About the Cover:
Changes across the public defense landscape of New York State in the past twelve months affected, and were affected by, NYSDA’s work. Formal recognition of the superb, on-going efforts of individuals associated with NYSDA illuminated the Association’s impact on the quality of public defense across the state. As in the past, the Public Defense Backup Center offered assistance to attorneys, county officials, and others in every region of New York, while handling new requests for help due to implementation of the new Indigent Legal Services Office and Board.

Cover Photo Captions:
(For captions of photos in the body of the report, see inside back cover)

Top:
NYSDA’s Managing Attorney, Charles F. O’Brien (c), received a 2011 Award for Outstanding Achievements in Promoting Standards of Excellence in Mandated Representation, presented by Norman P. Effman (r), Chair of the New York State Bar Association’s Committee to Ensure Quality of Mandated Representation, and State Bar President Vincent E. Doyle III (l).

Second from top:
John Jay Coleman (l), Chair of NYSDA’s Client Advisory Board, received the Eddie Ellis Life Time Achievement Award from Citizens Against Recidivism Inc. in 2010; he was accompanied at the award ceremony by Alison Coleman (r), who is also a Client Advisory Board member, Director of Prison Families of New York, and Jay’s wife.

Third from top:
Joanne Macri (l), Director of NYSDA’s Criminal Defense Immigration Project (CDIP), received an award for Outstanding Contribution to Criminal Law Education from the New York State Bar Association’s Criminal Justice Section, as well as an award for outstanding contribution to the immigrant community from the Director of the Ministry of Women for the Dominican Republic Consulate and the President of Mujeres sin Fronteras. Joanne is pictured with NYSDA President Edward J. Novak (r) as they receive a grant award from the New York Bar Foundation to support CDIP’s work.

Fourth from top:
As first assistant public defender in Ontario County’s new Office of the Public Defender, Leanne Lapp (r) received the Kevin M. Andersen Memorial Award, created by the Genesee County Public Defender’s Office, at NYSDA’s 2010 Annual Meeting and Conference. Leanne, a NYSDA member, now heads the Ontario Public Defender office.

Fifth from top:
Donald M. Thompson, of Easton Thompson Kasperek Shiffrin LLP in Rochester, received the 2010 NYSDA Service of Justice Award for, among other things, his successful work to exonerate wrongfully convicted defendants; Don helps NYSDA improve the quality of public defense services statewide by frequently acting as a presenter at Association CLE trainings.

Bottom:
William J. Leahy (r), Director of the new Indigent Legal Services Office, met Chief Defenders of the Seventh Judicial District at a convening attended by 10 Chiefs including Cattaraugus County Public Defender Mark Williams (c).
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Photo Captions . . . . . . . . . . . . . . . . . . . . . . . . Inside back cover
Introduction: “You are here” but where is that?

Physicists tell us that various strong and weak forces shape our universe. In the past year, different forces have similarly stretched, folded, attracted, and repelled the various entities that make up the world of public defense, beginning to reshape the landscape. Everyone in this realm who was buffeted by subtle but momentous change, inertia, and unpredictability had reason to wonder, “Where am I?” or, sometimes, “Where is ‘here?’”

This Annual Report describes the current position of NYSDA, its Public Defense Backup Center, and important public defense issues. It also describes some of the changes that brought us where we are today.

Not everything has changed. NYSDA’s membership continues to grow, and its mission, the dedication of its staff, and its core Backup Center functions remain much as they were a year ago. And that is good, as change for its own sake serves no purpose. Some Backup Center activities were put on hiatus or remained constrained due to budgetary limitations. And while that is unfortunate, the infrastructure for resuming and expanding Backup Center functions has been maintained, which is very fortunate in a difficult budget year.

Over the past year, NYSDA monitored, supported, opposed, and responded to a variety of legal, procedural, and administrative developments. The economic and political milieu in which we work fluctuated erratically; the Indigent Legal Services Office (ILS Office) and its governing Board came slowly into being while state and local budget shortfalls left public defense services in greater need of help than ever. Talk of regionalization and consolidation of government services filled the air.

