

**Monroe County**  
**and**  
**Monroe County**  
**Bar Association**  
**Assigned Counsel Program**  
**2004 Annual Report**

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# TABLE OF CONTENTS

<b>INTRODUCTION</b> .....	<b>2</b>
<i>"To Provide Quality Representation"</i> .....	2
<i>"To Provide A Coordinated And Centralized Assignment System for Conflict Cases"</i> .....	3
<i>"To Provide A More Equitable Distribution Of Conflict Assignments Among Lawyers"</i> .....	4
<i>"To Attract More Lawyers Willing To Handle Conflict Assignments"</i> .....	5
<i>"To Maintain Uniform And Proper Billing Practices And To Ensure Cost Accountability Of Services"</i> .....	5
<i>"To Provide Increased Efficiency For The Courts"</i> .....	5
<b>2005 GOALS</b> .....	<b>6</b>
<b>NEW ATTORNEYS IN 2004*</b> .....	<b>7</b>
<b>TOTAL CASES REFERRED BY PANEL 1999-2004<sup>1</sup></b> .....	<b>8</b>
<b>2004 ASSIGNMENTS</b> .....	<b>9</b>
<i>2004 ABC Felony Assignments</i> .....	10
<i>2004 DE Felony Assignments</i> .....	13
<i>2004 Misdemeanor Assignments</i> .....	16
<i>2004 Family Court Assignments</i> .....	22
<i>2004 Case Distribution Graphs<sup>1</sup></i> .....	25
<b>2004 TABLE OF PROGRAM USE BY JUDICIARY</b> .....	<b>27</b>
<i>Graphs of Program Use by Judiciary</i> .....	33
<b>TYPES OF CASES ASSIGNED IN 2004</b> .....	<b>34</b>
<b>2004 CASE COSTS BY PANEL</b> .....	<b>40</b>
<b>2004 COSTS BY CASE DISPOSITION</b> .....	<b>41</b>
<b>2004 CASE DISPOSITIONS</b> .....	<b>50</b>

## Introduction

2004 was the thirteenth year the Assigned Counsel Program operated in all courts. It was also the first full year of operation for the Conflict Defender Office.

The Conflict Defender Office added a full-time appellate attorney in September 2004 and now has a staff of nine attorneys and three support staff. Outside support services such as investigation and service of process are done on a contract basis. The attorneys in the office represent clients in conflict cases in Family Court, Rochester City Court and all of the appellate courts. All cases in Local Criminal Court, all felony cases and all statutorily assigned cases in Superior Court are still assigned to private counsel under the Joint Monroe County/Monroe County Bar Association Plan for Conflict Assignments.

The following statistical information shows the Program's relative success in meeting the goals of the Plan:

"The objectives of this conflict assignments plan are to provide quality representation to eligible indigent defendants or other litigants in those cases where the Public Defender has a conflict of interest; to provide a coordinated and centralized assignment system for conflict cases arising in the courts specified in Article IV herein, to provide a more equitable distribution of conflict assignments among lawyers; to attract more lawyers willing to handle conflict assignments, to maintain uniform and proper billing practices; to ensure cost accountability of services, and to provide increased efficiency for the courts by making qualified attorneys more readily available to handle conflict cases." *Monroe County Bar Association Sponsored Plan for Conflict Assignments, ARTICLE II. Plan Objectives*

### **"To Provide Quality Representation"**

The Program received five initial complaints involving alleged questionable, unethical or illegal conduct by participating attorneys. This is a slight increase from 2003. Clients were the source of the complaints. The Monroe County Bar Association referred no complaints filed by clients. The Program has jurisdiction over open cases only. After investigation, the Assigned Counsel Program closed all complaints with no action taken against the attorney. All complaints were disposed of either by the attorney and client reaching a mutually acceptable understanding or by the attorney's withdrawal from the case with the permission of the court.

All complaints required only administrative action. No referral to the Assigned Counsel Program Review Committee was necessary. The most frequent complaint involved failure to maintain communication with the client regarding his or her case.

The Program's Motion and Brief Bank now contains several hundred documents. No index is yet available.. Access to the documents is restricted to Program participants.

In 2001, the Program started an electronic newsletter. During 2004, we developed a new method of distribution for the newsletter. A weekly newsletter was posted on our web site as an

E-Newsletter and an email containing notice of the new posting was sent to all panel members for whom we have e-mail addresses. This distribution method placed less of a burden on the County servers and provided a more pleasing format for the newsletter. In addition, those without email could view the newsletter on the web site. The weekly e-newsletter provides the panel members with more current and timely information than the printed newsletter of the past. The Program not only saved money in postage and printing, but also increased the number of newsletters sent to the panel members. Information of a critical nature was sent conventionally. Throughout 2004 the Program sent the panel attorneys various bulletins and newsletters informing the panel members of upcoming seminars and events and encouraging them to take advantage of the opportunities offered by these programs to increase their knowledge and legal skills.

Since the CLE requirements of the Assigned Counsel Program overlap with the Mandatory Continuing Legal Education requirements of the State of New York, compliance is near 100%.

2004 saw continued improvements to the software used by the Conflict Defender Office to make document preparation easier and more efficient.

### **"To Provide A Coordinated And Centralized Assignment System for Conflict Cases"**

The Assigned Counsel Program is fully computerized. The Program enters all cases reported to it in a centralized database that tracks the representation from assignment through payment of the voucher. This system avoids duplication of representation by showing all open cases for a particular client thus insuring that there is a continuity of representation if the client is arrested on new charges. This system also promptly closes any case thus clearing any potential conflict of interest that the Public Defender might have in representing the client in future cases.

During 2004, the office completed the project to upgrade and enhance the case management program to provide more and faster information and to accommodate the needs of the Conflict Defender Office. Assignments referred by the courts continue to be assigned from a rotating list of available attorneys. The Program is very successful in insuring continuity of counsel where a client is re-arrested on new charges even when the arrests span differing jurisdictions. Additionally, the Program continues to track conflict of interest information so that counsel is not unnecessarily assigned when the Public Defender could ethically continue.

The decision by the District Attorney to present felony cases to the Grand Jury before the date of any scheduled Felony Hearing threatened to ruin the coordination and centralization of our assignment system. Prior to this decision, our office could give an attorney at least 24 hours to respond whether the attorney wished to accept the case. That timetable changed with the District Attorney's policy change. Since the Courts began adjourning felony cases for less than 24 hours, we were forced to assign attorneys much faster and could not wait as long for acceptances. Until we could develop a system in response to this policy change, the policy threatened not only the coordination of assignments, but also the goal of equitable distribution of cases among participating attorneys.

We developed a pre-notification of availability program whereby attorneys could advise us of his or her availability for appearance on a particular day. This enabled us to provide counsel more expeditiously and to more equitably distribute the cases. We used a combination of fax, telephone, e-mail and web site communication to provide the attorneys with a wide choice of methods to notify us of availability for assignment.

Through this notification system and the cooperation of the panel members, we were able to insure that no clients went without counsel no matter how little notice of the next appearance our office received.

### **"To Provide A More Equitable Distribution Of Conflict Assignments Among Lawyers"**

While not perfect, the Program does achieve a significant improvement over the previous system of assignment of conflict cases. The Program constantly strives for new and better systems to distribute assignments more equitably among the participating attorneys. In criminal cases, the current system is highly effective. There are still several local criminal courts that do not fully utilize the services of the Program in the assignment of counsel. This sometimes leads to a client having multiple attorneys for different pending charges. This results in increased and unnecessary costs to the taxpayer.

The District Attorney's policy change regarding felony hearings initially caused a situation that skewed the assignment distribution toward those attorneys who were most available for assignments. Since we needed attorneys very quickly, those that were available when called got a disproportionate number of assignments. We have now developed systems designed to alleviate this problem. Attorneys may pre-notify us of availability on certain dates and at certain times so we may contact them when an assignment opportunity occurs on that date and time. Notice can be emailed, telephoned or faxed to our office. In addition, the first page of our web site contains a form that can be filled out and sent to us.

Passage of the increased the hourly rates paid under Article 18-B of the County Law to \$60.00 per hour for misdemeanor and lesser cases and \$75 per hour for all other cases led some attorneys to return to the assigned counsel panels. However, the number of cases being accepted by the majority of panel members remains lower than five years ago. There has been a small increase in the number of felony panel members during 2004.

Equitable distribution of cases remained low in those Family Court cases not represented by the Conflict Defender staff. A mechanism must be found to address the inequities in Family Court assignments. The fact that a very few attorneys receive the bulk of the assignments places an undue burden on those attorneys and can impact directly on the quality of representation. More training through the appropriate committee of the Bar Association is necessary to familiarize the panel attorneys with local Family Court practice. The panel requirements should be reviewed with the Family Court judges to see if they are stringent enough. Lack of confidence in the quality of representation is a possible factor in the Judges' reluctance to use the full services offered by the Assigned Counsel Program. A Family Court component of a Trial

Institute might alleviate the concern of the Family Court judges regarding the training of assigned counsel.

### **"To Attract More Lawyers Willing To Handle Conflict Assignments"**

Included in this report is a list of new panel members added during 2004.

