-B Attorneys)

The Courts appoint attorneys to the Assigned Counsel Program to represent defendants when representation by an indigent defense provider would create a conflict of interest (i.e., when multiple defendants need representation) or when the defendant is charged with a crime punishable by death or life imprisonment. Lawyers appointed to the Assigned counsel 18-B program represent indigent defendants in criminal trials and appeals, family court proceedings, parole violation and integrated domestic violence (IDV.) IDV cases are cases involving families where domestic violence is the underlying factor and one judge has the authority to preside over all criminal, civil and family court matters involving the family.

The Fiscal 2015 Preliminary Budget of \$53.9 million for the Assigned Counsel Program is \$20.9 million less than the Adopted Fiscal 2014 budget and Fiscal 2014 current modified budget of \$74.8 million. \$13.9 million is city-funded and \$40 million is State funded. The year over year changes are attributable to the Administration's transfer of 23,500 conflict cases to institutional defenders at a lower cost per case.

Unlike the other providers 18B attorneys don't have fixed caseloads; they however, submit vouchers to the court upon final disposition of a case in order to receive payment. Rates for 18B attorneys are \$60/hr for misdemeanor cases and \$75/hr for all other cases. There are two charts below that illustrate funding for the assigned counsel 18B program.

The first chart provides adopted and actual expenditures for the last five years with projected spending for Fiscal 2014 and Fiscal 2015. The second chart provides actual expenditures for the last five years by type of case.



- The Fiscal 2015 Preliminary Budget reflects a reduction of \$20.9 million in City-tax levy with State funding of \$40 million remaining flat in the last five years.
- In the last five years, the adopted budgets for the Assigned Counsel 18-B panel have averaged \$75.9 million and during the same actual expenditure have averaged \$75.6 million.

Funding Summary 18B Expenditures by Case Type (\$000's)					
	FY09	FY10	FY11	FY12	FY13
<b>Criminal – Trials and Appeals</b>	\$47,962,300	\$47,511,471	\$47,182,967	\$50,602,993	\$46,916,345
<b>Family</b>	25,371,822	26,575,031	28,791,644	25,892,958	26,156,232
<b>IDV</b>	316,119	441,339	701,987	679,107	722,086
<b>Parole</b>	639,945	702,786	415,333	499,300	489,422
<b>Total</b>	<b>\$74,290,186</b>	<b>\$75,230,627</b>	<b>\$77,091,931</b>	<b>\$77,674,358</b>	<b>\$74,284,085</b>

- In the last five years expenditures for criminal defense (trials and appeals) has averaged \$49.1 million, family court representation has averaged \$26.5 million, IDV representation has averaged \$572,128 and representation in parole cases has averaged \$549,357.

**Appellate Level Alternate Providers**

The Fiscal 2015 Preliminary Budget for appellate litigation services includes \$12.4 million for three providers and remains unchanged since June 2013. Appellate Advocates (AA) is funded at \$5.3 million to handle 601 cases annually. The Center for Appellate Litigation (CAL) is funded at \$5 million to handle 595 cases annually. The Office of the Appellate Defender is funded at \$2 million to handle 200 cases annually. OAD provides representation to indigent defendants in the First Department, primarily in criminal appeals in State Court and collateral proceedings in State and Federal Court.

The chart below provides actual expenditures by provider for criminal appeals for the last five years (FY09-FY13) with the current modified budget for Fiscal 2014 and the Fiscal 2015 Preliminary Budgeted amount.

Funding Summary Alternate Providers - Criminal Appeals (\$000's)							
	FY09	FY10	FY11	FY12	FY13	FY14	FY15
Appellate Advocates	\$3,899	\$4,283	\$4,283	\$4,283	\$7,035	\$5,350	\$5,350
Center for Appellate Litigation	3,399	3,783	3,783	3,783	6,959	5,040	5,040
Office of the Appellate Defender	1,999	1,790	1,790	2,346	2,321	2,054	2,054
<b>Total</b>	<b>\$9,298</b>	<b>\$9,856</b>	<b>\$9,856</b>	<b>\$10,413</b>	<b>\$16,314</b>	<b>\$12,444</b>	<b>\$12,444</b>

- In the last five years expenditures for criminal appeals has averaged \$11.1 million.
- Expenditures in Fiscal 2013 were higher for all providers due to increased funding for additional appellate cases.

### Family Court Providers

The indigent defense budget contains funding for three organizations to provide legal representation for adults in certain Family Court proceedings. This combined funding includes approximately \$12.4 million in Fiscal 2015 and the outyears for the provision of such services in four boroughs: Manhattan (Center for Family Representation, or CFR), the Bronx (Bronx Defenders), Brooklyn (Brooklyn Family Defender Services or BFDS), and Queens (CFR). Of that amount, CFR is funded at approximately \$4.9 million, BD is funded at approximately \$4 million, and BFDS is funded at \$3.6 million.