Some governmental consolidation of state agencies has occurred, affecting public defense lawyers and clients. The Division of Parole and Department of Correctional Services became one entity, the new Department of Corrections and Community Supervision (DOCCS). The Division of Probation and Correctional Alternatives (DPCA) became the Office of Probation and Correctional Alternatives (OPCA) when it was merged into the Division of Criminal Justice Services (DCJS).

The ILS Office, which was not placed in DCJS despite efforts to do so when it was created, survived a one-house effort to abolish it outright in the 2011 budget and began a series of regional meetings with public defense office heads soon after William J. Leahy became the first Director. The ILS Office is quickly learning the geographical map of New York State as well as the many ways in which localities and regions vary across the state.

In May, the theme of Chief Judge Jonathan Lippman’s Law Day speech was the need to ensure counsel at arraignment, which remains rare in many upstate courts. He said, as Chair of the ILS Board, that encouraging provision of
counsel at arraignment would be a priority for the ILS Office this year. This has led to discussions about consolidating functions or making other changes in individual counties that would further alter the public defense terrain.

Over the last year, NYSDA’s Backup Center has mapped, literally and metaphorically, many realized and proposed changes affecting public defense. Backup Center staff traveled the state conducting CLE programs and other training. Under our contractual duty to “review, assess and analyze the public defense system, identify problem areas and propose solutions in the form of specific recommendations to the Governor, the Legislature, the Judiciary and other appropriate instrumentalities,” we continue to examine new proposals and existing practices, and to advocate for improvements in the scope and quality of public defense services.

Landmarks Remain, Grow, and Change

NYSDA’s Public Defense Backup Center Advances the NYSDA Mission Across the Map

In 1978, NYSDA’s Board of Directors resolved to develop a statewide office and establish a permanent staff. With funding from the North Shore Unitarian Society Veatch Program, the Association developed, on Long Island, a backup center for public defense services; the Public Defense Backup Center, relocated to Albany, has been funded by the State since 1981. NYSDA’s mission (see box) remains a constant, even as new obstacles to its achievement and new means for pursuing it arise.

Backup Center Services Continue and Improve

The activities that NYSDA pursues under its bylaws, through its Backup Center, include direct defender services, training, coordination with others, and community legal education. Sustaining these activities is an ever-growing clearinghouse of legal knowledge, criminal justice data, and related information composed of electronic databases, legacy documents, and the collective experience of the NYSDA staff. Clearinghouse information is both collected and disseminated through communications with Chief Defenders across the state (via in-person convenings and regular electronic and written missives), hundreds of NYSDA members, and a variety of governmental and non-profit entities. A great increase in the use of electronic storage and searches of legal authority, and a corresponding decrease in the use of bound volumes and other paper, has
helped the Backup Center increase its productivity (and stay in the office space it has occupied since 1999).

**Direct Defender Services**

The Backup Center responds to hundreds of requests for assistance annually. Existing materials from the clearinghouse quickly fulfill many needs. In other instances, consultation and research services provide a lifeline to small public defense offices denied adequate legal research materials by insufficient funding; to new lawyers assigned to public defense cases without training; to solo practitioners without in-office colleagues to sound out about case theories; to attorneys in larger public defense offices who face rare, new, or complex legal issues; and others. The Backup Center received over 2500 requests for information or assistance in the last 12 months. Clients benefit from the services provided in response to such requests, as does the administration of justice. One lawyer reported back, “I did incorporate virtually all your suggestions, and they were extremely helpful. . . .”

**The Public Defense Backup Center REPORT**

NYSDA’s newsletter contains summaries of selected appellate decisions relevant to criminal defense attorneys and public defense practitioners in Family Court matters. The summaries, whose format was recently streamlined, are subsequently added in searchable form to an online database on the Association’s website. The newsletter—The Public Defense Backup Center REPORT—also provides practice tips, news items, and information on relevant training events and job notices. One lawyer commented in email to the Association, “I can speak for myself and a number of my colleagues when I say that it’s like a little Christmas present each time we get the Report in the mail. Great work. Greatly appreciated.”