The Program takes every opportunity to remind the current panel members to apply for the more restrictive panels once they achieve the requisite qualifications. 2004 saw an increase in the number of qualified felony attorneys. This increase is probably the result of the rate increase effective January 1, 2004. The requirements for inclusion on a felony panel include having conducted a misdemeanor jury trial or participated in jury selection in such a case coupled with conduct of a bench trial. Since so few misdemeanor trials are held each year, it is difficult for an attorney to meet this requirement. Only one attorney participated in the Trial Mentor Program in order to obtain the requisite experience required to advance to a felony panel.

### **"To Maintain Uniform And Proper Billing Practices And To Ensure Cost Accountability Of Services"**

The Program has returned to the processing of routine vouchers and sending them to the Judge within 48 hours of receipt. The Administrator reviews each voucher before processing to insure compliance with the voucher regulations and notifies each attorney of any noncompliance to educate the attorney on proper procedures. The review and notification help maintain proper and uniform billing practices among the participating attorneys.

The District Attorney's policy regarding felony hearings negatively effected the overall cost of the Assigned Counsel Program. Attorneys were forced to spend more time in court and more time attempting to obtain information previously obtained before or during the felony hearing. Additionally, more cases that would have been screened by the felony hearing process were indicted leading to increased time spent in hearings and trials. Based on a comparison of pre-policy hours and post-policy hours, the cost in additional attorney fees could be as high as \$280,000.00 for the period May through December 2004.

### **"To Provide Increased Efficiency For The Courts"**

Those courts fully utilizing the services of the Assigned Counsel Program report a positive impact on the efficiency in obtaining assigned counsel in conflict cases. They report a significant decrease in the burden on the court staff in finding attorneys willing to accept assignments, a decrease in the number of phone calls necessary to contact an attorney for assignment, a decrease in the voucher processing time since the vouchers are now clearly labeled as to the matter and already reviewed with comments by the Administrator, and a prompt response from the Assigned Counsel Program in obtaining assigned counsel.

## 2005 Goals

The following are the goals for 2005:

- Participate fully in County Executive Brook's technology initiative to bring further efficiency and value to the services of the Assigned Counsel Program.
- Work with the Superior Courts to provide schedules and procedures that reduce wasted time spent by assigned attorneys.
- Improve the Conflict Defender Office service to Family Court.
- Continue scanning of selected documents from the Motion and Brief Bank so panel members can obtain electronic copies of the documents and so they can continue to be posted on the Internet for downloading.
- Obtain law school interns to assist the Conflict Defender attorneys, prepare documents, conduct research and improve the motion and brief bank.
- Improve the Family Court assignment system
- Recruit more attorneys for the felony panels.
- Develop any necessary procedures to comply with the anticipated State of New York standards and requirements accompanying state contribution to increased assigned counsel fees under Article 18-B of the County Law.

## New Attorneys in 2004\*<sup>1</sup>

Attorney	ABC Felony	DE Felony	Misdemeanor	Grand Total
Clauss, William G.	1	1		2
Crowder, Debra A.			1	1
Fuller, Paul D.	1	1	1	3
Hummel, Chad M.			1	1
Jimenez, Patricio			1	1
Josh, Sylvia W.		1	1	2
McMorrow, Brooke B.		1	1	2
Owens, Clifford Paul	1	1	1	3
Owens, David L.	1			1
Russi, Patrick K.		1	1	2
Schiano, Sr., Charles A.		1	1	2
Thomas-Diaz, Kathleen	1	1	1	3
Vacca, Jr., Paul J.	1	1	1	3
Grand Total	6	9	11	26

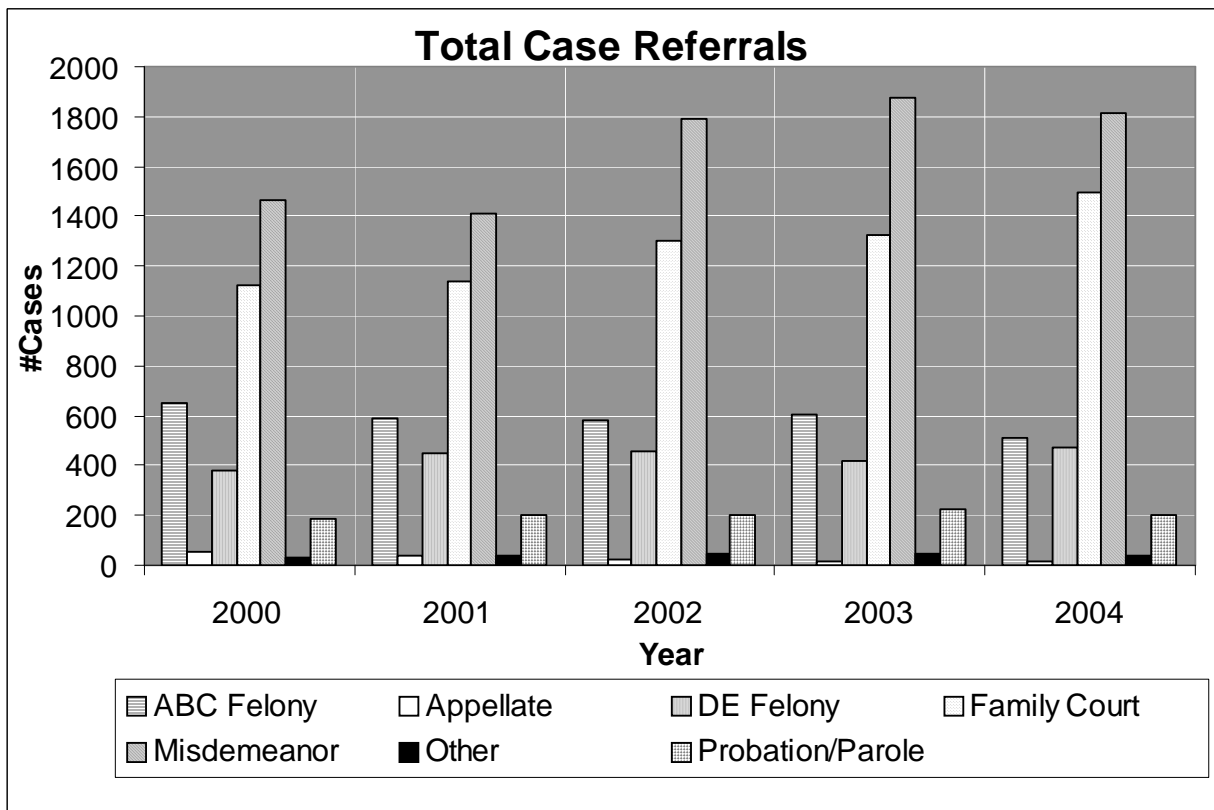
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<sup>1</sup> Panel for which the attorney was approved in 2003. Attorney may have been approved in a previous year for a different panel or panels



## Total Cases Referred by Panel 1999-2004<sup>1</sup>

Description	Year					Grand Total
	2000	2001	2002	2003	2004	
ABC Felony	654	592	584	604	510	2944
Appellate	55	39	22	17	16	149
DE Felony	379	449	461	419	474	2182
Family Court	1125	1137	1299	1328	1498	6387
Misdemeanor	1468	1413	1788	1874	1814	8357
Other	30	37	48	47	40	202
Probation/Parole	184	204	205	226	202	1021
Grand Total	3895	3871	4407	4515	4554	21242



1. Does not represent number of assignments made, only initial cases referred for assignment.

## 2004 Assignments

The following charts show the assignments each attorney received in 2004. The number of assignments is higher than the number of cases referred because in some cases more than one attorney receives an assignment for a case. Also, an attorney might be assigned in 2004 to a case originally referred in a previous year. This occurs most often after a court relieves one attorney and either the court or the Assigned Counsel Program assigns a new attorney.

Several factors should be considered in looking at these tables. First, approved panel members receive more assignments than non-approved panel members do. Some of the attorneys with a low number of assignments are non-approved panel members. Most often, such an attorney is court assigned. Secondly, those attorneys gaining membership on a panel for the first time during 2004 will have fewer assignments in that panel because they were not on the panel for an entire year. Thirdly, an number of attorneys declined a significant number of assignments, requested removal from the Program for long periods of time or resigned from the Program during 2004. While the report includes non-approved attorneys, new panel members, attorneys declining appointments, and attorneys temporarily removed from panels at their own request, concentrating on those members who participated for the full year as approved members of a particular panel gives a truer picture of the equitable distribution of assignments.

The success of the program in achieving equitable distribution of cases is excellent when compared with other New York jurisdictions. Included are graphs showing the distribution of cases on the various panels.

Of particular significance in this report is the fact that in the criminal courts, where the Assigned Counsel Program assigns a large percentage of cases, there is a more even distribution of assignments. This is attributable to the fact that, by comparison, Family Court has a much lower percentage of cases assigned by the Assigned Counsel Program. Most assignments are directly by the court. Attaining more equitable distribution of cases is difficult, if not impossible. The Administrator and Advisory Committee must work diligently to provide a workable solution to the inequities of the Family Court assignments. Looking at the last column of the tables, it takes significantly fewer attorneys for the Family Court assignments to reach a high percentage than it does for the criminal court assignments. This is less of a concern since the Conflict Defender Office represents the bulk of the conflict cases in Family Court. Nonetheless, it is an issue that should be addressed for those cases where the Conflict Defender Office cannot represent the client in Family Court.

