

STRUCTURE OF PUBLIC DEFENSE SYSTEMS IN NEW YORK STATE
New York State Defenders Association 2007

#	COUNTY	POPULATION ¹	DEFENSE SYSTEM ² PT/FT ³			AC ADMINISTRATOR ⁴
1.	Albany	294,007	PD/FT	CPD/FT ⁵		N
2.	Allegany	49,881	PD/PT			AC/PT
3.	Bronx	1,337,928	LAS/FT	BD ⁶ /FT		AC/FT
4.	Broome	199,267	PD/FT	LAS-FAM ⁷		N
5.	Cattaraugus	83,403	PD/FT	LAS-FAM		AC/PT
6.	Cayuga	81,401				AC/PT
7.	Chautauqua	138,662	PD/PT ⁸			N
8.	Chemung	90,675	PD/FT	CPD/FT ⁹		N
9.	Chenango	51,142	PD/PT			N
10.	Clinton	80,085				AC/PT
11.	Columbia	63,193	PD/PT	CPD/PT		N
12.	Cortland	48,463	PD/FT			AC/PT
13.	Delaware	47,520				AC/PT
14.	Dutchess	284,447	PD/FT			N
15.	Erie	944,408	LAS ¹⁰ /FT			AC ¹¹ /FT
16.	Essex	38,822	PD/FT			N
17.	Franklin	50,890	PD/FT			AC/PT
18.	Fulton	54,996	PD/PT			N
19.	Genesee	59,995	PD/FT			AC/PT
20.	Greene	48,347	PD/FT			N
21.	Hamilton	5,307				AC/PT
22.	Herkimer	64,066				AC/PT
23.	Jefferson	109,535	PD/FT			AC/PT
24.	Kings	2,465,286	LAS/FT	BDS ¹² /FT		AC/FT
25.	Lewis	26,820	PD/PT	CPD/PT		N
26.	Livingston	64,498	PD/FT			N
27.	Madison	69,714		LAS/FT ¹³		AC/PT
28.	Monroe	733,607	PD/FT			CPD/AC/FT ¹⁴
29.	Montgomery	49,318	PD/PT			N
30.	Nassau	1,334,648	LAS/FT			AC/FT
31.	New York	1,541,150	LAS/FT	NDS ¹⁵ /FT	NYCDS ¹⁶ /FT	AC/FT
32.	Niagara	218,509	PD/PT			CPD/AC/FT
33.	Oneida	233,659	PD/FT	PD/FAM ¹⁷		AC/PT
34.	Onondaga	457,866	LAS ¹⁸ /FT			AC ¹⁹ /FT
35.	Ontario	100,888				AC/PT
36.	Orange	348,783	LAS/FT			AC/PT

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37.	Orleans	43,853	PD/PT			N
38.	Oswego	122,271				AC/PT
39.	Otsego	61,452	PD/PT			N
40.	Putnam	97,163	LAS/FT			N
41.	Queens	2,224,516	LAS/FT	QLA ²⁰ /FT		AC/FT
42.	Rensselaer	152,582	PD/FT	CPD/PT ²¹		AC/PT
43.	Richmond	450,153		BAS ²² /FT		AC/FT
44.	Rockland	288,567	PD/FT			AC/PT
45.	Saint Lawrence	111,173	PD/FT	CPD/FT ²³		AC/PT
46.	Saratoga	204,485	PD/FT			N
47.	Schenectady	146,014	PD/FT	CPD/PT ²⁴		AC/PT
48.	Schoharie	31,489				AC/PT
49.	Schuyler	19,269	PD/FT	CPD/PT		N
50.	Seneca	33,486	PD/PT			N
51.	Steuben	99,171	PD/FT			N
52.	Suffolk	1,438,973	LAS/FT			AC/FT
53.	Sullivan	74,107	LAS/ ²⁵ FT	LAS ²⁶ /FT		N
54.	Tioga	51,620	PD/PT	CPD/PT ²⁷		AC/PT
55.	Tompkins	96,500				AC/PT
56.	Ulster	178,028	PD/PT			AC/PT
57.	Warren	63,924	PD/FT			AC/PT
58.	Washington	61,072	PD/PT			N
59.	Wayne	93,900	PD/PT	LAS/FAM		N
60.	Westchester	928,888	LAS ²⁸ /FT			AC/LAS ²⁹
61.	Wyoming	42,975	PD/PT	LAB ³⁰ /FT		AC/PT
62.	Yates	24,561	PD/PT			AC/PT