The Fiscal 2015 Preliminary Budget reflects a reduction of \$1.5 million when compared to the Fiscal 2014 Adopted Budget as the Fiscal 2014 budget included one-time funding of \$1 million to cover increased costs associated with greater than anticipated caseloads and an unexpected increase in the average length of time to disposition for cases. The contract for the Family Court providers has been extended by one year. The Administration issued a new RFP for defense in Article 10 abuse and neglect cases on November 1, 2013 with the expectation of expanding the current program from four boroughs to citywide by developing a provider in Staten Island. It is anticipated that contracts will be awarded in Fiscal 2015.

The chart below provides actual expenditures by family court provider for the last five years with projected spending for Fiscal 2014 and Fiscal 2015.

Funding Summary Family Court Providers - Criminal Appeals (\$000's)							
	FY09	FY10	FY11	FY12	FY13	FY14	FY15
CFR - Manhattan	\$2,338	\$2,380	\$2,380	\$2,380	\$2,442	\$2,792	\$2,380
CFR - Queens	0	0	1,320	712	2,482	2,483	2,483
BFDP - Bronx	4,065	3,883	3,768	3,988	4,163	4,513	3,988
BFDP - Brooklyn	3,030	3,605	3,605	3,805	3,805	4,176	3,605
<b>Total</b>	<b>\$9,433</b>	<b>\$9,868</b>	<b>\$11,074</b>	<b>\$10,885</b>	<b>\$12,892</b>	<b>\$13,964</b>	<b>\$12,456</b>

- In the last five years expenditures for family court providers has averaged \$10.8 million.
- Expenditures in Fiscal 2013 were higher for all providers due to increased funding for additional family court cases and the average length of time to disposition for cases.

### City Council Initiatives

Since Fiscal 1993 the City Council has funded the Legal Aid Society to provide a range of civil legal services to New Yorkers. Civil legal services are a great resource for low-income New Yorkers. At the Committee on Fire and Criminal Justice Services' hearing on the Fiscal 2014 Executive Budget, Steve Banks the Attorney-in-Chief of LAS indicated that the civil program handled more than 44,000 individual civil matters which benefited around 100,000 poor children and adults. The civil

matters that the LAS helps New Yorkers with run the gamut from housing and immigration issues to domestic violence and family law to employment matters.

The Fiscal 2014 Budget contains \$3.1 million for the Legal Aid Society to provide civil legal services through several Council Initiatives. None of the Fiscal 2014 Initiative funding is baselined. Please see below for the initiatives that were funded by the Council in Fiscal 2014.

<b>FY 2014 Council Initiatives</b>	
<b>Anti-Eviction and SRO Legal Services</b>	
Legal Aid Society / Civil Division- Bronx	\$124,643
Legal Aid Society / Civil Division- Brooklyn	163,963
Legal Aid Society / Civil Division- Community Law Office	262,782
Legal Aid Society / Civil Division- Queens	93,750
Legal Aid Society / Civil Division- Staten Island	68,750
<b>Subtotal</b>	<b>\$713,888</b>
<b>Anti-Gun Violence Initiative</b>	<b>\$550,000</b>
<b>Citywide Civil Legal Services</b>	<b>\$750,000</b>
<b>Immigrant Opportunities Initiative</b>	<b>\$585,000</b>
<b>Unemployment/SSI Program</b>	<b>\$500,000</b>
<b>Subtotal</b>	<b>\$3,098,888</b>
<b>Local Initiatives</b>	<b>\$26,719</b>
<b>Total</b>	<b>\$3,125,607</b>