## 2004 ABC Felony Assignments

Attorney	Assigned By		Grand Total
	ACP	Court	
Vacca, James P.	25		25
Crimi, Jr., Charles F.	20	2	22
Shapiro, Robert A.	18	3	21
Farrell, Barbara E.	18	1	19
Hinman, James S.	15	3	18
Damelio, Joseph S.	3	15	18
Feindt, Mary E.	15	2	17
Garretson, Scott A.	14	2	16
Shulman, Brian J.	8	8	16
MacAulay, Paul D.	14	2	16
Bitetti, Gary	14	1	15
Krane, Joel N.	14		14
Scibetta, Michael P.	13	1	14
Kasperek, Lawrence L.	10	4	14
Funk, Mark D.	11	2	13
Zimmermann, Jr., Clark J.	9	3	12
Kristal, Peter L.	8	4	12
Brown, J. Raymond	12		12
Schiano, Jr., Charles A.	9	3	12
Brown, James E.	10	1	11
Schiano, Michael P.	8	3	11
Rose, Angelo A.	6	4	10
Holliday, Billie D.	9	1	10

Attorney	Assigned By		Grand Total
	ACP	Court	
Pilato, Louis P.	7	2	9
Leegant, Jo Anne	7	2	9
Hurwitz, Phillip R.	9		9
Cocuzzi, Thomas J.	2	6	8
Morabito, David R.	6	2	8
Perez, Gilbert R.	7	1	8
Egger, Jan P.	6	2	8
Aramini, Mary E.	7	1	8
Owens, David L.	7		7
Rizzo, James J.	5	2	7
Thomas-Diaz, Kathleen	7		7
Bourtis, Eftihia	7		7
Pullano, Peter J.	3	3	6
Napier, James A.	5	1	6
Murante, David A.	5	1	6
Johnson, Christopher G.	6		6
Thompson, Donald M.	4	2	6
DiSalvo, Thomas J.	5		5
Annechino, John A.	5		5
Splain, Thomas M.	3	1	4
Aureli, Daniel L.	4		4
Barr, Culver K.	3	1	4
Lewis, Herbert J.	4		4
DeJohn, Timothy W.	3		3

Attorney	Assigned By		Grand Total
	ACP	Court	
Tuohey, Michael J.	3		3
Solomon, R. Adrian	3		3
Fuller, Paul D.	2	1	3
Owens, Clifford Paul	3		3
Conaty, Jr., George W.	3		3
McMorrow, Brooke B.		2	2
Burke, Adrian J.	2		2
Wood, Robert W.	2		2
Infantino, Marc	1	1	2
Clauss, William G.	1	1	2
Vacca, Jr., Paul J.	2		2
Strazzeri, Francis A.	2		2
Merante, Vincent E.		1	1
Young, Mark A.	1		1
Schiano, Christopher		1	1
Walsh, Jr., James E.		1	1
Daniele, Anthony	1		1
Obiorah, Edwin S.C.	1		1
Muldoon, Gary		1	1
Mastrella, Daniel J.	1		1
Napier, Robert A.	1		1
Foster, David Lee		1	1
Grand Total	439	102	541

## 2004 DE Felony Assignments

Attorney	Assigned By		Grand Total
	ACP	Court	
Shapiro, Robert A.	15	2	17
Crimi, Jr., Charles F.	14	2	16
Hinman, James S.	13	2	15
Rose, Angelo A.	8	7	15
Zimmermann, Jr., Clark J.	11	3	14
Brown, James E.	9	4	13
Vacca, James P.	11	1	12
Garretson, Scott A.	10	2	12
Shulman, Brian J.	8	4	12
Krane, Joel N.	11	1	12
Scibetta, Michael P.	10	1	11
Merante, Vincent E.	8	3	11
Lester, Frederick	9	2	11
Feindt, Mary E.	8	2	10
Farrell, Barbara E.	7	2	9
Egger, Jan P.	9		9
Johnson, Christopher G.	8		8
McMorrow, Brooke B.	5	3	8
Bitetti, Gary	7		7
Funk, Mark D.	7		7
Holliday, Billie D.	5	2	7
Aramini, Mary E.	4	3	7
Owens, David L.	7		7

Attorney	Assigned By		Grand Total
	ACP	Court	
Thomas-Diaz, Kathleen	7		7
Splain, Thomas M.	2	5	7
Young, Mark A.	5	2	7
Josh, Sylvia W.	4	3	7
MacAulay, Paul D.	6		6
Kristal, Peter L.	6		6
Pilato, Louis P.	6		6
Cocuzzi, Thomas J.	4	2	6
Bourtis, Eftihia	6		6
Murante, David A.	5	1	6
DiSalvo, Thomas J.	6		6
Anderson, Christopher	6		6
Parks, Anthony	6		6
Schiano, Jr., Charles A.	4	1	5
Schiano, Michael P.	2	3	5
Leegant, Jo Anne	5		5
Hurwitz, Phillip R.	4	1	5
Perez, Gilbert R.	4	1	5
Aureli, Daniel L.	2	3	5
Mix, Matthew J.	5		5
Damelio, Joseph S.	1	3	4
Morabito, David R.	4		4
Rizzo, James J.	3	1	4
Tuohey, Michael J.	4		4

Attorney	Assigned By		Grand Total
	ACP	Court	
Owens, Clifford Paul	1	3	4
Burke, Adrian J.	4		4
Wood, Robert W.	4		4
Infantino, Marc	4		4
Clauss, William G.	3	1	4
Kasperek, Lawrence L.	3		3
Napier, James A.	3		3
Annechino, John A.	3		3
Solomon, R. Adrian	3		3
Fuller, Paul D.	3		3
Schiano, Christopher	2	1	3
Zaretsky, Allen J.	3		3
Brown, J. Raymond	1	1	2
Barr, Culver K.	2		2
DeJohn, Timothy W.	2		2
Daniele, Anthony	2		2
Schiano, Sr., Charles A.	1	1	2
Keller, Kenneth C.		2	2
Pullano, Peter J.	1		1
Thompson, Donald M.	1		1
Vacca, Jr., Paul J.	1		1
Strazzeri, Francis A.	1		1
Walsh, Jr., James E.		1	1
Obiorah, Edwin S.C.	1		1



Attorney	Assigned By		Grand Total
	ACP	Court	
Mastrella, Daniel J.	1		1
Gross, Bryon W.	1		1
Robb, Lori Ann		1	1
Cianca, Mark F.	1		1
Maggio, Frank G.	1		1
Russi, Patrick K.	1		1
Reed, Alan		1	1
Chait, Mitchell A.	1		1
Wisner, Todd J.W.	1		1
Colombo, Jeanne M.	1		1
Redmond, Gregg H.		1	1
Reyes, Miguel A.		1	1
Bogulski, Frank	1		1
Flowerday, Michael D.	1		1
Andolina, Lawrence J.		1	1
Duguay, Kimberly F.		1	1
Grand Total	370	88	458

### 2004 Misdemeanor Assignments

Agency	Attorney	Assigned By		Grand Total
		ACP	Court	
ACP	Rose, Angelo A.	3	36	39
	Merante, Vincent E.	10	11	21

		Assigned By		
Agency	Attorney	ACP	Court	Grand Total
	Splain, Thomas M.	2	15	17
	Garretson, Scott A.	10	6	16
	Brown, James E.	5	11	16
	Josh, Sylvia W.	2	13	15
	McMorrow, Brooke B.	5	10	15
	Shulman, Brian J.	3	10	13
	Hinman, James S.	6	6	12
	Young, Mark A.	2	9	11
	Cocuzzi, Thomas J.	1	9	10
	Lester, Frederick	8	2	10
	Anderson, Christopher	9		9
	Feindt, Mary E.	3	5	8
	Gross, Bryon W.	8		8
	MacAulay, Paul D.	1	6	7
	Krane, Joel N.	3	4	7
	Scibetta, Michael P.	3	4	7
	Zimmermann, Jr., Clark J.	4	3	7
	Owens, David L.	1	6	7
	Robb, Lori Ann	2	5	7
	Ajaka, Maroun	7		7
	Vacca, James P.	3	3	6
	Rizzo, James J.	2	4	6
	Burke, Adrian J.	4	2	6
	Mix, Matthew J.	5	1	6

		Assigned By		
Agency	Attorney	ACP	Court	Grand Total
	Buettner, Brian C.	5	1	6
	Siragusa, Lisa Serio		6	6
	Gangarosa, Edward, C.		6	6
	Shapiro, Robert A.	3	2	5
	Funk, Mark D.	2	3	5
	Holliday, Billie D.	2	3	5
	Morabito, David R.	1	4	5
	Perez, Gilbert R.	4	1	5
	Thomas-Diaz, Kathleen	4	1	5
	Schiano, Christopher	1	4	5
	Walsh, Jr., James E.	2	3	5
	Parks, Anthony	4	1	5
	Crimi, Jr., Charles F.	4		4
	Egger, Jan P.	1	3	4
	Aramini, Mary E.	3	1	4
	Bourtis, Eftihia	3	1	4
	DiSalvo, Thomas J.	2	2	4
	Jain, Rekha	4		4
	Sekharan, Raja N.	4		4
	Dedes, William C.	2	2	4
	Handelman, Eric D.	4		4
	Farrell, Barbara E.	2	1	3
	Kristal, Peter L.	1	2	3
	Brown, J. Raymond	1	2	3