DEFENDER SYSTEM	FULL-TIME	PART-TIME	TOTAL
Public Defender Office	23	17	40
Conflict Public Defender	4	7	11
Legal Aid Society	15	—	15
Assigned Counsel Plan	10 [#]	28	38
Other Defender Office	10	—	10
Appellate Defender ³¹	3	¾	3
Capital Defender Office	1	¾	1
TOTAL	66	52	118

[#]NYC AC Program (covering five counties) = 1

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NOTES

¹ US Census Bureau 2001: <http://eire.census.gov/popest/data/counties/tables/CO-EST2001-07/CO-EST2001-07-36.php>.

² Counties that have either a legal aid society or public defender office as their primary delivery system must have an assigned counsel panel or conflict office to handle conflict cases (e.g., cases involving multiple defendants). See County Law § 722 et seq. It is not uncommon for some counties to have multiple defender programs handling a portion of indigent defense and Family Court work in addition to conflict cases (e.g., New York City).

³ Whether the program is full-time or part-time refers to the status of the administrator or chief defender of the office or program. Some defender offices with part-time chief defenders may have some full-time legal staff.

⁴ In many counties, the public defender (e.g., Cattaraugus, Cortland, Saratoga, Schuyler), conflict defender (e.g., Albany, Chemung), Legal Aid Society (Westchester) and even the county attorney (e.g., Columbia, Rensselaer and Wyoming) administer the assigned counsel program. The scope of that administration can range from maintaining lists attorneys for appointments to reviewing AC vouchers. Both the Judicial Conference (Memorandum to the Boards of Supervisors, November 16, 1965) and the Attorney General (1978 N.Y. Op. Atty. Gen [Inf.] 277) have condemned the practice.

⁵ Albany County Division of Alternative Public Defender.

⁶ The Bronx Defenders.

⁷ Contract with civil legal services office to provide Family Court representation.

⁸ Chautauqua Public Defender position is 85% of a full-time equivalent.

⁹ Chemung County Public Advocate.

¹⁰ Legal Aid Bureau of Buffalo primarily provides trial level representation in Buffalo City Court.

¹¹ Erie County assigned counsel program primarily provides felony representation and criminal representation in justice courts.

¹² Brooklyn Defender Services.

¹³ The Madison Public Defenders Office is a legal aid society.

¹⁴ Monroe County Conflict Defender is part of the county's assigned counsel program.

¹⁵ Neighborhood Defender Service of Harlem.

¹⁶ New York County Defender Services.

¹⁷ PD/FAM is a "Civil Division" public defender providing Family Court representation.

¹⁸ Hiscock Legal Aid Society provides Family Court representation.

¹⁹ Since 2004, the Onondaga County Assigned Counsel Program provides all trial-level criminal representation in the county.

²⁰ Queens Law Associates.

²¹ Rensselaer County Conflict Defender Office.

²² Staten Island Legal Defense Services (Battiste, Aronowsky & Suchow).

²³ St. Lawrence County Conflict Defenders Office.

²⁴ Schenectady County Conflict Defender Office.

²⁵ Sullivan County Legal Aid Panel, Inc.

²⁶ Sullivan County Conflict Legal Aid Bureau.

²⁷ Reflects Tioga County's multi-year contract with Broome County attorney for representation in conflict cases and Family Court matters.

²⁸ Westchester Legal Aid Society primarily handles felony matters.

²⁹ Westchester County Assigned Counsel Program handles misdemeanors.

³⁰ Attica Legal Aid Bureau in Wyoming County handles parole cases, article 78 petitions, habeas corpus filings, and other prison cases. The public defender and assigned counsel panel handle other indigent defense matters.

³¹ Exclusive appellate services providers: Appellate Advocates, Center for Appellate Litigation and Office of the Appellate Defender.

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