



ASSIGNED COUNSEL FOR THE INDIGENT PROGRAM

CAYUGA COUNTY COURT HOUSE

2nd Floor

AUBURN, NEW YORK 13021

(315) 253-1402

(315) 253-1544 FAX

Lloyd E. Hoskins
Administrator

Diane A. Paxhia
Deputy Administrator

**To: J. Justin Woods, County Administrator
Members of the Cayuga County Bar Association**

**From: Lloyd E. Hoskins, Administrator
Assigned Counsel Program**

Date: March 1, 2019

The following Annual Report reflects the activities of the Assigned Counsel program for 2018. This report profiles the activities of participating attorneys and the various courts that they have appeared before. In 2018, there were thirty-seven attorneys that received appointments to over seventeen hundred criminal and family court cases.

In addition to providing indigent legal services in criminal and family court, the Assigned Counsel program continues its participation with the Auburn City Court Counsel at First Appearance, Auburn Behavioral Health Court, Misdemeanor and Felony Drug Court.

I would like to thank the Cayuga County Legislature for their support and cooperation throughout 2018. I would also like to thank the attorneys and judges who utilized services of the Assigned Counsel program. I look forward to 2019 in having the Assigned Counsel program provide services mandated by the Constitution and New York State statutes.

"There can be no equal justice when the kind of trial a man gets depends on the amount of money he has."

Griffin v. Illinois, 351 U.S. 12, 19(1956)(Justice Hugo Black)

LEGAL COUNSEL

LLOYD E. HOSKINS, ADMINISTRATOR

DIANE A. PAXHIA, DEPUTY ADMINISTRATOR

CHARLES E. ANDERSEN, ESQ.	JAMES A. BAKER, ESQ.
CYNTHIA B. BRENNAN, ESQ.	TIMOTHY J. BRENNAN, ESQ.
STEVEN H. BUSCHMAN, ESQ.	ROME CANZANO, ESQ.
ALISON N. CHAMBERLAIN, ESQ.	MAXSEN D. CHAMPION, ESQ.
NORMAN J. CHIRCO, ESQ.	HEIDI S. CONNOLLY, ESQ.
PETER J. DIGIORGIO, ESQ.	MICHELE R. DRISCOLL, ESQ.
DAVID P. ELKOVITCH, ESQ.	KRISTIN L. GARLAND, ESQ.
NATE GARLAND, ESQ.	DOMINIC V. GIACONA, ESQ.
MARIO J. GUTIERREZ, ESQ.	JAMES A. LEONE, ESQ.
CHRISTOPHER D. LUCCHESI, ESQ.	CHARLES A. MARANGOLA, ESQ.
SIMON K. MOODY, ESQ.	RYAN J. MULDOON, ESQ.
ALBERTO A. POLA, ESQ.	JOHN D. PRICE, ESQ.
JOSEPH J. SAPIO, ESQ.	TODD H. SLOAN, ESQ.
JARROD W. SMITH, ESQ.	JONIS J. STRODS, ESQ.
MANFORD SUSMAN, ESQ.	SAM M. TAMBURO, ESQ.
JILL L. TERRY, ESQ.	DANIEL A. TESTA, ESQ.
CHARLES M. THOMAS, ESQ.	THOMAS F. TURTURO, ESQ.
ADAM H. VAN BUSKIRK, ESQ.	FREDERICK R. WESTPHAL, ESQ.
ROBERTA G. WILLIAMS, ESQ.	

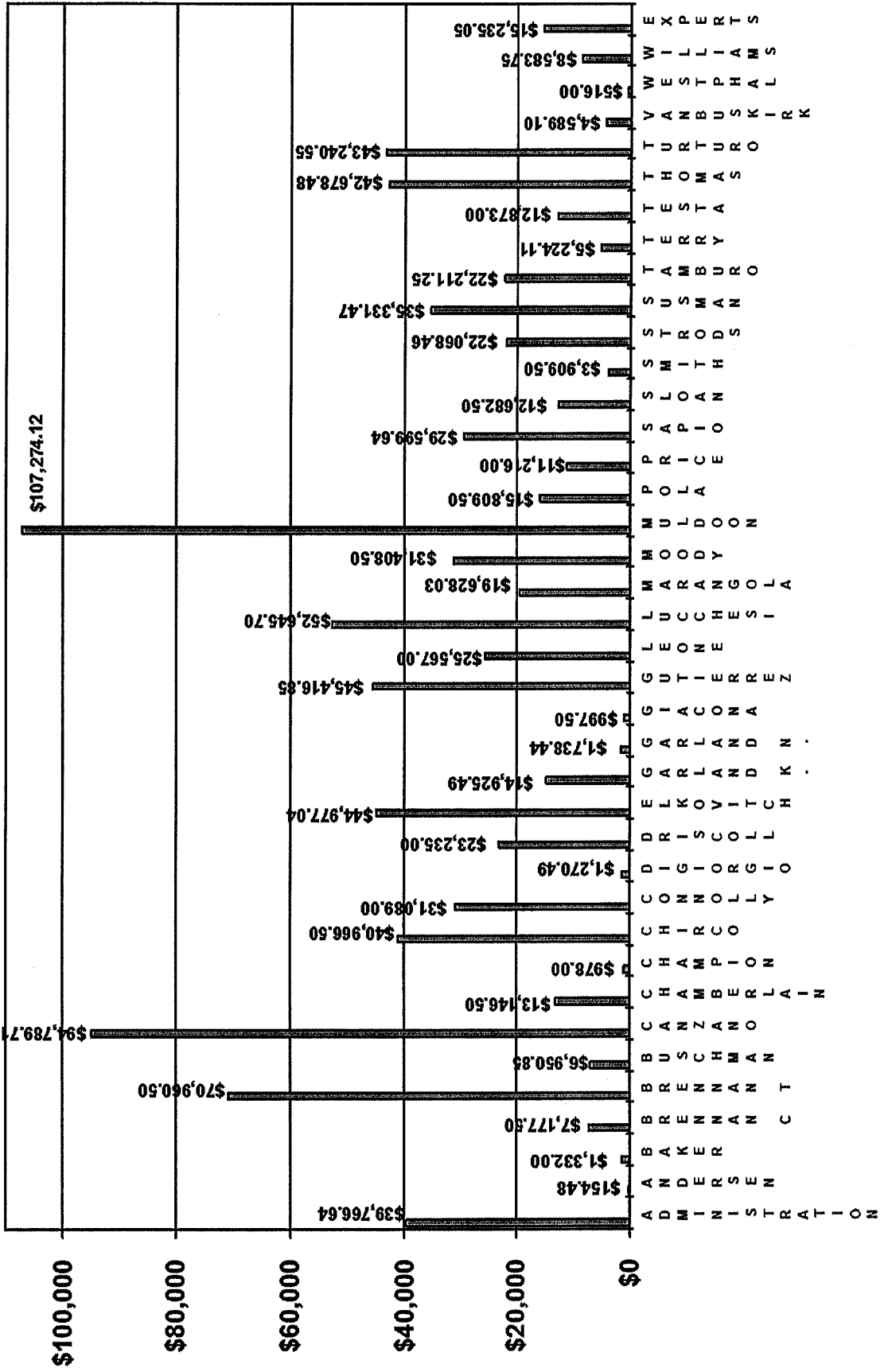
2018 ASSIGNED COUNSEL PAYMENTS	AUBURN CITY COURT	DRUG BH/DV COURT	COUNTY COURT	FAMILY COURT	APPELLATE COURT	TOWN/ VILLAGE COURT	PAROLE APPEALS	COUNSEL AT FIRST	TOTAL
ADMINISTRATION									\$39,766.64
ANDERSEN, C.	\$154.48	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$154.48
BAKER, J.	\$1,332.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,332.00
BRENNAN, C.	\$0.00	\$0.00	\$0.00	\$7,177.50	\$0.00	\$0.00	\$0.00	\$0.00	\$7,177.50
BRENNAN, T.	\$6,729.00	\$12,000.00	\$10,515.00	\$30,032.50	\$0.00	\$7,284.00	\$0.00	\$4,400.00	\$70,960.50
BUSCHMAN, S.	\$0.00	\$0.00	\$0.00	\$6,950.85	\$0.00	\$0.00	\$0.00	\$0.00	\$6,950.85
CANZANO, R.	\$16,386.77	\$9,000.00	\$28,656.00	\$21,065.00	\$0.00	\$14,038.50	\$1,243.44	\$4,400.00	\$94,789.71
CHAMBERLAIN, A.	\$0.00	\$0.00	\$0.00	\$13,146.50	\$0.00	\$0.00	\$0.00	\$0.00	\$13,146.50
CHAMPION, M.	\$978.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$978.00
CHIRCO, N.	\$4,189.00	\$0.00	\$7,396.25	\$14,970.00	\$0.00	\$14,411.25	\$0.00	\$0.00	\$40,966.50
CONNOLLY, H.	\$6,714.00	\$0.00	\$0.00	\$24,375.00	\$0.00	\$0.00	\$0.00	\$0.00	\$31,089.00
DIGIORGIO, P.	\$0.00	\$0.00	\$0.00	\$0.00	\$1,270.49	\$0.00	\$0.00	\$0.00	\$1,270.49
DRISCOLL, M.	\$0.00	\$0.00	\$0.00	\$23,235.00	\$0.00	\$0.00	\$0.00	\$0.00	\$23,235.00
ELKOVITCH, D.	\$11,520.63	\$0.00	\$13,041.85	\$0.00	\$13,053.56	\$561.00	\$0.00	\$6,800.00	\$44,977.04
EXPERT SERVICES	\$75.00	\$0.00	\$8,886.55	\$4,977.50	\$1,296.00	\$0.00	\$0.00	\$0.00	\$15,235.05
GARLAND, K.	\$0.00	\$0.00	\$0.00	\$14,925.49	\$0.00	\$0.00	\$0.00	\$0.00	\$14,925.49
GARLAND, N.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,738.44	\$0.00	\$0.00	\$1,738.44
GIACONA, D.	\$997.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$997.50
GUTIERREZ, M.	\$12,737.00	\$0.00	\$9,188.20	\$262.50	\$5,495.41	\$8,230.33	\$3,903.41	\$5,600.00	\$45,416.85
LEONE, J.	\$957.00	\$8,750.00	\$50.00	\$15,810.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25,567.00
LUCCHESI, C.	\$9,121.50	\$0.00	\$5,631.00	\$18,183.00	\$0.00	\$10,550.20	\$1,560.00	\$7,600.00	\$52,645.70
MARANGOLA, C.	\$1,571.87	\$0.00	\$50.00	\$6,343.15	\$4,987.68	\$6,675.33	\$0.00	\$0.00	\$19,628.03
MOODY, S.	\$12,610.50	\$0.00	\$9,135.00	\$6,870.00	\$0.00	\$618.00	\$2,175.00	\$0.00	\$31,408.50
MULDOON, R.	\$10,808.50	\$500.00	\$41,638.16	\$24,885.00	\$6,181.42	\$16,603.07	\$2,257.97	\$4,400.00	\$107,274.12
POLA, A.	\$5,442.50	\$0.00	\$50.00	\$210.00	\$0.00	\$10,107.00	\$0.00	\$0.00	\$15,809.50
PRICE, J.	\$6,978.00	\$75.00	\$1,335.00	\$0.00	\$0.00	\$2,628.00	\$0.00	\$200.00	\$11,216.00
SAPIO, J.	\$8,110.50	\$0.00	\$7,698.12	\$11,605.52	\$0.00	\$2,185.50	\$0.00	\$0.00	\$29,599.64
SLOAN, T.	\$11,260.50	\$0.00	\$0.00	\$0.00	\$0.00	\$1,422.00	\$0.00	\$0.00	\$12,682.50
SMITH, J.	\$440.00	\$0.00	\$3,469.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,909.50
STRODS, J.	\$8,070.58	\$0.00	\$2,306.46	\$9,944.02	\$0.00	\$747.40	\$0.00	\$1,000.00	\$22,068.46
SUSMAN, M.	\$14,251.44	\$0.00	\$4,619.84	\$3,632.99	\$0.00	\$9,849.70	\$2,977.50	\$0.00	\$35,331.47
TAMBURO, S.	\$13,590.00	\$0.00	\$4,518.75	\$0.00	\$0.00	\$4,102.50	\$0.00	\$0.00	\$22,211.25
TERRY, J.	\$4,143.68	\$0.00	\$0.00	\$0.00	\$0.00	\$1,080.43	\$0.00	\$0.00	\$5,224.11
TESTA, D.	\$0.00	\$0.00	\$0.00	\$10,792.50	\$0.00	\$978.00	\$1,102.50	\$0.00	\$12,873.00
THOMAS, C.	\$9,451.50	\$3,675.00	\$6,105.10	\$4,986.50	\$0.00	\$7,923.71	\$2,536.67	\$8,000.00	\$42,678.48
TURTURO, T.	\$5,850.00	\$0.00	\$9,179.55	\$1,897.50	\$0.00	\$17,623.50	\$1,290.00	\$7,400.00	\$43,240.55
VANBUSKIRK, A.	\$0.00	\$0.00	\$900.00	\$0.00	\$3,106.10	\$0.00	\$583.00	\$0.00	\$4,589.10
WESTPHAL, F.	\$516.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$516.00
WILLIAMS, R.	\$0.00	\$0.00	\$125.00	\$8,458.75	\$0.00	\$0.00	\$0.00	\$0.00	\$8,583.75
Total	\$184,987.45	\$34,000.00	\$174,495.33	\$284,736.77	\$35,390.66	\$139,357.86	\$19,629.49	\$49,800.00	\$962,164.20