		Assigned By		
Agency	Attorney	ACP	Court	Grand Total
	Pilato, Louis P.	1	2	3
	Leegant, Jo Anne	1	2	3
	Pullano, Peter J.	2	1	3
	Napier, James A.	1	2	3
	DeJohn, Timothy W.	3		3
	Wood, Robert W.	3		3
	Infantino, Marc	3		3
	Bernacki, Jr., John E.	3		3
	Cianca, Mark F.	3		3
	King, Jr., William H.	2	1	3
	Dimassimo, James D.	3		3
	Maggio, Frank G.	3		3
	Pennica, Kenneth L.	3		3
	LaDuca, John J.	2	1	3
	D'Arpino, John Joseph	3		3
	Hardies, Robert M.	3		3
	Russi, Patrick K.	2	1	3
	Reed, Alan		3	3
	Bitetti, Gary	1	1	2
	Schiano, Jr., Charles A.	2		2
	Schiano, Michael P.		2	2
	Hurwitz, Phillip R.	2		2
	Murante, David A.	2		2
	Aureli, Daniel L.		2	2

		Assigned By		
Agency	Attorney	ACP	Court	Grand Total
	Tuohey, Michael J.	1	1	2
	Solomon, R. Adrian	2		2
	Fuller, Paul D.	2		2
	Clauss, William G.		2	2
	Daniele, Anthony	1	1	2
	Zaretsky, Allen J.	2		2
	Chait, Mitchell A.	2		2
	Sadinsky, Lisa A.	2		2
	Gladstone, Katherine	2		2
	Lahman, Janice A.	2		2
	Wisner, Todd J.W.	2		2
	Colombo, Jeanne M.	2		2
	Cooper, Jennie M.	1	1	2
	West, John R.		2	2
	Dinolfo, Joseph F.	2		2
	Laragy, Christopher J.		2	2
	O'Toole, Keith	2		2
	Redmond, Gregg H.	1	1	2
	O'Neill, Jr., Raymond B.	2		2
	Brooker, James G.	2		2
	Palmiere, David M.	2		2
	Dennison, Joseph G.		2	2
	Damelio, Joseph S.		1	1
	Kasperek, Lawrence L.	1		1

		Assigned By		
Agency	Attorney	ACP	Court	Grand Total
	Johnson, Christopher G.	1		1
	Annechino, John A.	1		1
	Barr, Culver K.		1	1
	Owens, Clifford Paul	1		1
	Vacca, Jr., Paul J.		1	1
	Obiorah, Edwin S.C.	1		1
	Muldoon, Gary		1	1
	Mastrella, Daniel J.	1		1
	Crimi, Joseph P.	1		1
	Parrinello, J. Matthew	1		1
	Dever, Richard		1	1
	Hilderbrandt, Randall D.	1		1
	Karatas, Nigos	1		1
	Stacy, Michael P.	1		1
	Reyes, Miguel A.		1	1
	Kosoff-Roth, Karen L.	1		1
	Goldman, Ronald S.	1		1
	LaCelle, Erik C.	1		1
	LaBue, Eugene P.	1		1
	Crowder, Debra A.		1	1
	Gravitz, Jennifer L.		1	1
	Bartus, Gregory J.	1		1
	Bogulski, Frank	1		1
	Gaul, Annette	1		1

		Assigned By		
Agency	Attorney	ACP	Court	Grand Total
	Jackson, LaMarr J.		1	1
	Jimenez, Patricio	1		1
	Schiano, Sr., Charles A.	1		1
ACP Total		271	269	540
	Schmitt, Michael D.	422	2	424
	Czapranski, Kimberly J.	404	1	405
CDO	Crimi, Joseph P.	225		225
	Cianca, Julie A.	150	1	151
	Milliken, David	4	2	6
	Jones, Rhian D.	1		1
CDO Total		1206	6	1212
Grand Total		1477	275	1752

### 2004 Family Court Assignments

		Assigned By		
Agency	Attorney	ACP	Court	Grand Total
ACP	Chait, Mitchell A.	2	53	55
	Leavy, Anthony	1	41	42
	Callanan, Karen Smith	1	22	23
	Lester, Frederick	8	11	19
	King, Jr., William H.	1	17	18
	Martin, Thomas N.		18	18
	DiSalvo, Thomas J.		16	16

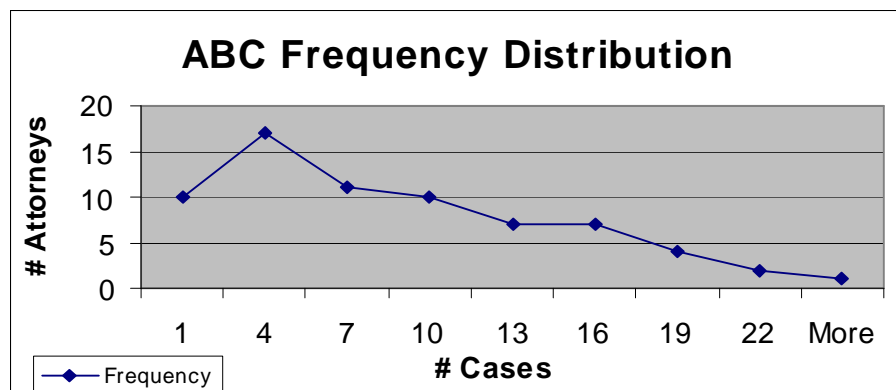
		Assigned By		
Agency	Attorney	ACP	Court	Grand Total
	Perez, Gilbert R.		15	15
	Feindt, Mary E.	1	13	14
	Hinman, James S.	2	11	13
	Aramini, Mary E.		13	13
	Karatas, Nigos		10	10
	Brown, James E.		9	9
	Holliday, Billie D.		9	9
	Jain, Rekha		9	9
	Rose, Angelo A.		8	8
	Farrell, Barbara E.	2	6	8
	Funk, Mark D.		7	7
	Gladstone, Katherine		7	7
	Offen, Alan L.		6	6
	Gibbons, Patricia Ann		6	6
	Shulman, Brian J.		5	5
	Robb, Lori Ann		5	5
	Handelman, Eric D.	4		4
	Dentino, Anthony A.		4	4
	Pappalardo, Fauna M.		4	4
	Hirtelen, Lori A.		4	4
	Maslow, Lisa J.	2	2	4
	Scibetta, Michael P.		3	3
	Annechino, John A.		3	3
	Thomas-Diaz, Kathleen	1	1	2



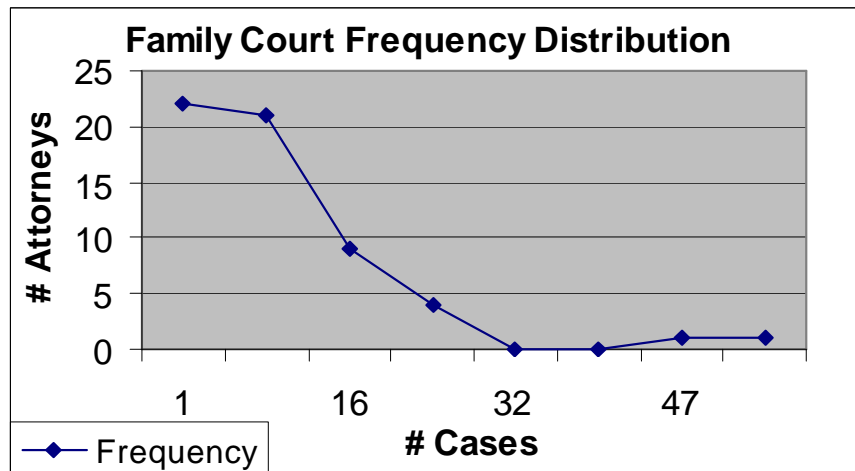
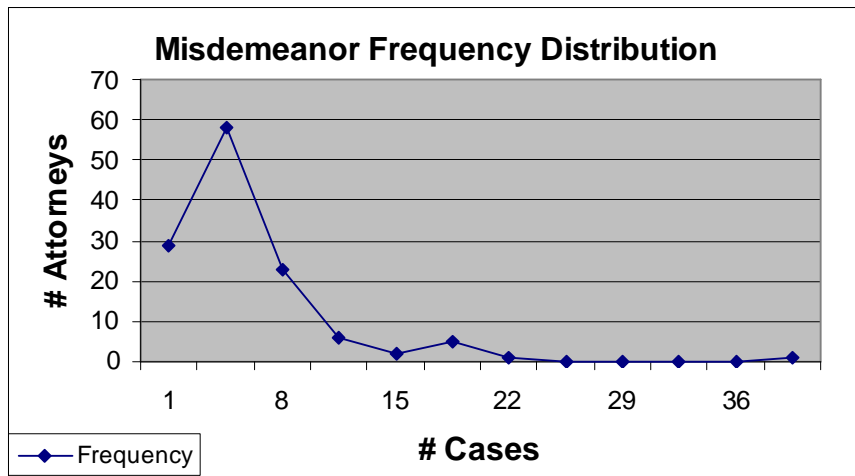
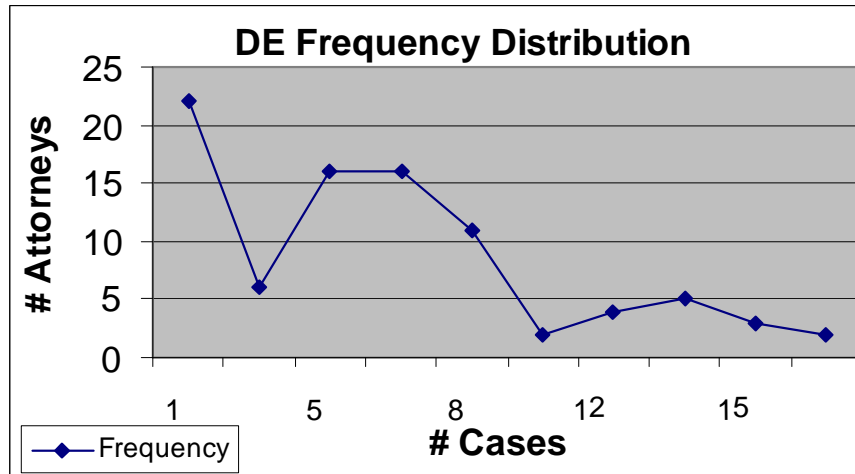
		Assigned By		
Agency	Attorney	ACP	Court	Grand Total
	DeJohn, Timothy W.		2	2
	Infantino, Marc	2		2
	Dimassimo, James D.		2	2
	Lahman, Janice A.		2	2
	Schiano, Margaret A.		2	2
	Josh, Sylvia W.	1		1
	MacAulay, Paul D.	1		1
	Ajaka, Maroun	1		1
	Vacca, James P.		1	1
	Mix, Matthew J.		1	1
	Morabito, David R.	1		1
	Pennica, Kenneth L.	1		1
	D'Arpino, John Joseph	1		1
	Bitetti, Gary		1	1
	Sadinsky, Lisa A.		1	1
	Jackson, LaMarr J.		1	1
	St. George, Robert J.		1	1
	Schell, Jr., George A.		1	1
	Indivino, Deborah A.		1	1
	Snodgrass, Cynthia L.		1	1
	Abate, Jeffrey J.		1	1
	Philbin, Mary Lou	1		1
	Chase, Carolyn L.		1	1
	Cicccone, Kelly M.		1	1

