

**RESOLUTION
OF
FRANKLIN COUNTY BAR ASSOCIATION
August 1, 2006**

**PERTAINING TO THE ENDORSEMENT OF PUBLIC DEFENDER OFFICES
OPERATED AND MAINTAINED BY THE STATE OF NEW YORK**

Number of members present - 26

Offered by Paul Herrmann, seconded by Virginia J. Morrow,

WHEREAS, the Commission on the Future of Indigent Defense Services was appointed by Chief Judge of New York State, Judith S. Kaye, to investigate the need for a fully state-funded defender system; and

WHEREAS, the factors set forth in the Commission's Final Report which support the need for a state-funded system, particularly inconsistent eligibility standards, grossly inadequate funding, excessive caseloads, inability to hire public defenders, lack of support services, lack of training, minimal client contact and investigation, disparity of resources between prosecutors and public defenders, among others, are also issues of concern within the present structure of public defender representation in Franklin County; and

WHEREAS, the Commission has concluded that indigent defense services in the State of New York should be restructured in the form of a statewide defender office consisting of an Indigent Defense Commission, a Chief Defender, Regional Defender and Local Defender offices, a Deputy Defender for Appeals and Deputy Defender for Conflict Defense; and

WHEREAS, the Commission calls for a three-year period during which to phase out county funding and to implement a budget provided by the New York State Legislature from the State's General Fund; and

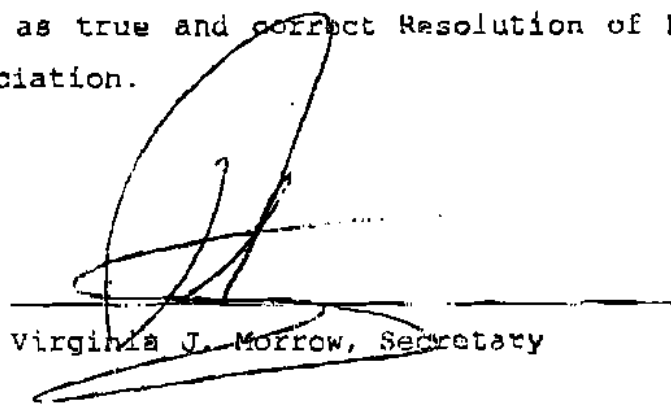
WHEREAS, the Franklin County Bar Association recognizes the benefit of such a system to the people of Franklin County, its taxpayers and its indigent defendants, and further supports adoption of such a system.

NOW THEREFORE, THE FRANKLIN COUNTY BAR ASSOCIATION RESOLVES:

- 1) That the Commission on the Future of Indigent Defense Services Final Report be presented to the Franklin County Board of Legislators for consideration and comment.
- 2) That the Franklin County Bar Association and the Franklin County Board of Legislators endorse and recommend the statewide indigent defense representation system set forth in the Final Report by fully supporting the adoption of same.
- 3) That the Board and Bar Association take action to ensure that Franklin County's position with respect to this proposed system being implemented is made known to the New York State Legislature when bills supporting same are being presented, whether by written petition, oral argument or other means.

Passed by all present.

Certified as true and correct Resolution of Franklin County Bar Association.



Virginia J. Morrow, Secretary