(206,643.91) State Aid
\$755,520.29 2018 Cost to County



ASSIGNED COUNSEL EXPENSES

\$962,164.20

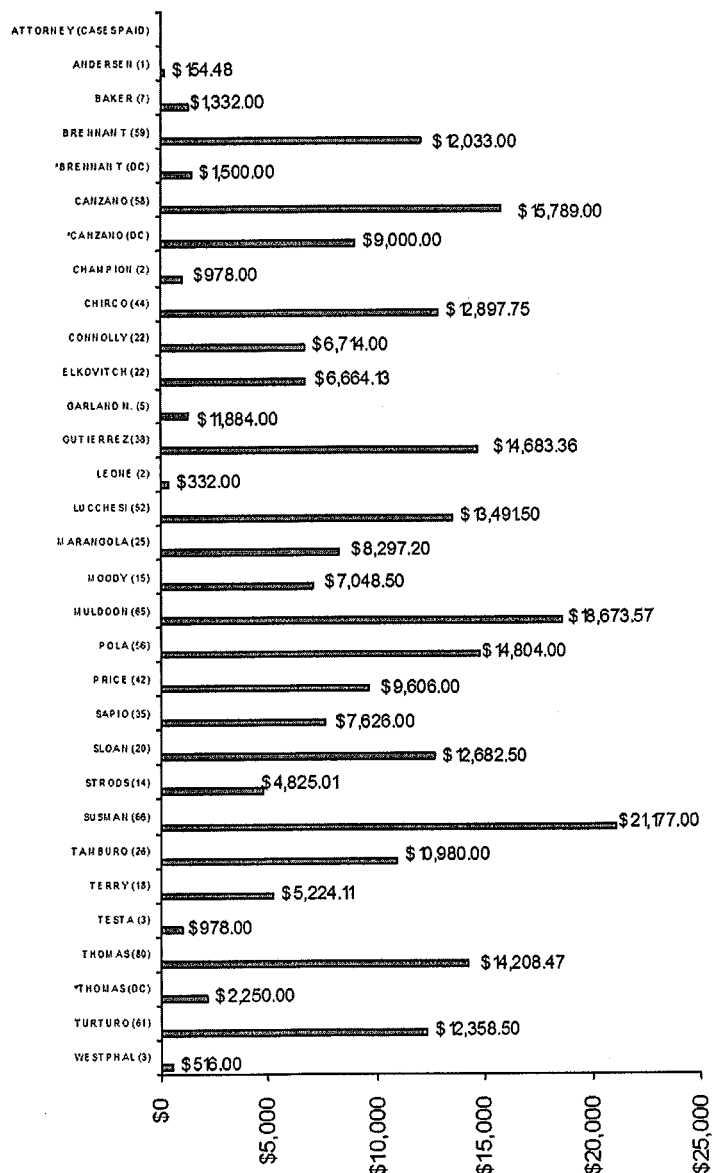


MISDEMEANOR PAYMENTS

\$248,225.08

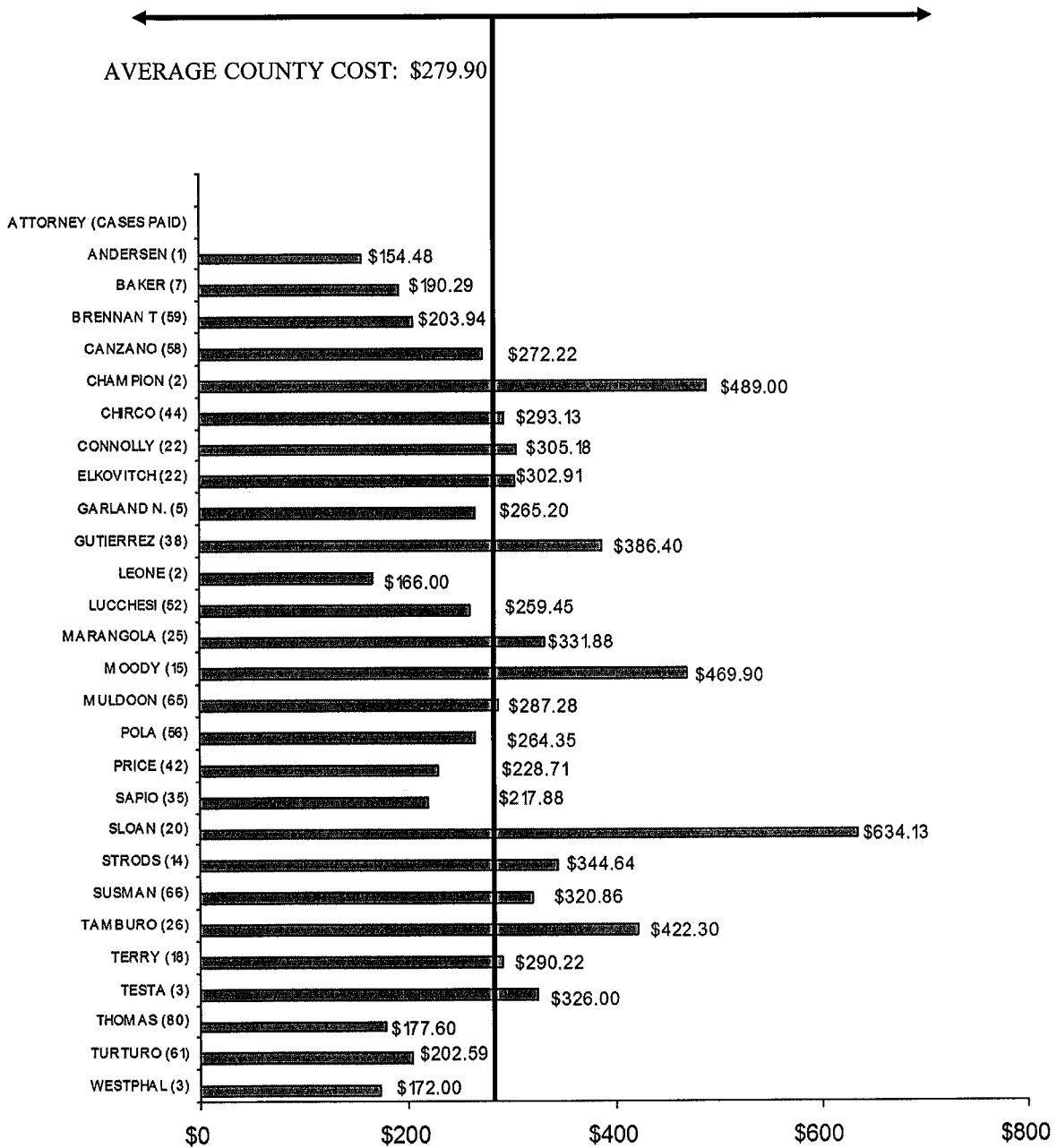
CAYUGA COUNTY
 EXPENDED **\$248,225.08**
 FOR LEGAL COUNSEL
 IN **841** MISDEMEANOR
 CASES
 REPRESENTING
 INDIGENT
 DEFENDANTS. THE
 AVERAGE COUNTY
 EXPENSE PER CASE
 WAS **\$279.90**. THIS
 COMPARES WITH **765**
 MISDEMEANOR
 CASES WITH AN
 AVERAGE EXPENSE