Agency	Attorney	Assigned By		Grand Total
		ACP	Court	
	McMullen, Margaret Baldwin		1	1
	Petote, Karen Mary		1	1
	Romeo, Stacey Martha		1	1
ACP Total		34	361	395
CDO	Jones, Rhian D.	289	29	318
	Milliken, David	265	28	293
	Proano, Galo M.	193	30	223
	Edwards, Tynise Y.	161	3	164
	Crimi, Joseph P.	90	28	118
CDO Total		998	118	1116
Grand Total		1032	479	1511

### 2004 Case Distribution Graphs<sup>1</sup>



1. In interpreting these graphs, keep in mind that new panel members, non-approved attorneys, attorneys declining assignments and attorneys temporarily removed from the panels skew the results. Assigned Counsel cases only. No CDO cases in distribution



## 2004 Table of Program Use by Judiciary

The table below shows the number of assignments for each Judge making at least one assignment during 2004. The table divides the assignments between those made through the Assigned Counsel Program and those made directly by the Judge. The statistics clearly show that Rochester City Court, which assigns the greatest number of cases in the County, is very high in percentage of cases assigned through the Assigned Counsel Program. Increasingly in 2004, the Local Criminal Courts assigned exclusively through the Assigned Counsel Program. These facts directly correlate to the fact that the distribution of cases among the attorneys is greatest for criminal cases. Conversely, the statistics show that Family Court has a very low percentage of cases assigned through the Assigned Counsel Program. Therefore, Family Court has a very uneven distribution of cases among the attorneys.

Court	Judge	Agency	Referral		Grand Total
			ACP	Court	
Appellate Division	Appellate Division, Hon.	ACP	15		15
		CDO	4		4
Appellate Division Total			19		19
Brighton Town Court	Morris, Hon. James E.	ACP	21	2	23
	Morris, Hon. Karen	ACP	12		12
Brighton Town Court Total			33	2	35
Chili Town Court	Olver, Hon. Melvin L.	ACP	4	1	5
	Pietropaoli, Hon. Patrick	ACP		4	4
Chili Town Court Total			4	5	9
Clarkson Town Court	Hammel, Hon. Allyn S.	ACP	3		3
Clarkson Town Court Total			3		3
E. Rochester Town Court	Argento, Hon. Victoria M.	ACP	1	3	4
	Odorisi, Hon. J. Scott	ACP	1	8	9
E. Rochester Town Court Total			2	11	13
Fairport Village Court	Barone, Hon. Vincent M.	ACP	1	1	2
Fairport Village Court Total			1	1	2
Family Court Non-Judicial	Boldt , Hon. Margaret M.	CDO	5		5

Court	Judge	Agency	Referral		Grand Total
			ACP	Court	
	Farber, Hon. Sidney T.	ACP	4	3	7
		CDO	100	4	104
	Gordon, Hon. Julie Anne	ACP	2	12	14
		CDO	124	3	127
	Irizarry, Hon. Diana M.	CDO	7		7
	Maloy, Hon. Charles T.	ACP	3	2	5
		CDO	26	3	29
	Miller, Hon. Michael J.	CDO	4		4
	Morton, Hon. Glenn R.	ACP	7	4	11
		CDO	25	2	27
	Owlett, Hon. Deborah	CDO	3		3
	Pilato, Hon. Linda Lohner	CDO	1	1	2
	Polito, Hon. Thomas W.	ACP	2	3	5
		CDO	120	7	127
	Rao, Hon. Michael G.	CDO	2		2
	Strobridge, Hon. Maurice E.	ACP		2	2
		CDO	27	4	31
Family Court Non-Judicial Total			462	50	512
Gates Town Court	Pisaturo, Hon. John J.	ACP	19	25	44
	Pupatelli, Hon. Peter P.	ACP	1	22	23
Gates Town Court Total			20	47	67
Greece Town Court	Campbell, Hon. Vincent	ACP	37	2	39
	Diraddo, Hon. Raymond S.	ACP	39	4	43
	Schiano, Jr., Hon. Charles A.	ACP	52	4	56
Greece Town Court Total			128	10	138
Hamlin Town Court	Moffett, Hon. Richard W.	ACP	7	1	8

Court	Judge	Agency	Referral		Grand Total
			ACP	Court	
	Rath, Hon. Paul W.	ACP	2		2
Hamlin Town Court Total			9	1	10
Henrietta Town Court	Donsky, Hon. Steven M.	ACP	3	25	28
	Kopacki, Hon. John	ACP	1	28	29
	Pericak, Hon. John G.	ACP	5	15	20
Henrietta Town Court Total			9	68	77
Irondequoit Town Court	DeMarco, Hon. John L.	ACP	8	22	30
	Dinolfo, Hon. Vincent M.	ACP	6	12	18
	Genier, Hon. Joseph T.	ACP	13	16	29
Irondequoit Town Court Total			27	50	77
Mendon Town Court	Fletcher, Hon. William P.	ACP	1		1
Mendon Town Court Total			1		1
Monroe County Court	Bellini, Hon. Elma A.	ACP	13	11	24
		CDO	14	2	16
	Connell, Hon. John J.	ACP	10	28	38
		CDO	5		5
	Geraci, Jr., Hon. Frank P.	ACP	36	5	41
		CDO	2		2
	Keenan, Hon. Richard A.	ACP	9	20	29
		CDO	4		4
	Marks, Hon. Patricia D.	ACP	13	28	41
		CDO	2		2
	Renzi, Hon. Alexander	ACP	1		1
	Schwartz, Hon. John R.	ACP	34	5	39
		CDO	2		2
	Sirkin, Hon. Stephen R.	ACP		3	3