Print copies of the REPORT are mailed to all public defense programs in the state as well as to all NYSDA members. Prison law libraries also receive the REPORT, furthering the Association’s community legal education objectives. In one of many examples of how NYSDA activities have changed over the years, the REPORT is posted online—something not envisioned when Volume 1, Number 1 appeared in October 1986.

www.nysda.org

The REPORT is but one example of the publications, articles, and other materials available on the Association’s website. Announced in September 1995, the site was accessed over 1,300 times in its first four months. Since then, the amount of information available at www.nysda.org has multiplied countless times, as has the number of visitors to the site. Busy lawyers who find it difficult to contact the Backup Center during office hours can use the quantities of
information available online, including a database of potential experts, at their convenience. Visitors to the site can also follow links to breaking news or browse the various Hot Topics areas to find new ideas or research sources.

Rollout of an extensive revision and updating of the website, underway during the last several months, is anticipated near the time this Annual Report is released.

**Continuing Legal Education**

While presenting a wealth of information electronically, NYSDA continues to offer Continuing Legal Education (CLE) live at sites around the state. This allows lawyers to not only read and hear information, but to interact with speakers and peers, ensuring maximum, practical adult learning.

The high quality of NYSDA’s training is recognized statewide. Based in part on his stellar work in “the design and implementation of NYSDA’s well-regarded CLE training events,” as the nomination letter noted, Managing Attorney Charles F. O’Brien received a 2011 Award for Outstanding Achievements in Promoting Standards of Excellence in Mandated Representation from the New York State Bar Association’s Committee to Ensure Quality of Mandated Representation.

This recognition reflects longstanding efforts to maintain quality NYSDA training while expanding its scope. Thirty years ago, as NYSDA celebrated its initial state funding, it announced a new Defender Training Program intended to, among other things, expand the availability of training seminars on a regional basis. Need for such training was reflected by the fact that “too many Association members, perhaps due to time constraints or inadequate financial backing, were unable to attend” the 1981 summer meeting.

Today, NYSDA presents a number of regional training events every year, frequently partnering with other, often local, entities. The Association collaborated with the Center for Community Alternatives on training aimed at increasing the use of the judicial diversion and conditional sealing provisions of Rockefeller Drug Law reform legislation. This past year saw the twenty-fifth Metropolitan New York Trainer, the thirteenth “Criminal Defense Tactics and Techniques” training in Rochester, and a number of other regional trainings including seminars in Binghamton, Albany, Buffalo, and Poughkeepsie. A lawyer evaluating the New York training noted: “I have been to 23 of the 25.
Another enlightened presentation.” Evaluation comments from a Rochester event included: “One of the better seminars I’ve been to lately. Subject matter addressed really hit the mark as far as the areas I’ve been curious about.”

Meanwhile, the annual conference has grown to capacity. While the 1989 annual report stated that “More than 120 criminal defense attorneys from throughout the state” had attended the Association’s annual conference in Cooperstown, almost twice that many lawyers came to Saratoga Springs last year for approved CLE presentations at the 43rd Annual Meeting and Conference.

One CLE training event that did not occur this year was the Defender Institute Basic Trial Skills Program (BTSP). With occasional exceptions, each year since 1987 up to 56 new lawyers have attended BTSP to learn trial skills, including how to gain the trust of and obtain needed information from clients, develop a viable theory of the case, and then prepare for and perform the many acts, from opening statement through summation, that make up a trial. This client-centered program, which explicitly explores the issues of race and poverty that frequently intertwine with other facts in public defense cases, was endorsed by the Judicial Commission on Minorities in 1992. This year, with BTSP postponed due to state budget cuts, the Commission has renewed its support and urged financial support of the program.

One area of CLE training offered in the last year deserves special note. In response to the United States Supreme Court decision in Padilla v Kentucky, requiring criminal defense lawyers to advise foreign national clients of potential immigration consequences, NYSDA conducted CLE trainings in 17 counties in 2010. (See map.) In recognition of this timely and high-quality training, Joanne Macri, Director of NYSDA’s Criminal Defense Immigration Project (CDIP), received the New York State Bar Association’s Criminal Justice Section 2011 award for Outstanding
Contribution to Criminal Law Education.