 PER CASE OF **\$296.47**
 IN 2017.

*DC-Drug Court



MISDEMEANOR PAYMENTS

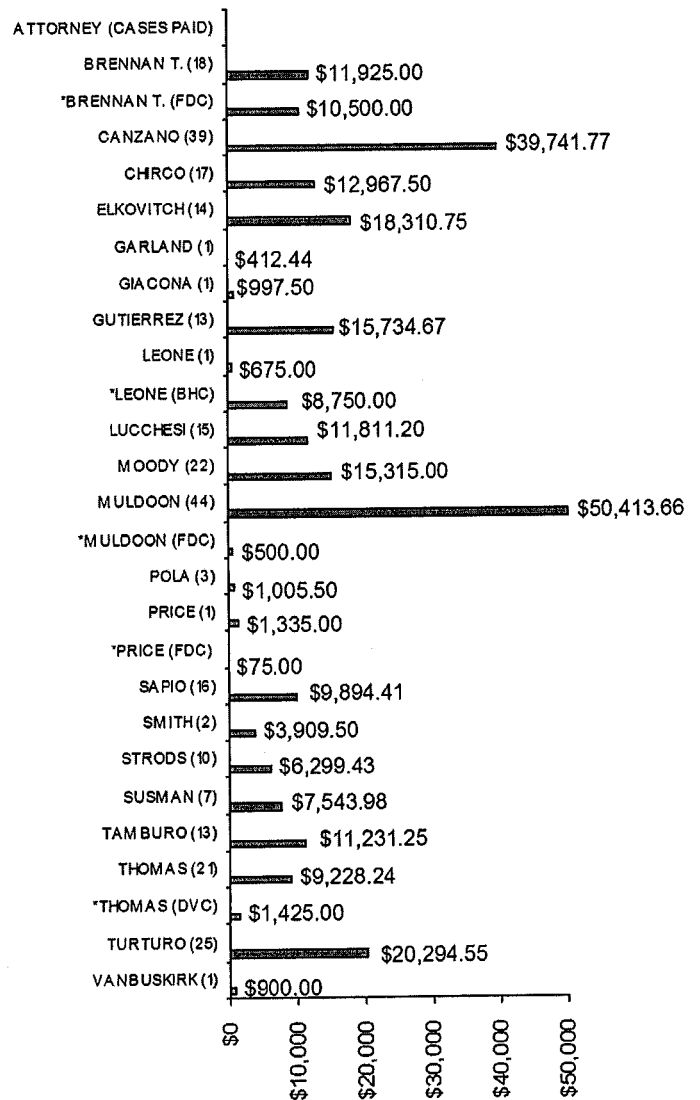
ATTORNEY AVERAGE CHARGE



FELONY PAYMENTS

\$278,456.83

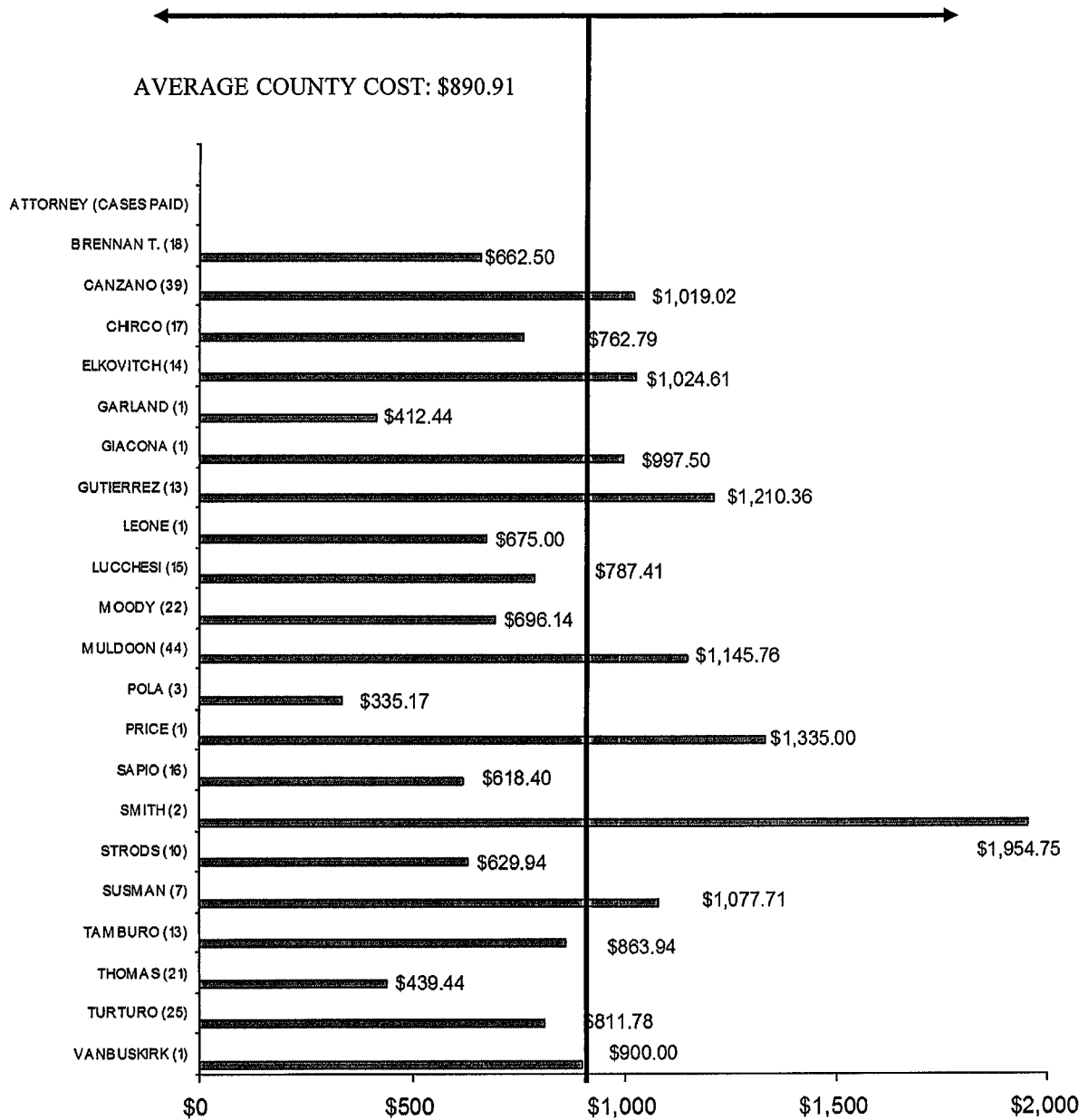
**CAYUGA COUNTY
 EXPENDED \$278,456.83
 FOR LEGAL COUNSEL
 IN 284 FELONY CASES
 REPRESENTING
 INDIGENT
 DEFENDANTS. THE
 AVERAGE COUNTY
 EXPENSE PER CASE
 WAS \$890.91. THIS
 COMPARES WITH 317
 FELONY CASES WITH
 AN AVERAGE
 EXPENSE PER CASE
 OF \$870.33 IN 2017.**