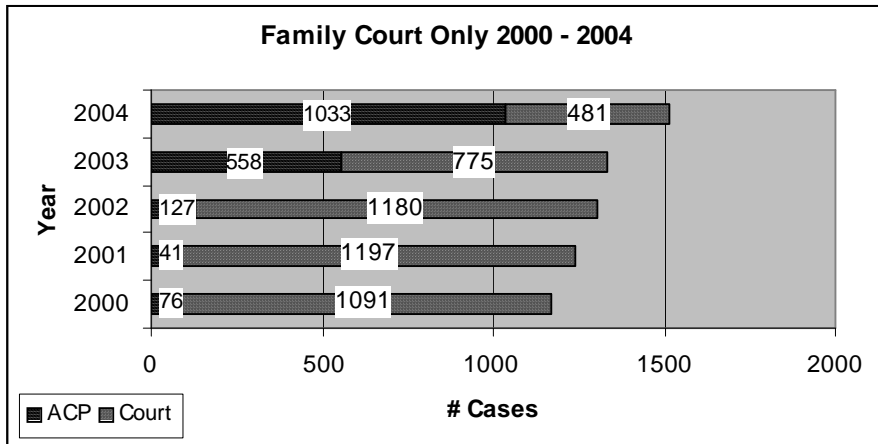
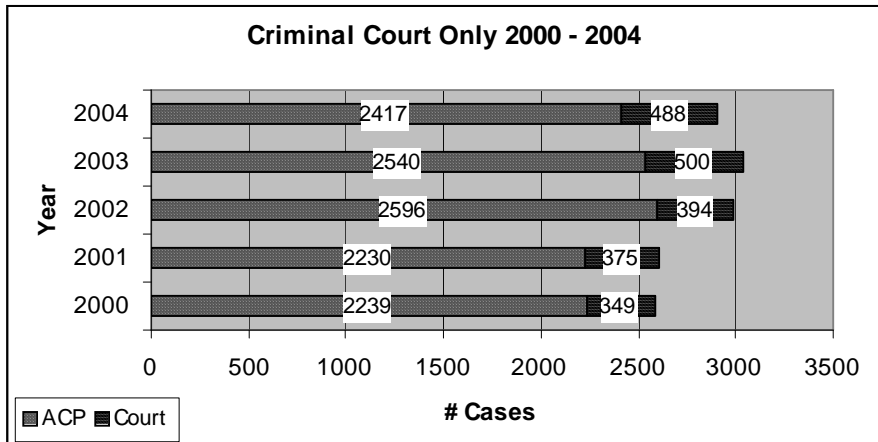
Court	Judge	Agency	Referral		Grand Total
			ACP	Court	
		CDO	1		1
Monroe County Court Total			146	102	248
Monroe County Family Court	Bellini, Hon. Elma A.	ACP	2	12	14
		CDO	43	3	46
	Donofrio, Hon. Gail	ACP	4	129	133
		CDO	139	37	176
	Kohout, Hon. Joan S.	ACP	1	24	25
		CDO	25		25
	O'Connor, Hon. Marilyn L.	ACP	1	31	32
		CDO	100	14	114
	Rivoli, Hon. John J.	ACP	2	44	46
		CDO	61	14	75
	Ruhlmann, Hon. Dandrea L.	ACP	1	71	72
		CDO	102	23	125
	Sciolino, Hon. Anthony J.	ACP	5	22	27
		CDO	80	5	85
Monroe County Family Court Total			566	429	995
Monroe County Surrogate Court	Calvaruso, Hon. Edmund A.	ACP		2	2
Monroe County Surrogate Court Total				2	2
Ogden Town Court	Murante, Hon. David A.	ACP	2	6	8
	Schiano, Hon. Michael Patrick	ACP	7	1	8
Ogden Town Court Total			9	7	16
Parma Town Court	Maley, Jr., Hon. James E.	ACP	2	1	3
	Sciortino, Hon. Michael A.	ACP	8		8
Parma Town Court Total			10	1	11
Penfield Town Court	Farber, Hon. Sidney T.	ACP	20	1	21

Court	Judge	Agency	Referral		Grand Total
			ACP	Court	
	Lomenzo, Jr., Hon. John P.	ACP	12		12
Penfield Town Court Total			32	1	33
Perinton Town Court	Arnold, Hon. Michael H.	ACP	6	2	8
Perinton Town Court Total			6	2	8
Pittsford Town Court	Gallina, Hon. Fred S.	ACP	10	2	12
	Michel, Hon. F. Robert	ACP	4		4
Pittsford Town Court Total			14	2	16
Riga Town Court	Steinwachs, Hon. Joseph	ACP	2		2
Riga Town Court Total			2		2
Rochester City Court	Castro, Hon. Melchor E.	ACP	117	35	152
		CDO	219	2	221
	Elliott, Hon. John E.	ACP	118	18	136
		CDO	168		168
	Johnson, Hon. Teresa D.	ACP	149	20	169
		CDO	166		166
	King, Hon. Roy Wheatley	ACP	5	8	13
		CDO	6		6
	Lindley, Hon. Stephen K.	ACP	55	38	93
		CDO	124	1	125
	Morse, Hon. Thomas Rainbow	ACP	118	51	169
		CDO	210		210
	Pfeiffer, Hon. Ann E.	ACP	151	33	184
		CDO	162		162
	Yacknin, Hon. Ellen M.	ACP	102	28	130
		CDO	179	1	180
Rochester City Court Total			2049	235	2284



Court	Judge	Agency	Referral		Grand Total
			ACP	Court	
Rush Town Court	Anderson, Hon. Paula	ACP	9		9
Rush Town Court Total			9		9
Supreme Court	Affronti, Hon. Francis A.	ACP	7	1	8
	Bellini, Hon. Elma A.	ACP		6	6
	Egan, Hon. David D.	ACP		1	1
	Fisher, Hon. Kenneth R.	ACP	28	13	41
	Valentino, Hon. Joseph D.	ACP	8	2	10
	Vanstrydonck, Hon. Thomas M.	ACP	6	2	8
Supreme Court Total			49	25	74
Sweden Town Court	Coapman, Hon. Carl A.	ACP	1		1
	Cody, Hon. William J.	ACP	6		6
Sweden Town Court Total			7		7
Webster Town Court	Corretore, Hon. David	ACP	11		11
	DiSalvo, Hon. Thomas J.	ACP	10	1	11
Webster Town Court Total			21	1	22
Wheatland Town Court	Litteer, Jr., Hon. Harold H.	ACP	2		2
Wheatland Town Court Total			2		2

## Graphs of Program Use by Judiciary



## Types of Cases Assigned in 2004<sup>2</sup>

Type of Case	Total
Custody/Visitation	684
Child Protective Proceeding	470
Family Offense	258
Petit Larceny	255
Harassment 2	213
Assault 3	190
Crim. Poss. Controlled Substance 3	167
Crim. Poss. Controlled Substance 7	117
Criminal Mischief 4	111
Unauthorized Use Motor Vehicle 3	108
Crim. Poss. Stolen Property 4	91
Robbery 1	88
Violation Probation (M)	88
Criminal Contempt 2	72
Disorderly Conduct	72
Parole Violation	71
Agg. Harassment 2	66
Menacing 2	59
Assault 2	57
Criminal Contempt 1	47
Agg. Unlicensed Operation 3	46

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<sup>2</sup> Based on cases referred to ACP for assignment. Assignment numbers are higher because during the pendency of a referred case, more than one attorney may be assigned to that case.

Type of Case	Total
Burglary 3	46
Robbery 2	45
Loitering 1	44
Violation Probation (F)	43
Unlawful Poss. Marihuana	42
Burglary 2	39
Grand Larceny 4	39
Agg. Unlicensed Operation 2	35
Crim. Poss. Weapon 2	33
Paternity	32
Crim. Poss. Weapon 3	29
Guardianship	28
False Personation	27
Crim. Poss. Stolen Property 5	26
Witness	26
Crim. Poss. Marihuana 5	24
Resisting Arrest	23
Crim. Poss. Forged Instrument 2	21
End. Welfare Child	20
Trespass	19
Crim. Poss. Weapon 4	18
Driving While Intoxicated	18
Burglary 1	17
Crim. Trespass 3	17
Crim. Sale Marihuana 4	16
Crim. Trespass 2	16
Obstructing Govt'l Administration 2	16

Type of Case	Total
Criminal Mischief 3	15
Murder 2	15
Crim. Poss. Controlled Substance 1	14
Crim. Poss. Stolen Property 3	14
Robbery 3	14
Assault 1	13
Crim. Sale of Controlled Substance 3	13
Forgery 2	12
Rape 1	12
Appeal-Criminal Court (Fel.)	11
Crim. Poss. Marihuana 4	11
Criminal Contempt 1, Aggravated	11
Reckless Endangerment 1	11
Criminal Impersonation 2	10
Grand Larceny 3	9
Pins-Intervenor/FC	9
Sexual Abuse 1	9
Support	9
Crim. Poss. Controlled Substance 2	8
Falsely Reporting Incident 3	8
Foster Care	8
Issuing a Bad Check	8
Reckless Endangerment 2	8
Conspiracy 2	7
Poss. Imitation Controlled Substance	7
Crim. Poss. Controlled Substance 4	6
Crim. Use Drug Paraphernalia 2	6

Type of Case	Total
Murder 1	6
Sodomy 1	6
Burglary 3, Att.	5
Fugitive	5
Prostitution	5
Act Manor Injur Child < 17	4
Agg. Unlicensed Operation 1	4
Crim. Poss. Forged Instrument 3	4
Criminal Facilitation 4	4
Driving While Intoxicated (Fel.)	4
Poss. Burglar's Tools	4
Promoting Prison Contraband 2	4
Alcoholic Beverage Control	3
Appeal-Family Court	3
Bail Jumping 3	3
Crim. Poss. Hypodermic Instrument	3
Kidnapping 2	3
Menacing 3	3
Murder 2, Att.	3
Petit Larceny, Att.	3
Post-Conviction Motion	3
Promoting Gambling 2	3
Robbery 1, Att.	3
Sexual Abuse 3	3
Sexual Misconduct	3
Unauthorized Use Motor Vehicle 2	3
Unlicensed Operator	3