**Criminal Defense Immigration Project**

Through its Immigrant Defense Project, which is now an independent program, NYSDA began developing expertise and resources for criminal defense lawyers on the immigration consequences facing foreign nationals over a decade before Padilla. The Association’s CDIP was well-placed to meet the demand for information that arose after the decision appeared. In addition to the CLE training noted above, CDIP provided information about the interface between criminal law and immigration law to a variety of individuals and entities in the last year. Through its legal assistance hotline, CDIP presented timely information to attorneys and others across the state. And with immigration policy debates swirling at the state and national levels, the volume and variety of requests for CDIP’s expertise multiplied.

- Then-Governor Paterson called on CDIP to serve as counsel to the Immigration Pardon Panel created in the closing days of his administration; about 30 foreign nationals received pardons that allowed them to remain in their communities with their families.

- The CDP Director is now co-chair of the New York State Bar Association Special Committee on Immigration.

- The Center for Court Innovation invited CDIP to conduct a webinar, the New York State Unified Court System and the Erie County Family Court of the 8th Judicial District included CDIP on a panel discussion relevant issues, and the New York State Assembly/Senate Puerto Rican/Hispanic Task Force met with the CDIP Director.

- Ms. Macri received an award for outstanding contribution to the immigrant community from the Director of the Ministry of Women for the Dominican Republic Consulate and the President of Mujeres sin Fronteras, and made the keynote speech at their conference.

- CDIP donated written information about the effects of criminal proceedings on immigration status NYSDA Forty-Fourth Annual Report | 2011
to New York State prison libraries and 113 foreign consulates. NYSDA staff met in person with several consulate generals or their staff about substantive issues and the development of ongoing relationships to assure the fair treatment of foreign nationals with regard to the immigration consequences of current or past criminal proceedings.

- The CDIP Director and other selected nongovernmental organization representatives met with federal Immigration and Customs Enforcement (ICE) officials in Washington, DC.

In sum, CDIP not only provided direct services to public defense lawyers and others, but also acted in coordination with other entities concerned with the administration of criminal justice.

Having received state funding in an amount less than that needed to continue all its functions, NYSDA sought and gratefully received in 2011 a grant award from The State Bar Foundation to support CDIP’s work.

**Public Defense Case Management System**

The budget shortfall for Fiscal Year 2011-2012 threatens to hamper the pace of installations and upgrades of NYSDA’s Public Defense Case Management System (PDCMS), a form of technical assistance to public defense offices that both improves their ability to provide quality representation and provides mandate relief to their counties. Designed specifically for public defense programs in New York State, PDCMS is customized to meet the unique needs that arise from the lack of a uniform, statewide public defense system. In less than 10 years, NYSDA has installed PDCMS in an average of three new sites per year (see map) while designating only one additional staff person to the PDCMS team. PDCMS currently runs in 43 offices; 35 sites have the newest version of the software. This year, the interest of public defense offices in the PDCMS has grown dramatically, challenging us to keep up with the demand. The PDCMS staff works valiantly to maintain its award-winning support of existing sites, upgrade
remaining sites to the latest version, and accommodate requests for price estimates and new installations.

**Other Technical Assistance and Coordination**

In the last twelve months, NYSDA staff members actively participated in a wide range of committees and task forces to highlight and help improve representation in the criminal justice system, including the Appellate Division, First Department Indigent Defense Organization Oversight Committee; the Office of Court Administration’s Committee on Criminal Procedure; the New York Partnership on Teen Driving Safety; a new group, It Could Happen to You, dedicated to preventing wrongful convictions, and others. NYSDA hosted, and staff participated in, a regional meeting on “Meeting the Law-Related Service Needs of the Indigent and Near-Indigent,” convened by the Center for Law and Justice and attended by representatives of several non-government service organizations in the Capital Region.

As the ILS Office came into being, NYSDA put its resources at the new entity’s disposal, providing data, reports, and other information about New York State’s county-by-county system for providing public defense collected in the Backup Center clearing-house over more than 30 years. Over the same period, the Backup Center updated Chief Defenders about ILS developments. NYSDA also responded to requests for information as counties struggled to put together budgets without knowing with certainty what state funding they could rely on; responded to initial ILS Office requests for input; and formulated strategies to implement the call by the Chief Judge and ILS Board and Office to implement provision of legal representation to eligible clients at arraignment wherever it does not exist.