* FDC-Felony Drug Treatment Court
 *BHC-Behavioral Health Court
 *DVC-Domestic Violence Court

FELONY PAYMENTS

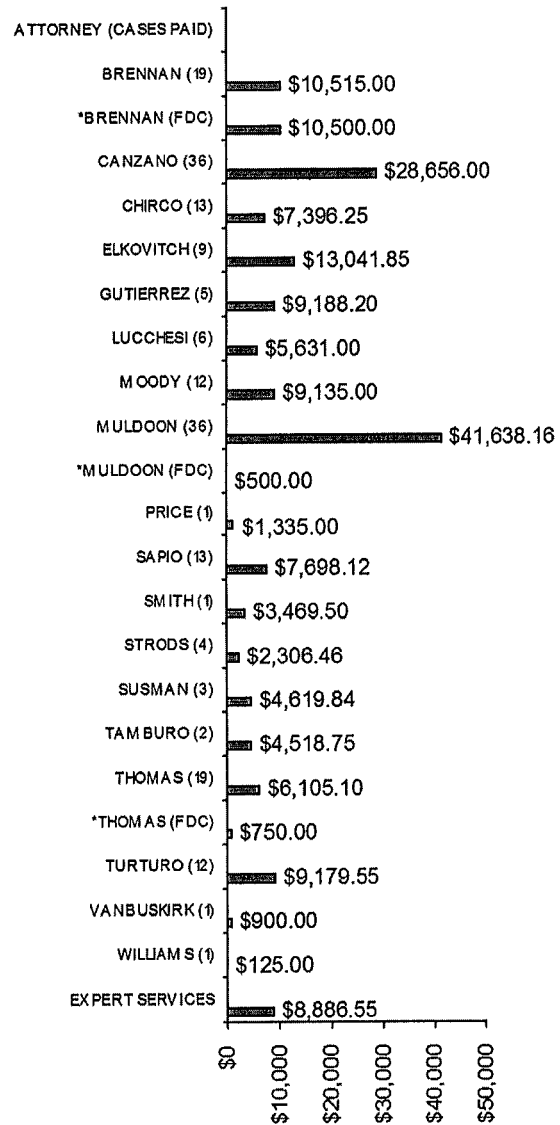
ATTORNEY AVERAGE CHARGE



COUNTY COURT

\$186,245.33

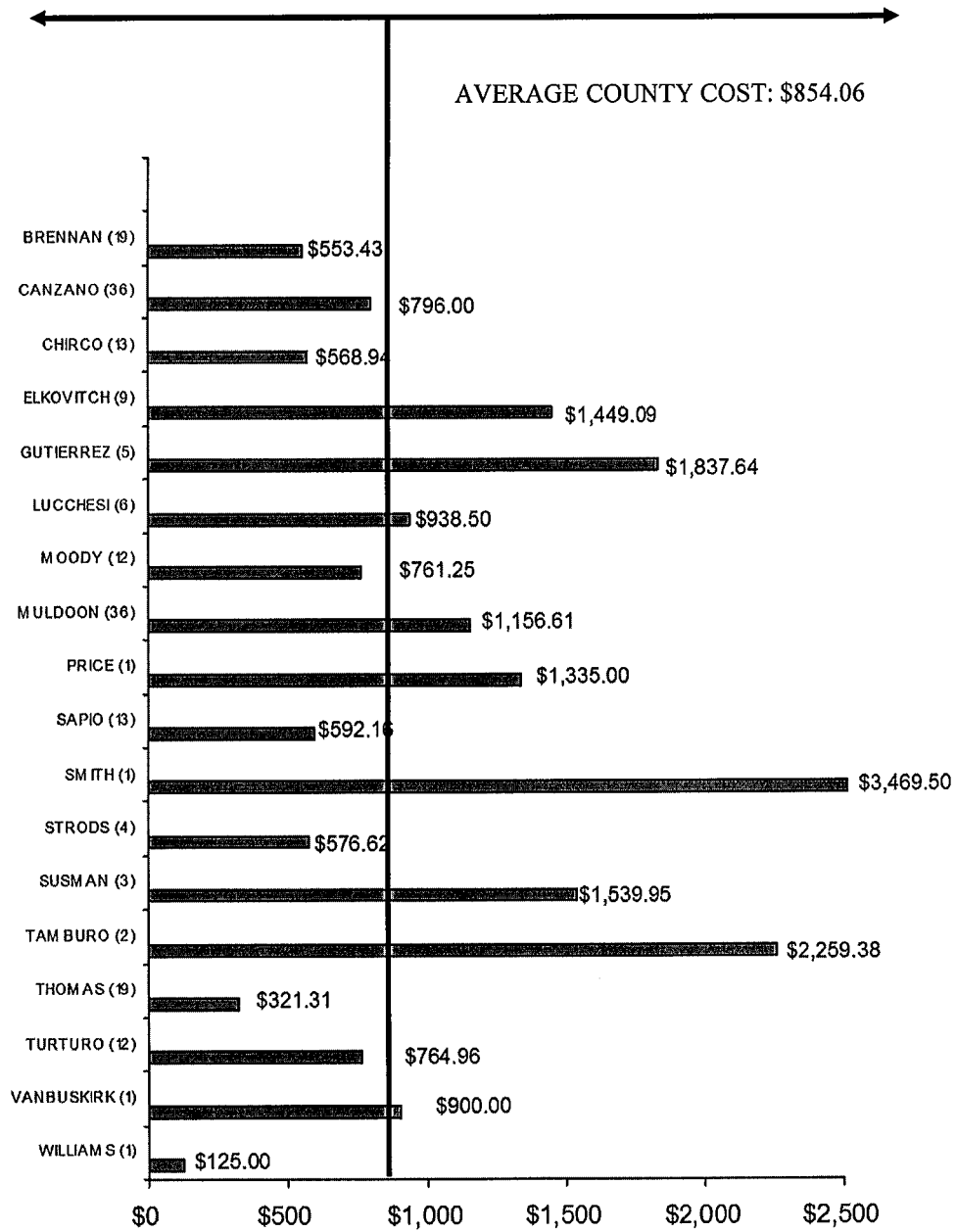
THE COST OF PROVIDING LEGAL COUNSEL TO INDIGENT DEFENDANTS IN COUNTY COURT FOR 2018 WAS \$186,245.33. THIS COMPARES TO A COST OF \$211,696.10 IN 2017. THE AVERAGE COST OF THE 196 CASES IN 2018 WAS \$854.06. IN 2017, THE AVERAGE COST FOR 226 CASES WAS \$869.86.