Type of Case	Total
722-c Order	2
Appeal-Criminal Court (Misd.)	2
Assault 1, Att.	2
Burglary 2, Att.	2
Conspiracy 6	2
Crim. Poss. Marihuana 2	2
Crim. Poss. Marihuana 3	2
Crim. Sale Firearm 3	2
Crim. Sale of Controlled Substance 1	2
Fail Exercise Control of	2
Forcible Touching	2
Intimidating Victim/Witness 3	2
Loitering to Promote Prostitution	2
Menacing	2
Offering False Instrument for Filing 1	2
Promoting Prison Contraband 1	2
Public Lewdness	2
Reckless Driving	2
Robbery 2, Att.	2
Sodomy 2	2
Tampering With Witness 4	2
Theft of Services	2
330 Motion	1
Arson 1, Att.	1
Arson 2	1
Arson 3	1
Arson 4	1

Type of Case	Total
Arson 5	1
Assault 2, Att.	1
Assault 3, Att.	1
Crim. Poss. Controlled Substance 5	1
Crim. Sale Marihuana 3	1
Criminal Mischief 2	1
Criminal Mischief 4, Att.	1
Criminal Sexual Act 1	1
Discharge Firearm 500'of Dwelling	1
Entcmnt 2nd <16	1
Fail to Reg:Sex Offender	1
Falsely Reporting Incident 1	1
File False Written Statment	1
Gang Assault 1	1
Hindering Prosecution 1	1
Identity Theft 2	1
Imit Control Subs 2	1
Insurance Fraud 3	1
Kidnapping 1	1
Leaving Scene Incident-PI	1
Loitering	1
Mental Health Retention	1
Murder 1, Att.	1
Prohibited Use of Weapon	1
Promoting Prostitution 3	1
Promoting Prostitution 4	1
Rape 1, Att.	1



Type of Case	Total
Rape 2	1
Rape 3	1
Sexual Abuse 2	1
SORA	1
Suspended Registration	1
Unlawful Imprisonment 1	1
Unlawful Poss. Fire Arms MV	1
Unlawfully Deal w/Child 2	1
Unlawfully Dealing With Child	1
Vehicular Manslaughter 2	1
Violation Conditional Discharge	1
Grand Total	4554

### 2004 Case Costs by Panel<sup>3</sup>

Panel		Type		
		Attorney Expenses	Fees	Vendor Expenses
ABC Felony	Total	\$5,830	\$900,988	\$106,198
	Average	\$27	\$1,535	\$423
	# Cases	218	587	251
Appellate	Total	\$2,366	\$116,280	\$2,745
	Average	\$91	\$3,634	\$250
	# Cases	26	32	11
DE Felony	Total	\$1,214	\$331,843	\$20,478
	Average	\$10	\$800	\$301
	# Cases	117	415	68

<sup>3</sup> Includes all cases closed and paid in 2004 even if assigned in a prior year. Excludes administrative costs.

Panel		Type		
		Attorney Expenses	Fees	Vendor Expenses
Family Court	Total	\$1,660	\$213,940	\$14,970
	Average	\$24	\$563	\$113
	# Cases	70	380	133
Misdemeanor	Total	\$778	\$291,586	\$7,484
	Average	\$7	\$400	\$192
	# Cases	114	729	39
Other	Total	\$579	\$28,186	\$31,936
	Average	\$116	\$972	\$3,194
	# Cases	5	29	10
Probation/Parole	Total	\$67	\$65,835	\$787
	Average	\$3	\$419	\$87
	# Cases	\$25	\$157	\$9
<b>Grand Total Fees</b>		<b>\$12,493</b>	<b>\$1,948,658</b>	<b>\$184,596</b>
<b>Grand Average Fees</b>		<b>\$22</b>	<b>\$837</b>	<b>\$354</b>
<b>Total # Cases</b>		<b>575</b>	<b>2329</b>	<b>521</b>

## 2004 Costs by Case Disposition

Panel	Disposition	Data	Attorney		Vendor
			Expenses	Fees	Expenses
ABC Felony	A.C.D.	Fees	\$31	\$3,986	
		# Cases	3	3	
	Alford Plea	Fees		\$683	
		# Cases		1	
	Bench Trial - Acquittal	Fees	\$24	\$5,765	\$1,084
		# Cases	3	3	5

			Attorney		Vendor
Panel	Disposition	Data	Expenses	Fees	Expenses
	Bench Trial - Guilty Lesser	Fees	\$77		\$1,158
		# Cases	1		5
	Bench Trial - Guilty Original	Fees		\$1,713	\$290
		# Cases		1	1
	Bench Warrant	Fees	\$17	\$7,374	
		# Cases	2	10	
	Capital Defender Case	Fees		\$75	
		# Cases		1	
	Client Retained Own Counsel	Fees	\$89	\$17,651	\$2,509
		# Cases	7	27	7
	Conflict of Interest	Fees		\$480	
		# Cases		1	
	Consolidated - Other Charges	Fees	\$4	\$247	
		# Cases	1	1	
	Covered by Plea - Other Charge	Fees	\$66	\$13,011	\$3,812
		# Cases	2	11	8
	Dismissed - CPL 30.30	Fees	\$14	\$10,594	\$300
		# Cases	1	6	1
	Dismissed - Felony Complaint	Fees	\$191	\$12,101	\$559
		# Cases	5	11	5
	Dismissed - Indictment	Fees	\$26	\$4,942	
		# Cases	2	3	
	Dismissed - Information	Fees	\$68	\$6,821	\$14
		# Cases	4	5	1
	Dismissed - Plea in Satisfaction	Fees	\$1	\$8,667	\$1,953
		# Cases	1	5	4

			Attorney		Vendor
Panel	Disposition	Data	Expenses	Fees	Expenses
	Jury Trial - Acquittal	Fees	\$137	\$37,661	\$4,809
		# Cases	5	8	10
	Jury Trial - Guilty Lesser	Fees	\$1,060	\$71,445	\$15,883
		# Cases	6	9	18
	Jury Trial - Guilty Original	Fees	\$1,555	\$242,339	\$31,830
		# Cases	34	45	69
	No Bill - Grand Jury	Fees	\$108	\$43,500	\$1,736
		# Cases	27	92	8
	No Conflict - PD Continued	Fees		\$929	
		# Cases		5	
	Other	Fees	\$2	\$268	
		# Cases	1	1	
	Plea To Reduced Charge	Fees	\$808	\$194,634	\$14,454
		# Cases	54	205	31
	Plea To Top Charge	Fees	\$1,238	\$160,518	\$8,121
		# Cases	40	85	37
	Post Conviction - Granted	Fees	\$41	\$1,313	
		# Cases	2	1	
	Relieved By Court	Fees	\$79	\$14,267	\$1,793
		# Cases	7	12	6
	Transfer to Family Court	Fees	\$37	\$4,335	
		# Cases	2	4	
	Y.O. Adjudication	Fees	\$151	\$32,472	\$1,015
		# Cases	7	28	3
Appellate	Appeal Judgment - Affirmed	Fees	\$1,515	\$103,072	
		# Cases	16	25	

			Attorney		Vendor
Panel	Disposition	Data	Expenses	Fees	Expenses
	Appeal Judgment - Discontinued	Fees	\$17	\$1,327	\$27
		# Cases	1	1	2
	Appeal Judgment - Modified	Fees	\$20		\$140
		# Cases	1		1
	Appeal Sentence - Affirmed	Fees	\$509	\$9,538	
		# Cases	6	4	
	Other	Fees		\$1,144	
		# Cases		1	
	Post Conviction - Denied	Fees		\$1,200	
		# Cases		1	
DE Felony	A.C.D.	Fees	\$4	\$1,876	
		# Cases	2	4	
	Bench Trial - Acquittal	Fees			\$1,154
		# Cases			3
	Bench Trial - Guilty Lesser	Fees			\$883
		# Cases			2
	Bench Trial - Guilty Original	Fees	\$10	\$1,548	\$300
		# Cases	1	1	1
	Bench Warrant	Fees	\$28	\$11,337	
		# Cases	3	10	
	Client Retained Own Counsel	Fees	\$18	\$5,527	\$40
		# Cases	2	13	1
	Consolidated - Other Charges	Fees		\$1,800	
		# Cases		2	
	Covered by Plea - Other Charge	Fees	\$29	\$7,157	\$2,029
		# Cases	1	12	3

			Attorney		Vendor
Panel	Disposition	Data	Expenses	Fees	Expenses
	Dismissed - CPL 30.30	Fees	\$1	\$2,694	\$6
		# Cases	1	3	1
	Dismissed - Felony Complaint	Fees	\$19	\$6,793	\$216
		# Cases	6	12	2
	Dismissed - Indictment	Fees	\$34	\$8,465	\$202
		# Cases	2	4	2
	Dismissed - Information	Fees	\$9	\$5,809	
		# Cases	1	6	
	Dismissed - Plea in Satisfaction	Fees		\$3,814	
		# Cases		7	
	Jury Trial - Acquittal	Fees	\$209	\$18,230	\$1,574
		# Cases	6	5	7
	Jury Trial - Guilty Lesser	Fees	\$93		\$792
		# Cases	1		3
	Jury Trial - Guilty Original	Fees	\$154	\$31,169	\$865
		# Cases	6	6	6
	No Bill - Grand Jury	Fees	\$83	\$31,532	\$270
		# Cases	18	73	2
	No Conflict - PD Continued	Fees		\$2,453	
		# Cases		1	
	Other	Fees		\$369	
		# Cases		1	
	Plea To Reduced Charge	Fees	\$229	\$102,091	\$2,196
		# Cases	35	157	8
	Plea To Top Charge	Fees	\$250	\$71,562	\$3,852
		# Cases	22	68	13