Responding to the needs of particular public defense providers and to requests from legislators seeking to respond to those needs, NYSDA analyzed a number of legislative proposals.
Advocacy
As part of its contractual duty to make specific recommendations to the Governor, the Legislature, and others for solving problems identified in the criminal justice system, NYSDA is regularly asked to comment on proposed legislation that could affect public defense or the criminal justice system. We provided a Memorandum in Support of each of several bills that we analyzed, and advocated for their passage. Two pieces of legislation supported by the Association passed in the last days of the legislative session.

One added legal aid bureaus and societies and other private entities providing public defense services to the list of entities that cannot be charged for searching records of the Department of Motor Vehicles (DMV) and for copies of DMV documents; the law already exempts public defender offices from those fees. This legislation should save counties money on public defense costs and ensure that legal aid societies can access information necessary to properly represent their clients. The other requires the State to pay the costs associated with the prosecution and defense of individuals accused of crimes after being committed by DOCCS to the custody of the Office of Mental Health, closing a gap in the existing law requiring that the State pay for the prosecution and defense of persons in DOCCS facilities.

The Association also filed an amicus brief in the United States Supreme Court supporting the claim that New York statutory provisions under which individuals can receive enhanced sentences are unconstitutional. The brief notes that the challenged statutes require a court to make fact findings beyond previous convictions in imposing an enhanced sentence; sets out the need to bring the statutes within the commands of the Sixth Amendment; describes the understanding of the Court of Appeals and other New York appellate courts that the statutes require fact-finding beyond the existence of sufficient prior convictions; and points out the need to resolve a circuit split and lack of guidance from the high court on the recidivism exception.

Written for NYSDA by Ursula Bentele, Director of the Brooklyn Law School
Federal Habeas Clinic, the brief is posted on the Association’s website.

The New York Civil Liberties Union (NYCLU) filed a Freedom of Information Law (FOIL) suit on behalf of NYSDA following a State Police refusal to disclose policies relating to electronic recording of custodial questioning. The requested information was provided in the answer filed in the court, but the trial judge denied the NYCLU’s request for counsel fees. The Appellate Division, Third Department, in a move that should encourage FOIL disclosure at the administrative level, held in Matter of NYSDA v New York State Police, issued on July 7, 2011, that the State Police must pay NYCLU’s fees.

Client Advisory Board

The Association’s bylaws call for the Executive to establish a Client Advisory Board whose members represent a wide-spread cross-section. NYSDA’s current Client Advisory Board includes eight people who have been formerly incarcerated and representatives from an array of organizations working on behalf of poor people and justice. Members provide the Executive Director with multiple points of view on issues affecting public defense clients, lawyers, and programs and work with him on a variety of projects.

Among Advisory Board projects currently underway is one to assist Chief Defenders in creating local client advisory boards. Materials for the NYSDA Client Advisory Board to use when assisting chiefs were finalized just as this Annual Report was completed, and meetings with the first of several Chief Defenders who requested assistance are expected to begin soon.

John Jay Coleman, chairman of the NYSDA Client Advisory Board, received the Eddie Ellis Life Time Achievement Award from Citizens Against Recidivism Inc. in 2010. The award honors contributions by formerly incarcerated people.
People Put NYSDA on the Map—and Keep It There

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(Long time client advocate)

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Charles Culhane
Buffalo, NY
(Poet and formerly incarcerated person)

Elisia Dones
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Juan Dones, Sr.
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(Senior Counselor, Samaritan Village Inc., and formerly incarcerated person)

Robert Flunory
Utica, NY
(Formerly incarcerated person with years of incarcerative and criminal justice system experience)

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(Executive Director, Center for Law & Justice)

Kevin Halpin
Albany, NY
(Residential Counselor, 820 River Street Community Residence, and formerly incarcerated person)

Darryl Johnson
Albany, NY
(Office Operations Coordinator, Center for Law & Justice, and formerly incarcerated person)

Darryl P. King
Brooklyn, NY
(Wrongfully convicted formerly incarcerated person with 25 years of experience in prison system; formerly Director, Criminal Justice Project, Fifth Avenue Committee, Brooklyn)

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Sarah McFadden, Library Intern

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Those who join NYSDA and/or donate to the Association, including lawyers, prisoners, and other supporters of the right to counsel, help make possible the work described in this Annual Report.