*FDC-Felony Drug Treatment Court

COUNTY COURT

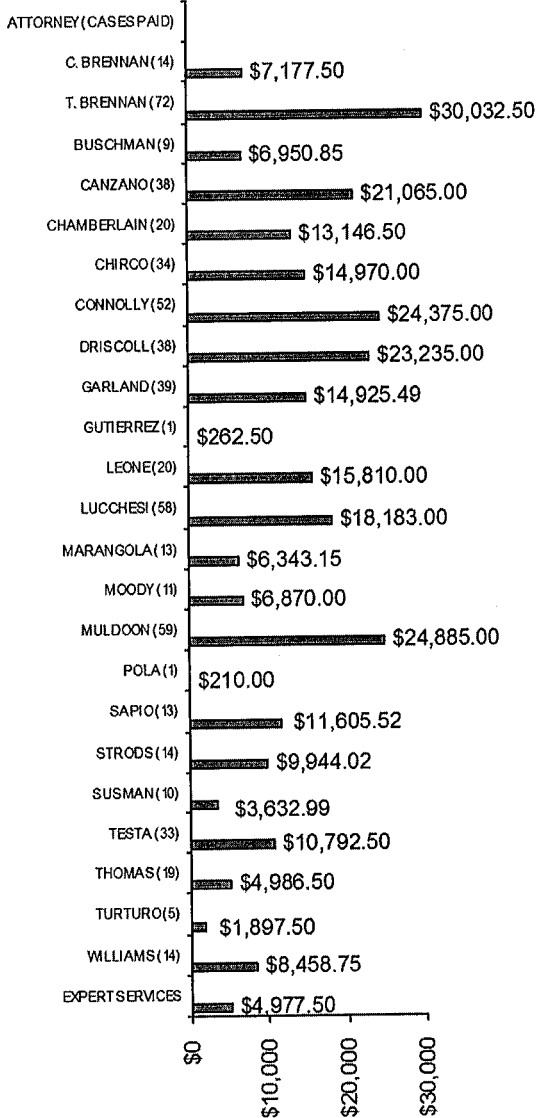
ATTORNEY AVERAGE CHARGE



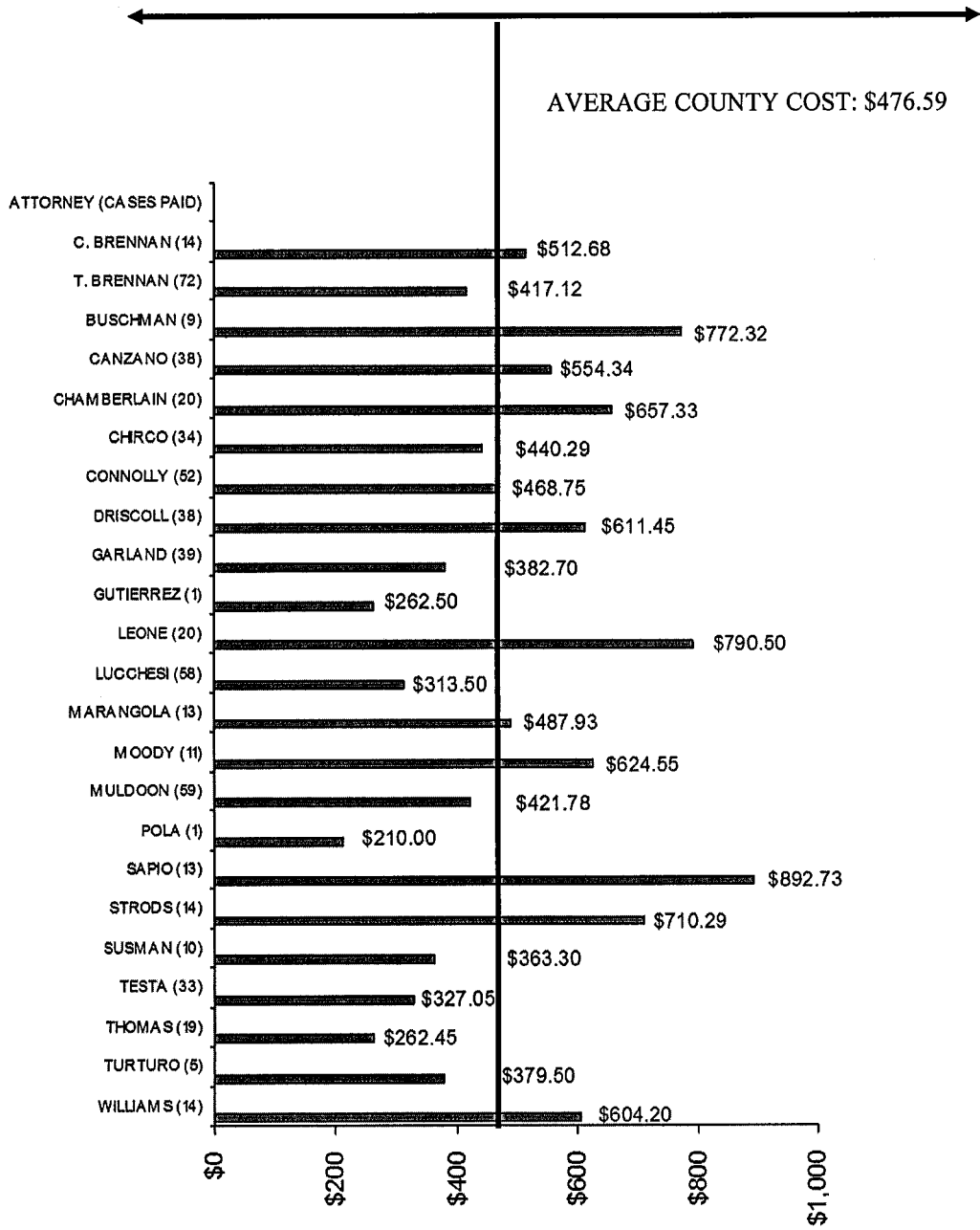
FAMILY COURT

\$284,736.77

PAYMENT WAS MADE TO LEGAL COUNSEL FOR 587 CASES ORIGINATING FROM FAMILY COURT. THESE CASES INVOLVED INDIGENT RESPONDENTS INVOLVED IN VISITATION, FAMILY OFFENSES, AND CUSTODY PROCEEDINGS. THE TOTAL COST IN ASSIGNING LEGAL COUNSEL WAS \$284,736.77 AS COMPARED TO \$206,421.83 IN 2017. THE AVERAGE 2018 COST PER CASE WAS \$476.59 COMPARED TO \$489.95 IN 2017.