			Attorney		Vendor
Panel	Disposition	Data	Expenses	Fees	Expenses
	Relieved By Court	Fees	\$9	\$4,132	\$990
		# Cases	4	8	1
	Y.O. Adjudication	Fees	\$34	\$12,379	\$741
		# Cases	6	21	3
Family Court	A.C.D.	Fees	\$2	\$5,833	\$190
		# Cases	2	10	2
	Admit Petition	Fees	\$2	\$8,108	\$35
		# Cases	1	17	1
	Bench Trial - Acquittal	Fees			\$210
		# Cases			1
	Client Retained Own Counsel	Fees			\$105
		# Cases			1
	Conflict of Interest	Fees		\$58	
		# Cases		1	
	No Conflict - PD Continued	Fees		\$244	
		# Cases		2	
	Other	Fees		\$3,051	
		# Cases		3	
	Petition Dismissed	Fees	\$170	\$44,316	\$895
		# Cases	10	73	17
	Petition Found After Hearing	Fees	\$340	\$22,776	\$1,328
		# Cases	10	33	10
	Relieved By Court	Fees		\$759	
		# Cases		6	
	Stipulated Settlement	Fees	\$1,146	\$128,794	\$4,356
		# Cases	47	235	56

			Attorney		Vendor
Panel	Disposition	Data	Expenses	Fees	Expenses
Misdemeanor	A.C.D.	Fees	\$45	\$33,784	\$482
		# Cases	19	106	5
	Admit Petition	Fees		\$957	
		# Cases		3	
	Bench Trial - Acquittal	Fees	\$28	\$5,602	
		# Cases	2	7	
	Bench Trial - Guilty Lesser	Fees		\$1,376	
		# Cases		1	
	Bench Trial - Guilty Original	Fees		\$1,059	\$35
		# Cases		2	1
	Bench Warrant	Fees	\$23	\$10,086	
		# Cases	4	28	
	Client Retained Own Counsel	Fees	\$2	\$696	
		# Cases	1	5	
	Consolidated - Other Charges	Fees		\$903	
		# Cases		1	
	Covered by Plea - Other Charge	Fees	\$18	\$11,992	\$190
		# Cases	5	40	3
	Dismissed - CPL 30.30	Fees	\$66	\$17,916	\$613
		# Cases	7	51	8
	Dismissed - Information	Fees	\$208	\$28,007	\$409
		# Cases	26	66	7
	Dismissed - Plea in Satisfaction	Fees	\$51	\$9,137	
		# Cases	5	30	
	Incompetent to Stand Trial	Fees	\$1	\$384	
		# Cases	1	1	



			Attorney		Vendor
Panel	Disposition	Data	Expenses	Fees	Expenses
	Jury Trial - Acquittal	Fees		\$4,652	\$26
		# Cases		1	1
	Jury Trial - Guilty Lesser	Fees	\$95	\$1,973	
		# Cases	2	1	
	Jury Trial - Guilty Original	Fees	\$75	\$5,541	
		# Cases	1	3	
	No Bill - Grand Jury	Fees		\$299	
		# Cases		1	
	No Conflict - PD Continued	Fees		\$330	
		# Cases		2	
	Other	Fees		\$728	
		# Cases		2	
	Plea To Reduced Charge	Fees	\$97	\$78,029	\$756
		# Cases	30	190	7
	Plea To Top Charge	Fees	\$68	\$68,422	\$4,635
		# Cases	10	165	3
	Relieved By Court	Fees		\$3,800	
		# Cases		9	
	Y.O. Adjudication	Fees	\$1	\$5,527	
		# Cases	1	13	
Probation/Parole	Admit Petition	Fees	\$50	\$48,073	\$273
		# Cases	20	107	3
	Bench Warrant	Fees		\$745	
		# Cases		2	
	Consolidated - Other Charges	Fees		\$399	
		# Cases		2	

			Attorney		Vendor
Panel	Disposition	Data	Expenses	Fees	Expenses
	Covered by Plea - Other Charge	Fees	\$1	\$1,123	\$239
		# Cases	1	5	2
	Dismissed - Felony Complaint	Fees		\$440	
		# Cases		1	
	Dismissed - Information	Fees		\$150	
		# Cases		1	
	Petition Dismissed	Fees		\$4,080	
		# Cases		12	
	Petition Found After Hearing	Fees	\$4	\$3,570	
		# Cases	1	6	
	Plea To Reduced Charge	Fees	\$11	\$1,383	
		# Cases	1	3	
	Plea To Top Charge	Fees	\$0	\$4,829	\$181
		# Cases	1	13	2
	Relieved By Court	Fees	\$0	\$60	
		# Cases	1	1	
	Stipulated Settlement	Fees		\$900	
		# Cases		3	
<b>Total Fees</b>			<b>\$12,180</b>	<b>\$1,943,892</b>	<b>\$134,191</b>

## 2004 Case Dispositions<sup>4</sup>

Panel	Disposition	Total
ABC Felony	A.C.D.	3
	Alford Plea	1
	Bench Trial - Acquittal	2
	Bench Trial - Guilty Original	2
	Bench Warrant	10
	Capital Defender Case	1
	Client Retained Own Counsel	27
	Conflict of Interest	1
	Dismissed - CPL 30.30	5
	Dismissed - Felony Complaint	10
	Dismissed - Indictment	3
	Dismissed - Information	5
	Dismissed - Plea in Satisfaction	27
	Incompetent to Stand Trial	2
	Jury Trial - Acquittal	6
	Jury Trial - Guilty Lesser	8
	Jury Trial - Guilty Original	32
	No Bill - Grand Jury	89
	No Conflict - PD Continued	7
	Other	2
	Plea To Reduced Charge	185
	Plea To Top Charge	77
	Relieved By Court	10

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<sup>4</sup> Excludes 35 Miscellaneous cases, e.g. Fugitive, Witnesses, etc.

Panel	Disposition	Total
	Transfer to Family Court	4
	Y.O. Adjudication	30
<b>ABC Felony Total</b>		<b>549</b>
Appellate	Appeal Judgment - Affirmed	17
	Appeal Judgment - Discontinued	1
	Appeal Judgment - Modified	1
	Appeal Judgment - Reversed	1
	Appeal Sentence - Affirmed	4
	Post Conviction - Denied	1
<b>Appellate Total</b>		<b>25</b>
DE Felony	A.C.D.	5
	Bench Trial - Guilty Original	4
	Bench Warrant	8
	Client Retained Own Counsel	13
	Dismissed - CPL 30.30	4
	Dismissed - Felony Complaint	9
	Dismissed - Indictment	5
	Dismissed - Information	6
	Dismissed - Plea in Satisfaction	27
	Jury Trial - Acquittal	5
	Jury Trial - Guilty Original	6
	No Bill - Grand Jury	66
	No Conflict - PD Continued	5
	Plea To Reduced Charge	138
	Plea To Top Charge	76
	Relieved By Court	10
	Y.O. Adjudication	15

Panel	Disposition	Total
<b>DE Felony Total</b>		<b>402</b>
Family Court	A.C.D.	16
	Admit Petition	13
	Client Retained Own Counsel	11
	Conflict of Interest	9
	No Conflict - PD Continued	16
	Other	14
	Petition Dismissed	255
	Finding After Hearing	52
	Relieved By Court	22
	Stipulated Settlement	553
	Transfer to IDV	7
<b>Family Court Total</b>		<b>967</b>
Misdemeanor	A.C.D.	297
	Abated by Death	1
	Bench Trial - Acquittal	9
	Bench Trial - Guilty Lesser	1
	Bench Trial - Guilty Original	3
	Bench Warrant	23
	Client Retained Own Counsel	16
	Conflict of Interest	1
	Dismissed - CPL 30.30	260
	Dismissed - Information	237
	Dismissed - Plea in Satisfaction	127
	Incompetent to Stand Trial	2
	Jury Trial - Acquittal	9
	Jury Trial - Guilty Lesser	4

Panel	Disposition	Total
	Jury Trial - Guilty Original	3
	No Conflict - PD Continued	23
	Not Indigent	1
	Other	2
	Plea To Reduced Charge	365
	Plea To Top Charge	256
	Post Conviction - Denied	1
	Relieved By Court	14
	Transfer to Family Court	1
	Transfer to IDV	1
	Y.O. Adjudication	16
<b>Misdemeanor Total</b>		<b>1673</b>
Probation/Parole	Admit Petition	145
	Bench Warrant	2
	Client Retained Own Counsel	1
	Dismissed - Plea in Satisfaction	11
	No Conflict - PD Continued	2
	Petition Dismissed	18
	Petition Found After Hearing	6
	Plea To Reduced Charge	2
	Plea To Top Charge	10
	Relieved By Court	2
<b>Probation/Parole Total</b>		<b>187</b>
<b>Grand Total</b>		<b>3803</b>