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Luis M. Cintron

**John H. Ciulla, Jr.**  
**James D. Clark**  
Julie A. Clark  
Peter D. Clark  
William Paul Clark  
Gregory C. Clarke  
Frances S. Clemente  
Sueanne Szuen Co

**Bryan J. Coakley**  
John W. Cobb  
Stephen S. Cobb  
Stephen R. Coffey

**David Louis Cohen**  
David J. Cohen  
Lori Cohen  
Christine Cohoe  
Michael W. Cole  
Richard W. Cole  
Alison Coleman  
Cheryl Coleman  
Douglas E. Coleman  
Jay Coleman  
Michael Coleman  
Tehra Ann Coles  
William H. Collier, III  
Cornelius F. Collins  
George V. Collins, III  
Richard D. Collins  
Gary H. Collison  
James Comfort  
Karloff Commissiong  
Kevin C. Condon  
Matthew D. Conlon  
Mary Anne Connell  
Joseph R. Connelly  
Amanda Conner

Paul J. Connolly  
Frank A. Connor  
**Terrence M. Connors**  
Dannine M. Consoli  
Robert N. Convissar  
Bernard Cooper  
Byrum W. Cooper, Jr.  
Dennis B. Coppin  
Paul R. Corradini

**Andrew Correia**  
JoAnna R. Corso  
Paul Keely Costello  
P. Christopher Cotronei  
David B. Cotter  
William F. Coughlin  
Tamika A. Coverdale  
Barry N. Covert  
Daniel T. Coxeter  
Kenneth G. Cranna

**Mardi Crawford**  
Mark A. Crawford  
James R. Crean  
Ian L. Crimmins  
Michael J. Croce  
John M. Cromwell  
Marvin Crosby  
Eric Cruz  
Francis T. Cuda

**Anthony R. Cueto**  
Charles Culhane

**John E. Cullen**  
Charles Cummings  
Jerome Curry  
Virginia B. Curry  
William C. Curtin  
Timothy Curtiss  
Reynaldo Cusicanqui  
Thomas W. Cusimano, Jr.  
Robert J. Cutting  
Craig M. Cwick  
Kimberly Czapranski  
Phillip Dabney, Jr.  
Thomas C. D’Agostino  
Michael F. Dailey