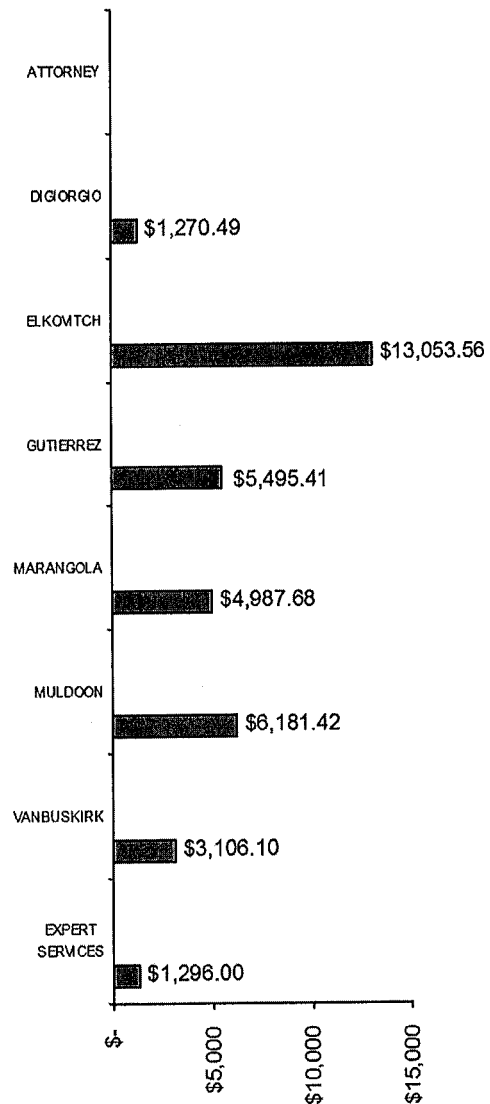


FAMILY COURT ATTORNEY AVERAGE CHARGE

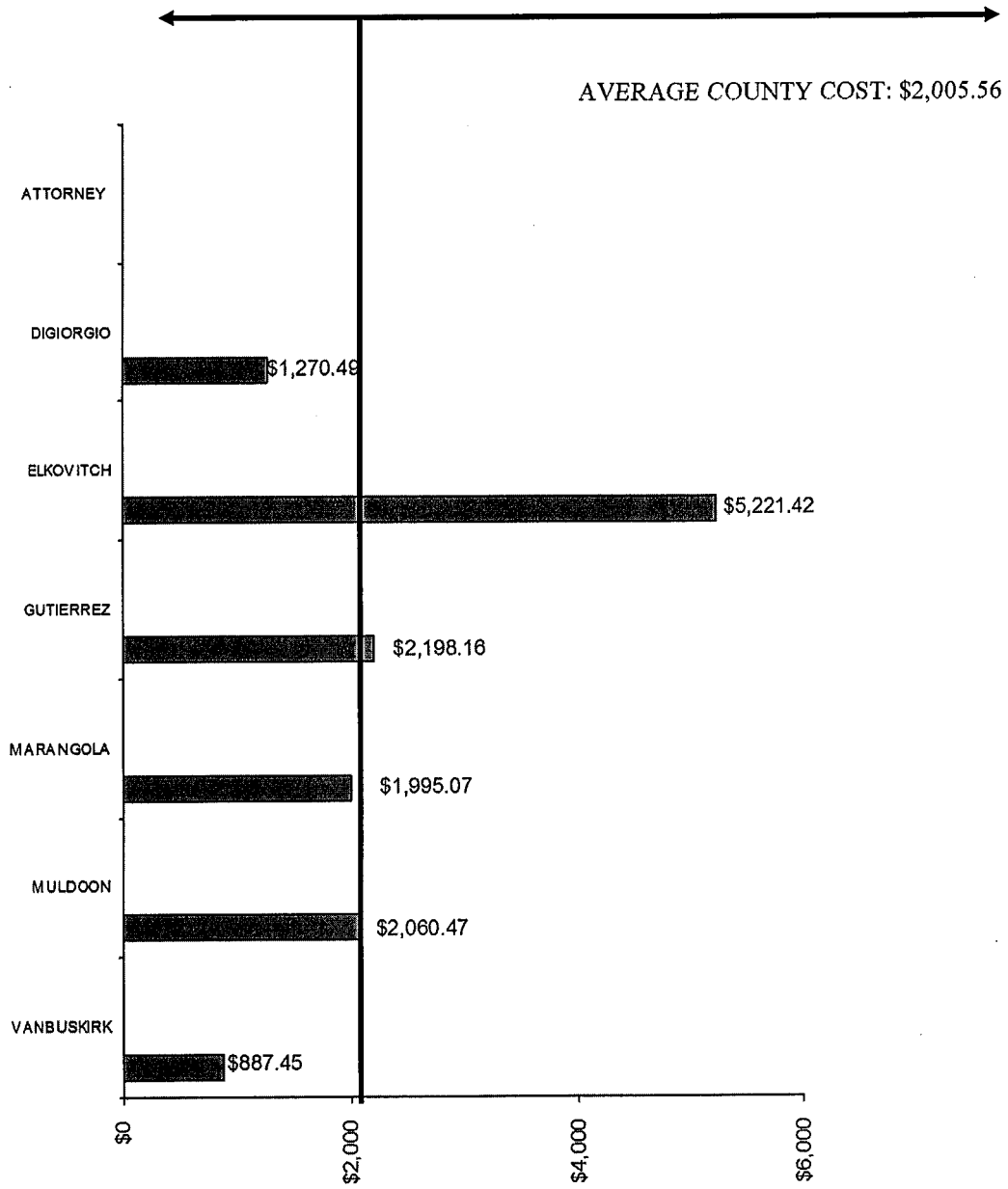


SUPREME COURT: APPELLATE DIVISION
\$35,390.66

UPON AN APPEAL IN A
 CRIMINAL ACTION, THE
APPELLATE COURT WILL
 DETERMINE IF
 APPELLANT IS ELIGIBLE
 FOR ASSIGNED COUNSEL.
 IN 2018, CAYUGA COUNTY
 PAID **\$35,390.66** AS
 COMPARED TO **\$95,934.83**
 IN 2017.



SUPREME COURT:APPELLATE ATTORNEY AVERAGE CHARGE

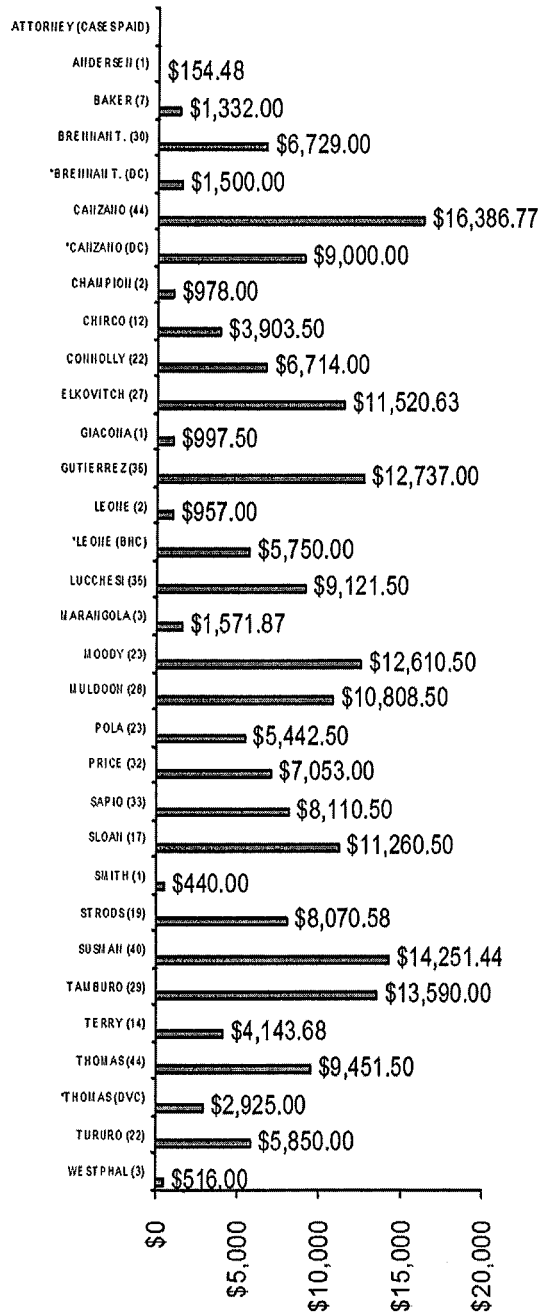


AUBURN CITY COURT

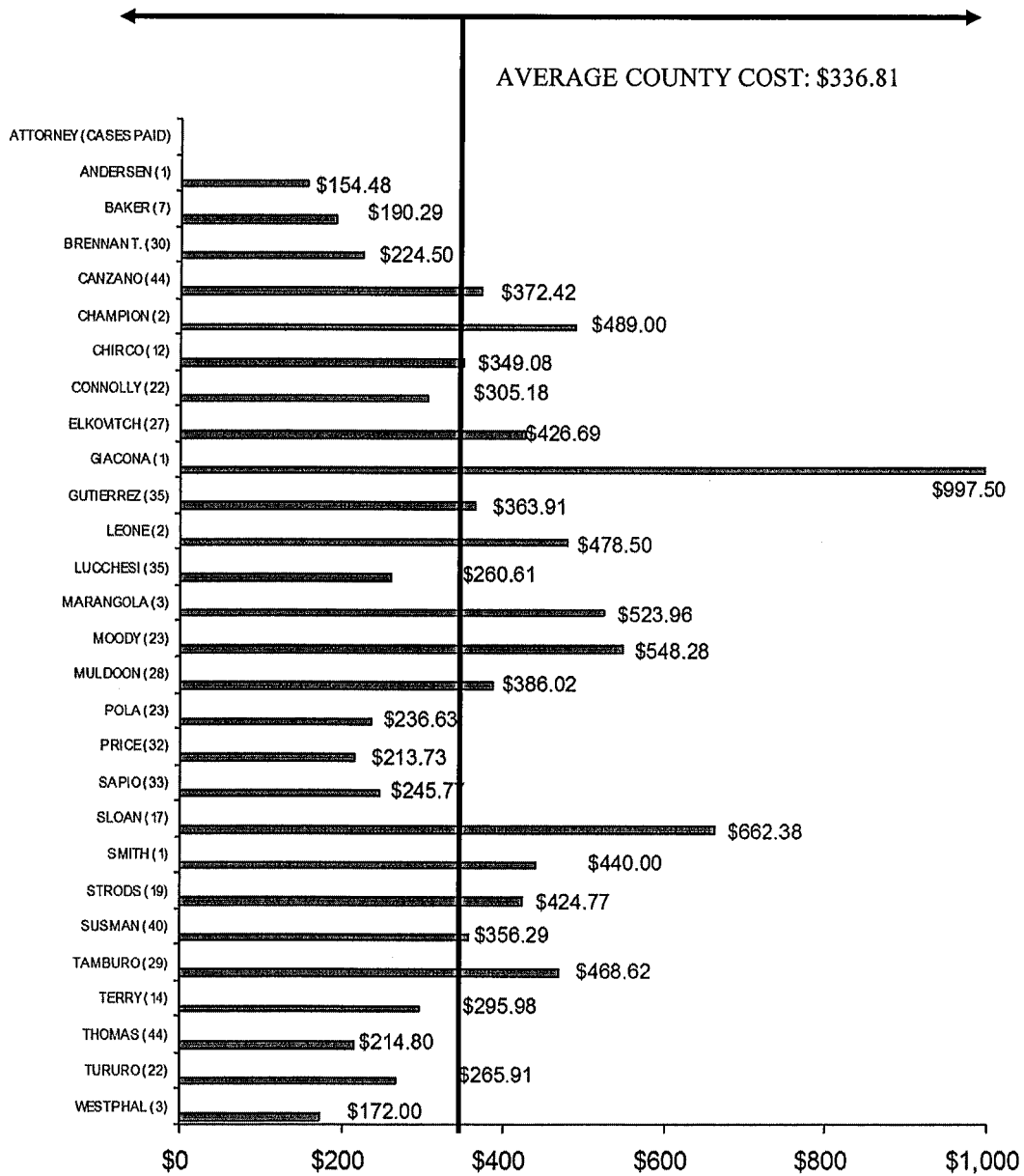
\$204,237.45

IN 2018, CAYUGA COUNTY PAID \$204,237.45 FOR INDIGENT LEGAL COUNSEL IN AUBURN CITY COURT. THIS COMPARES WITH \$192,585.45 IN 2017. A TOTAL OF 549 CASES WERE SUBMITTED FOR PAYMENT COMPARED TO 525 CASES IN 2017, THE AVERAGE PAYMENT PER CASE IN 2018 WAS \$336.81 AS COMPARED TO AN AVERAGE OF \$335.35 IN 2017.