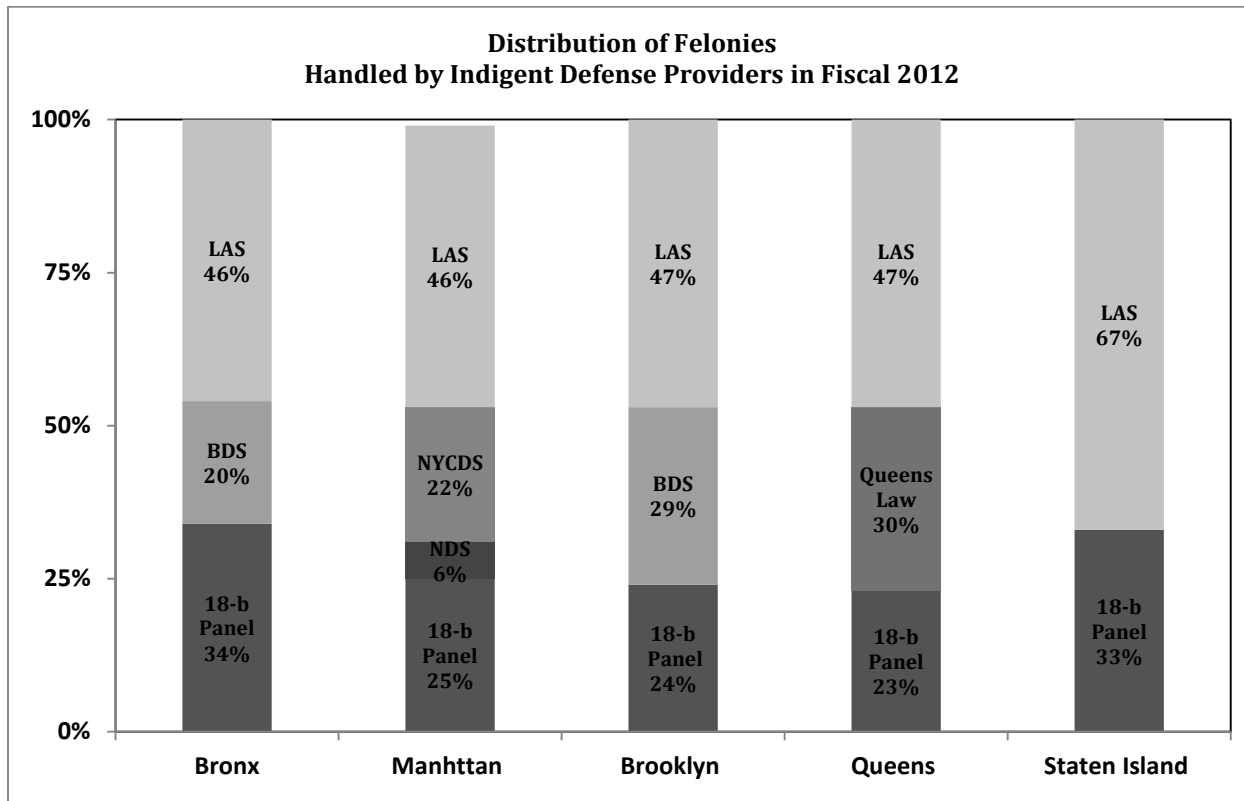
- **Anti-Eviction and SRO Legal Services.** This initiative provides services to low-and moderate-income people faced with eviction and to Single Resident Occupancy (SRO) tenants. Legal Aid received \$713,888 of the \$2 million initiative to provide for the provision legal services and advocacy.
- **Anti-Gun Violence Initiative.** This initiative is intended to reduce the incidence of gun violence by providing services to people touched by gun violence in the five neighborhoods with the highest rates of gun violence. LAS provides legal support to help at-risk youth and their families navigate issues that may include access to government services such as health, childcare, and income support and provides legal assistance to individuals who are involved in and or aware of circumstances around shooting incidents.
- **Immigrant Opportunity Initiative.** This initiative supports a variety of programs that serve New York City's immigrants, including legal services. Legal Aid received \$585,000 of the \$4.3 million initiative to provide legal assistance with wage and hour disputes and other workplace issues faced by immigrants.
- **Citywide Civil Legal Services.** Funded at \$1.5 million in Fiscal 2014, this initiative funds two organizations to provide legal assistance indigent persons. Legal Aid received \$750,000 through this initiative, which supports its services that include but are not limited to: direct client representation, including representation in class action cases; provision of legal advice; community legal education presentations; pro-bono and volunteer lawyer programs; and hotline and other telephone-based legal services. The

types of legal assistance that the LAS provides include, but are not limited to: consumer and finance; education; employment; family; juvenile rights; health; housing; income maintenance; individual rights; and miscellaneous benefits.

- **Unemployment Insurance/Supplemental Security Income Program.** Funded at \$1 million in Fiscal 2014, this initiative is intended to help eligible New Yorkers access unemployment insurance and supplemental security income benefits. Legal Aid received \$500,000 to provide legal representation to disabled and unemployed individuals at hearings before Administrative Law Judges seeking Unemployment Insurance Benefits (UIB) and Supplemental Security Income (SSI) benefits.

## Indigent Defense Trend Data

As mentioned above, the City contracts with the Legal Aid Society, several law firms and the Assigned Counsel 18b to represent indigent criminal defendants who are unable to afford legal representations to insure that all individuals charged with crimes have effective assistance of counsel, both at the trial and on appeals. The chart below shows the distribution of felony cases among the providers for Fiscal Year 2012.



Source: CJC Indicator Report - January 2013 and Indigent Defense Providers, NYC Dept. of Finance

Note: Percentages may not add up due to rounding.

- As the City’s primary indigent criminal defense provider in the State court system there is no cap on the number of criminal indigent cases that LAS handles. As shown in the chart above in Fiscal 2012 LAS handled almost half of all felony cases in each borough with the exception of Staten Island where LAS handled 67% of the cases as the sole institutional provider.
- The alternate providers are contracted to handle a fix number of cases in each of the boroughs, followed by the Assigned Counsel 18b attorneys who handled all conflict cases in each borough.