



Public Defense Backup Center

Since 1981, under contract with the State of New York, NYSDA has operated the Public Defense Backup Center in Albany. Through this legal support center, NYSDA offers a number of services to public defenders, conflict defenders, legal aid society lawyers, and the over 6,000 attorneys accepting court appointed cases under County Law Article 18-B. It also works to strengthen the public defense system and to improve the quality of defense representation.






At the Backup Center, NYSDA has developed and maintains a cost-effective clearinghouse supporting the State's county-based defender system. Using in-house legal research databases and print collections, the staff collects and disseminates selected legal research materials, including motions, briefs, and memoranda, and also monitors, digests, and disseminates legal news sources and publications.

Under its contract with the State, NYSDA is called upon to “review, assess, and analyze the public defense system” and to make specific recommendations to the executive, legislative, and judicial branches of government. In this capacity, NYSDA provides technical assistance to state and local governments to improve the delivery of public defense services while reducing costs.

A blue ribbon commission studying public defense services reported that NYSDA's Public Defense Backup Center “fosters well-trained defense attorneys that reduce delay, unnecessary incarceration and claims of ineffective representation that can result in costly reversals and retrials” and “provides excellent support.”



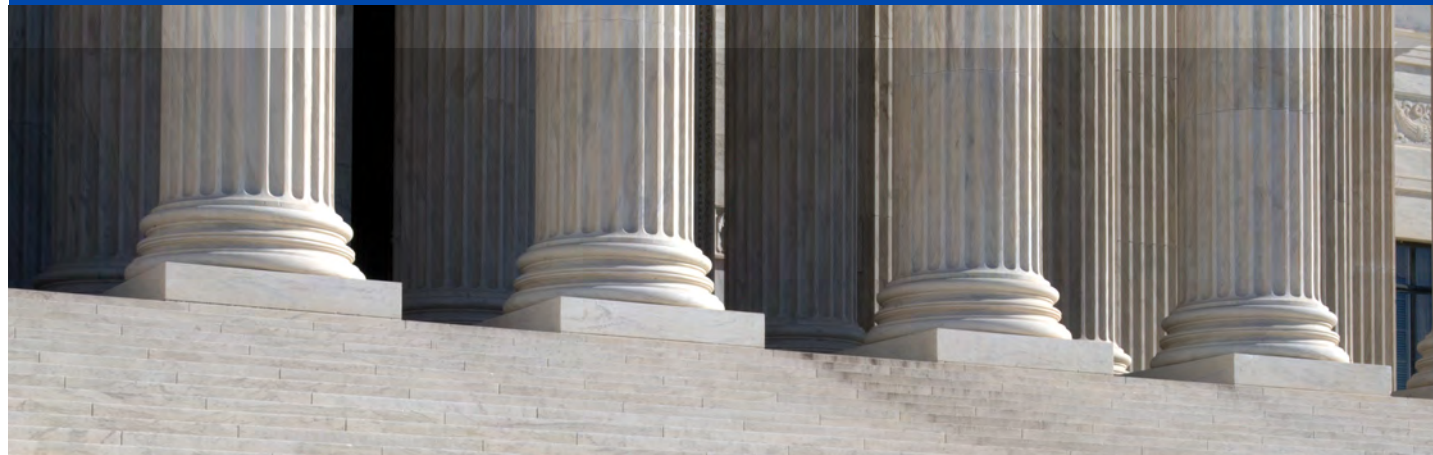
For information on becoming a member of the
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New York State Defenders Association

Public Defense Backup Center



www.nysda.org

New York State Defenders Association (NYSDA)

NYSDA is a not-for-profit, membership organization serving New York's public defense community since 1967. Its objectives are to establish standards to improve the quality and scope of publicly supported legal representation to low income people, encourage innovations in practice and thought, and engage in a statewide program of community legal education.