*DC-Drug Court
 *BHC-Behavioral Health Court
 *DV-Domestic Violence Court



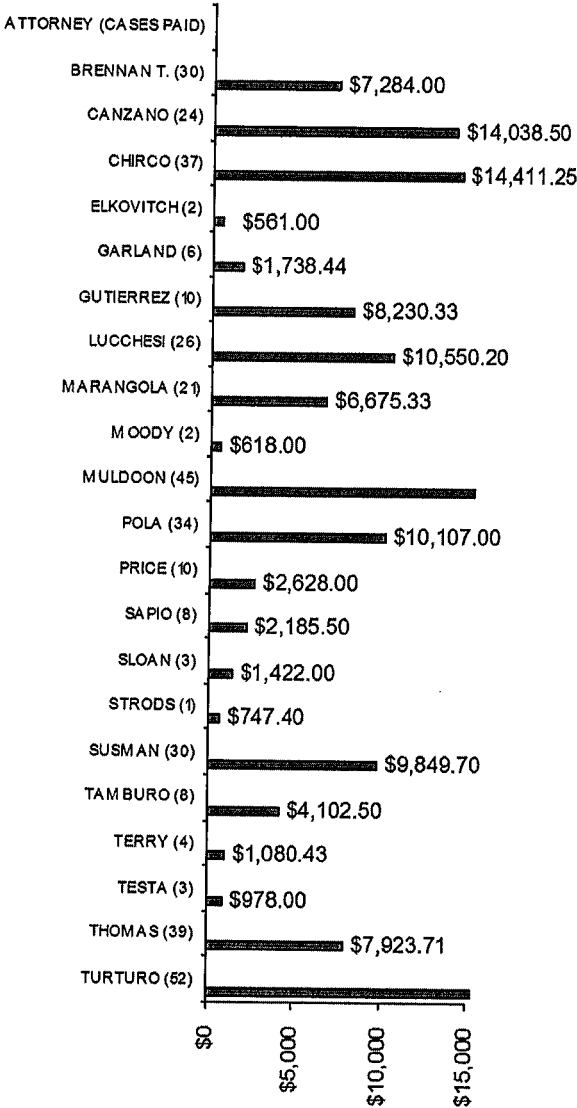
AUBURN CITY COURT ATTORNEY AVERAGE CHARGE



JUSTICE COURT

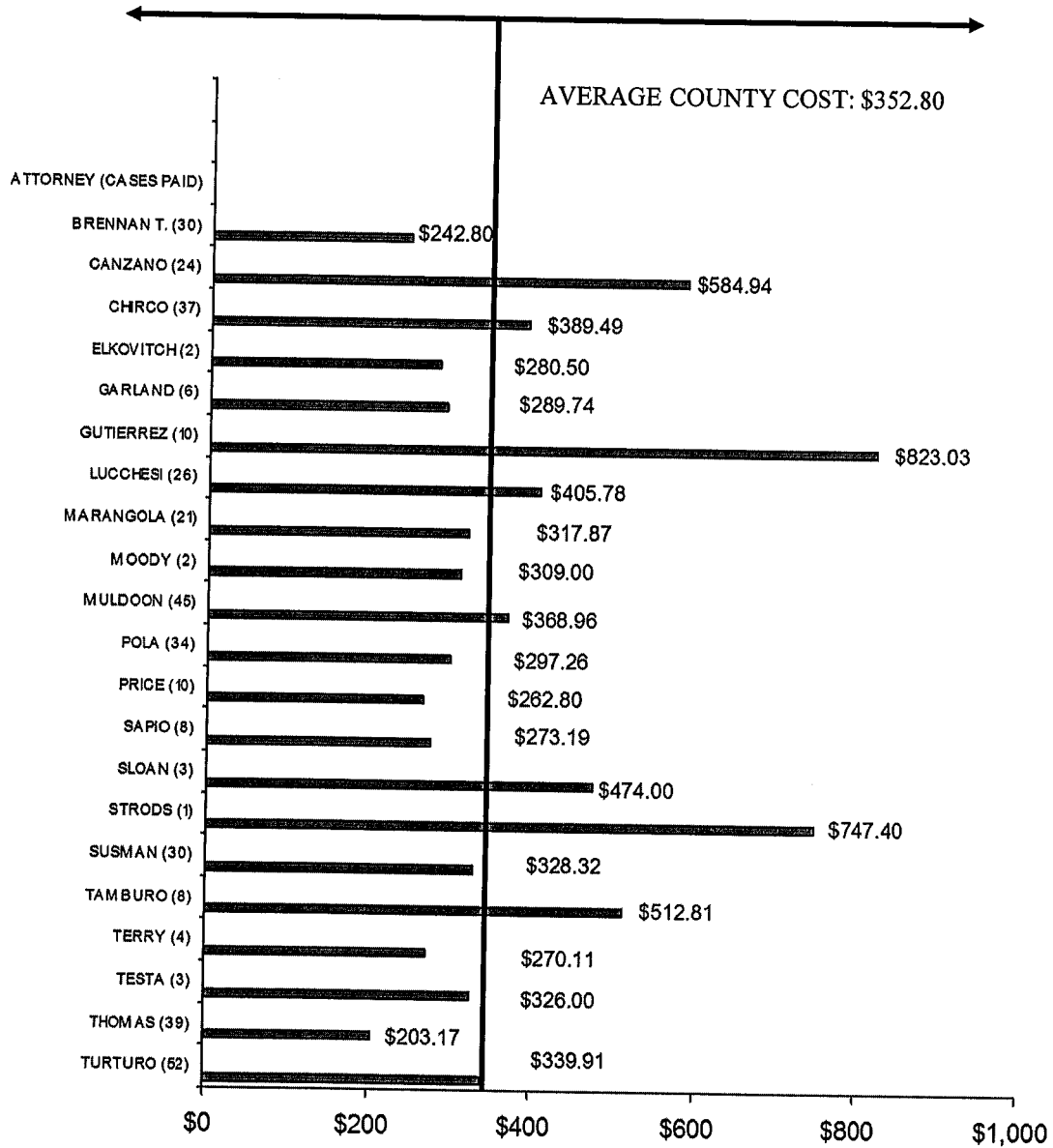
\$139,357.86

THE COST TO CAYUGA COUNTY IN PROVIDING LEGAL COUNSEL TO INDIGENT DEFENDANTS IN TOWN AND VILLAGE COURTS FOR 2018 WAS **\$139,357.86**. PAYMENT WAS MADE FOR **395** CASES WITH THE AVERAGE CASE COSTING **\$352.80**. IN 2017, CAYUGA COUNTY PAID OUT **\$137,187.75** FOR **346** CASES AT AN AVERAGE COST OF **\$395.59** PER CASE.