**Victor G. Daly-Rivera**  
Joseph S. Damelio
Larry Moye
Victor Mui
Gary Muldoon
Ryan J. Muldoon
Robert P. Mullagan
**Patrick F. Mullen**
Mark Multerer
George D. Munroe
Gabriel R. Munson
David A. Murante
Dennis R. Murphy
Francis P. Murphy
John M. Murphy, Jr.
Kenneth J. Murphy
Mary Jane Murphy
Nancy Jane Murphy
Phillip J. Murphy
Thomas J. Murphy
Timothy P. Murphy
Richard H. B. Murray
Karen L. Murtagh-Monks
James A. Musacchio
Molly Jo Musarra
**Joseph Anthony Muscato**
Angelo Musitano
William R. S. Myers
Aaron Mysliwiec
John J. Nabinger
Robert M. Nachamie
Gregory J. Naclerio
Douglas M. Nadjar
Matthew D. Nafus
David D. Narain
Ernest Louis Nargi
Charles B. Nash
William J. Nash
Philip Nassif
Leroy Natanson
**Eugene B. Nathanson**
Malvina Nathanson
J. Henry Neale, Jr.
Frank J. Nebush, Jr.
Luke A. Nebush
Anthony M. Neddo
Karen R. Needleman
David H. Nelson
Eric Nelson
Danielle Neroni Reilly
Roy Nestler
Russell Neufeld
Michael P. Nevins
Terence B. Newcomb
Lawrence A. Newman
Thang Nguyen
Ann M. Nichols
Jon Allon Nichols
William Nichols
Jeffrey Nickel
Robert M. Nigro
Vishnudat Nisthalal
James Nobles
Leonard E. Noisette
Jennifer Norman
L. Jeffrey Norwalk
**Edward J. Nowak**
Steven Nowicki
Leah R. Nowotarski
John R. Nuchereno
Timothy Nugent
Larisa Obolensky
Charles F. O’Brien
Henry F. O’Brien
**John M. O’Brien**
David Ocasio
**Kevin D. O’Connell**
Patrick M. O’Connell
A. L. Beth O’Connor
David Ohnmacht
Jacqueline F. Oliva
Patricia E. O’Malley
Ibrahim Omerhodzic
Thomas J. O’Neill
Amanda Oren
Michael G. O’Rourke
David J. Ortiz
Frank A. Ortiz
Benjamin Ostrer
**Thomas P. O’Sullivan**
Henry P. Oswald
Joana Otaiza
Ellen K. Pachnanda
Michael J. Pacifico
**Albert P. Pacione, Jr.**
Michael P. Padden
Richard Padilla
Marcos A. Pagan, III
Joseph D. Pagano
Joanne Page
Vanessa Pai-Thompson
Peter Panaro
Jill L. Paperno
Gerald E. Paradise, III
Matthew A. Parham
Brett D. Parker
Daniel S. Parker
Lucian C. Parlato
Ita Parnass
J. Matthew Parrinello
John R. Parrinello
David M. Pascale
Frank R. Passafiume
John P. Pastore
Vinod Patel
David J. Patterson
Steven K. Patterson
Kim K. Paul
Michael Paul
Robert Peck
Sydney Peck
Christopher Jude Pelli
Luis Andrew Penichet
Tammi D. Pere
Patrick Perfetti
**Danielle Perkins**
Michael Perkins
Jan Perlin
Judith E. Permutt
Remy R. Perot
Ronald Perro
Louise Perrotta
Richard W. Perry
Robert T. Perry
Robert S. Persky
Ira Pesserilo
Mark J. Peszko
Bruce A. Petito
John Petrak, Jr.
Charles Pettit
Courtney Pettit
George Phillips
Jenna Piasecki
Tina K. Piette
Anthony S. Pignataro
Brian D. Pilatzke
Aaron Pino
Paul S. Piotrowski
Stephen J. Pittari
William G. Pixley
Kathleen Platzer
Glen A. Plotsky
Alberto A. Pola
Steven M. Politi
Alan Polsky
Geri Pomerantz
Michael Pope
Arlene R. Popkin
Allen S. Popper
Lawrence Anthony Porcari
Christopher Porco
Michael J. Poretta
Dennis P. Portararo
J. Scott Porter
Susan Porter
Ralph J. Porzio
Michael G. Postiglione
Mark L. Potashnick
Michelle R. Potoczny
Melissa A. Potzler
Eric G. Poulos
Tony G. Poveda
Frank J. Povosni
Hettie V. Powell
Verena C. Powell
Gregory J. Power
John T. Powers, Jr.
Hannah Rose Prall
Andrew Pratt
Terrance Pratt
Judith Preble
Cynthia E. Preiser
Christopher A. Privateer
Andrew J. Proto
Kelley Provo
George E. Pugh
Dean S. Puleo
Peter J. Pullano
Andrew M. Puritz
Andrew M. Purrott
John C. Putney
Matthew P. Pynn
Patrick J. Quinlivan
Elizabeth K. Quinn
Michael P. Quinn, Jr.
Mahmoud Rabah