Membership in NYSDA

NYSDA is the largest criminal defense bar association in New York State, and among the first state defense organizations established in the country. Membership in the Association provides access to resources for those actively engaged in criminal and adult family court representation, and also supports NYSDA's mission. Members receive NYSDA's newsletter, the *Public Defense Backup Center REPORT*; those with email also receive electronic updates, "News Picks from NYSDA Staff." Members can benefit from publications, forensic expert referrals, research, and consultation services, and receive discounts on NYSDA training.

OUR SERVICES

Legal Support Services

Using materials from the clearinghouse as well as in-house expertise, NYSDA attorneys annually provide legal research and consultation in over 2000 individual requests concerning criminal defense, adult family court representation, and public defense. Through its Direct Defender Services, the Backup Center consults with and advises public defense attorneys on a daily basis on various areas of defense law and procedure, ranging from pre-trial motions to sentencing and re-entry.

NYSDA legal staff responds to requests from public defense attorneys and others. Backup Center staff generally will not read transcripts or perform original research in a particular case. The Backup Center does not offer direct legal representation and research to individuals, including members, nor assistance in private cases that lack public defense relevance.

Training Programs

Since 1998, NYSDA has been an Accredited Provider of Mandatory Continuing Legal Education in New York State. Through its Defender Institute, NYSDA conducts many statewide, regional, and local criminal defense and adult family court practice programs. The Basic Trial Skills Program is an intensive, nationally-recognized trial advocacy program for entry level defenders. NYSDA also distributes training materials and maintains an extensive video library.

Publications & Website

The *Public Defense Backup Center REPORT*, a periodic publication, is a source of practice tips, criminal defense and family court news, summaries of significant appellate decisions, and legislative developments. Our website, www.nysda.org - provides online access to routinely updated information, such as new legal developments, an expert witness list, case summaries, and other clearinghouse material. Requests for assistance can be emailed directly to NYSDA at info@nysda.org.

Programs & Projects

NYSDA has initiated a number of special projects to enhance public defense representation and justice system reform. The Veterans Defense Program strives to assist defense lawyers in identifying and presenting evidence connected to clients' military experience. NYSDA has established the Public Defense Investigation Support Project to enhance the quantity and quality of investigation. Additionally, NYSDA offers client pre-entry mentoring for individuals facing incarceration and Restorative Practice training and support services.

Amicus Support & Systemic Litigation

NYSDA files amicus briefs in cases raising major, relevant substantive and procedural law or public defense issues. Similarly, over the years, the Backup Center has initiated litigation in cases that involve constitutional issues or have a significant impact on defense representation.

Technical Assistance

The Backup Center's Social Science Research Unit provides public defense attorneys with assistance in obtaining and analyzing data or social science research relevant to criminal defense and family court cases, particularly at the sentencing and appellate stages of representation. The unit also provides technical assistance to state and local governments, issues opinion letters, and prepares studies concerning public defense systems.

NYSDA has developed the Public Defense Case Management System (PDCMS) for public defender offices. It is the most widely used system in the state and has proven to be a powerful tool to help defender offices identify conflicts of interest early, track and predict workload, and more efficiently manage cases. The system, implemented in over 60 offices, is flexible, easy to use, and provides quick access to important client and case information. Staff time is saved by using PDCMS templates to merge client and case data to automatically generate standardized correspondence and legal documents.

Legislative Monitoring & Analysis

The Association monitors and comments on legislation and regulations impacting public defense representation as well as initiates and supports efforts for criminal and family law reform. In responding to requests from the executive, legislative, and judicial branches, the Backup Center supplies data and legislative analysis on the public defense system. The Association is also called upon to testify before legislative and state commissions and advisory panels concerning criminal law and procedure and the quality of public defense representation.

Immigration Support for Defenders

NYSDA provides legal assistance to public defense attorneys representing clients who are not U.S. citizens. Defenders receive expert legal advice, publications, and training on current developments and issues involving the interplay between criminal and immigration law, including the requirements of the landmark U.S. Supreme Court decision, *Padilla v Kentucky*.