JUSTICE COURT

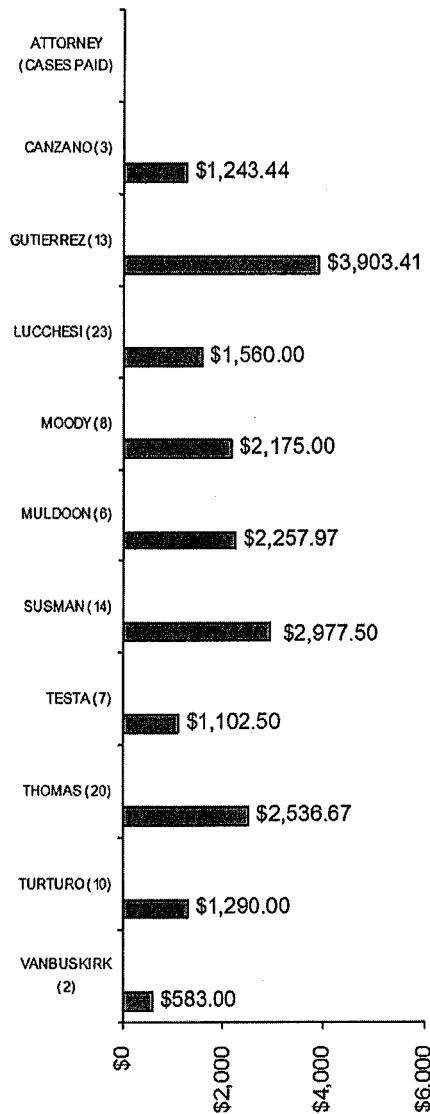
ATTORNEY AVERAGE CHARGE



PAROLE APPEALS

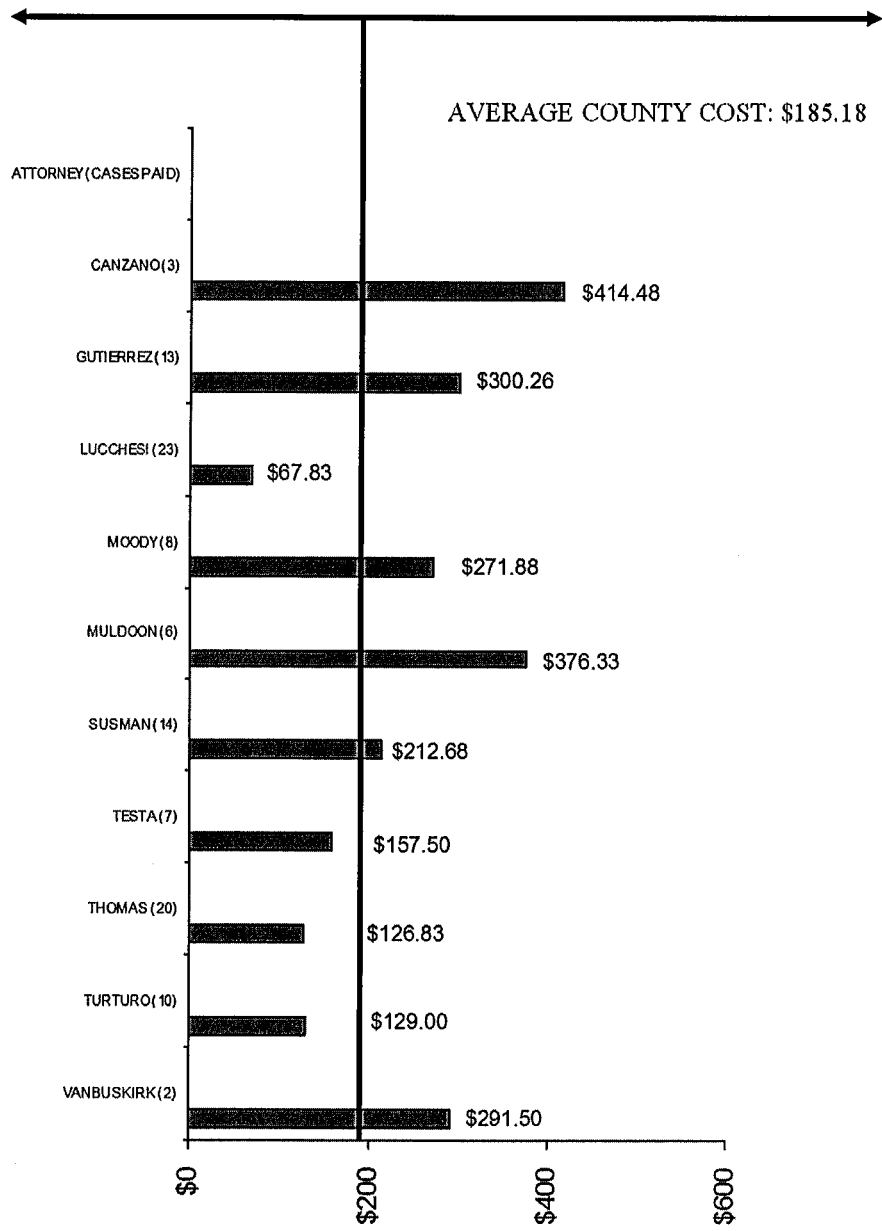
\$19,629.49

A TOTAL OF **\$19,629.49** WAS EXPENDED TO REPRESENT PAROLEES IN CONNECTION WITH APPEALS FROM A DENIAL OF PAROLE RELEASE AND/OR REPRESENTATION AT PAROLE REVOCATION PROCEEDINGS AND APPEALS. IN **2018**, THERE WERE **106** CASES AT AN AVERAGE COST OF **\$185.18** PER CASE. IN **2017**, CAYUGA COUNTY PAID **\$24,593.07** FOR **128** CASES WITH AN AVERAGE COST OF **\$192.13** PER CASE.

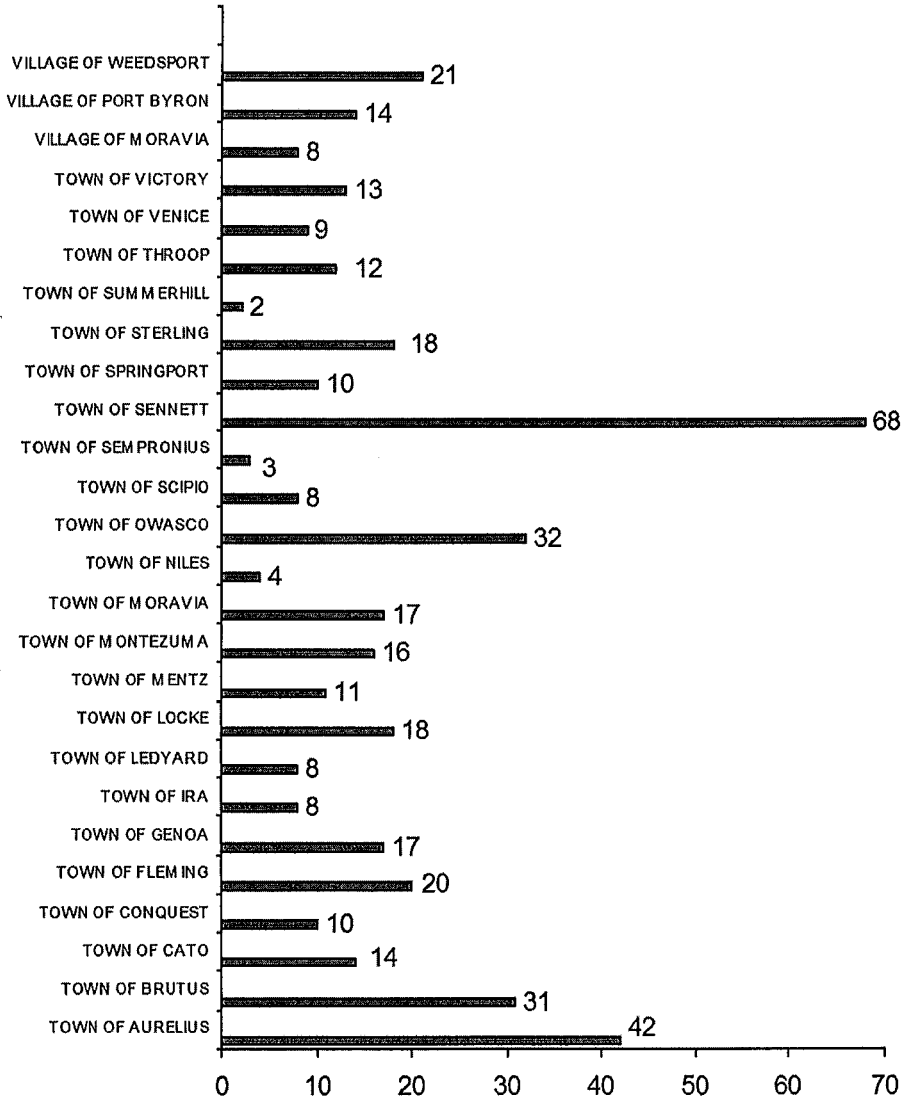


PAROLE APPEALS

ATTORNEY AVERAGE CHARGE



JUSTICE COURT CASES ASSIGNED



COUNSEL AT 1ST APPEARANCE
\$49,800.00

A TOTAL OF **\$49,800.00** WAS EXPENDED TO REPRESENT DEFENDANTS AT FIRST APPEARANCE IN AUBURN CITY COURT. ON A ROTATIONAL BASIS, EIGHT ON-CALL ATTORNEYS ARE ASSIGNED MONDAY THROUGH FRIDAY FOR FIRST APPEARANCE ARRAIGNMENTS. A TOTAL OF **881** DEFENDANTS WERE REPRESENTED AT FIRST APPEARANCE.