Robert R. Race
Bryan M. Racino
Andrew T. Radack
Sha-heed Rahman
James Raible
Steven M. Raiser
Arleen T. Ralph
Chauncy Ramos
John Ramos
Joshua Ramos
James A. Randazzo
Felicia S. Raphael
Frederick M. Rarick
Beth Ratchford
John Ray
Frank Read
Marilyn S. Reader
Merble Reagon
Kathleen P. Reardon
George W. Redder
George E. Reed, Jr.
Melissa Reese
Susan P. Reinecke
Kenneth A. Reiver
Frederick Rench
Andrea Carapella Rendo
Donald L. Reynolds
Stephen R. Ricci
David L. Rich
Richard W. Rich, Jr.
Walter L. Rich
Jeffrey T. Richards
Homer W. Richardson
Gary R. Rick
Roland G. Riopelle
Scott F. Riordan
Jonathan Ripps
Angelo Rivera
David Rivera
Fernando C. Rivera
Francis R. Rivette
Rosemary Riveccio
James J. Rizzo
Shawn Roberts
Antonia Robertson
Jay Robeson
James Robinson
Lucille Dadd Robinson
Theodore P. Robinson
Rafael Robles
Hara A. Robrish
Arnaldo Rodriguez
Carlos Rodriguez
Patricia L. R. Rodriguez
Wesley A. Roe
Leslie A. Roff
Andre Rogers
Mario D. Romano
Demostene Romanucci
Walter L. Rooth, III
Irene K. Ropelewski
Darwin Roque
Louis Roque
Luis Rosado
Luis Rosado
Eve S. Rosahn
Maria R. Rosciglione
Sharon P. Rose
Anne Rosenbach
Alan Rosenthal
Emily Rosmus
Alan Ross
Donald K. Ross
Rudolph Rossi
William L. Rost
William M. Roth
Arnold Rothbaum
Jonathan Lehman
Rothermel
Richard A. Rothermel
Lori Ann Roueche
Lisa A. Valvo  
Kevin Van Allen  
Morton Van Allen  
Richard C. Van Donsel  
Bronwen Van Hoot  
James VanDette  
Radhika P. Varavenkataraman  
Manuel D. Vargas  
Peter P. Vasilion  
Gordon Vasquez  
Rosemary Vassallo  
Nikko A. Vaughn  
Catharine M. Venzon  
Richard Vercollone  
Gerald A. Vergilis  
Yvonne A. Vertlieb  
Amy L. Vichinsky  
Jason Vichinsky  
**Joseph Vidal**  
Thomas C. Viles  
Louis P. Violanti  
Surinder K. Virk  
**Andre Allen Vitale**  
Richard Vladimir  
Jeffrey F. Voelkl  
Jacob A. Vredenburgh  
David M. Walensky  
Jeffrey D. Walker  
Adrienne Wallace  
David G. Wallace  
Richard M. Wallace  
Sherry Levin Wallach  
G. Scott Walling  
Catherine A. Walsh  
Kevin Walsh  
Joel S. Walter  
Robert A. Walters  
Robert D. Walton, Sr.  
Russell Walton, Jr.  
John P. Wappett  
Daniel J. Ward  
Earl S. Ward  
**Patricia Warth**  
Edward H. Wassermann  
Carrie Watkins Bleakley  
Caren H. Wean  
Thomas E. Webb, Jr.  
Paul N. Weber, Jr.  
Diane T. Webster  
Cappy Weiner  
Johnathan E. Weinrich  
David B. Weissfuse  
Barry F. Weiss  
Lauren E. Weiss  
**Marsha Weissman**  
Lawrence A. Weissmann  
Jamie B. Welch  
Robert G. Wells  
Steven W. Wells  
David A. Werber  
Paquita Y. Wheeler  
John M. Whelden  
John White  
Robert J. White, Jr.  
Stuart A. White  
Jeffrey Wicks  
David S. Widenor  
Michael A. Wiener  
Wallace W. Wiens  
Robert Wiggins  
Jay L. Wilber  
Charles J. Wilcox  
Roger W. Wilcox, Jr.  
Randy Wilens  
**Edward D. Wilford**  
Demetrius R. Williams  
Mark S. Williams  
Mark J. Williams, Jr.  
Matthew Williams  
**Thomas D. Williams**  
Tyrone Williams  
April M. Wilson  
Christopher Wilson  
David W. Wilson  
Steven J. Wilutis  
John W. Winans  
James W. Winslow  
Daniel E. Wisniewski  
Rebecca Wittman  
Thomas E. Wojtan  
Paul W. Wolf  
Richard P. Wolfe  
Charles Oliver Wolff  
James F. Wolff  
Robert W. Wood  
Aminie Woolworth  
Mark A. Worrell  
Christopher D. Wright  
**Lawrence E. Wright**  
Francis E. Yannelli  
Ellen Yaroshefsky  
Johnny Yates  
Bruce A. Yerman  
Jane I. Yoon  
D. Scott Young  
Judith E. Young  
Mark A. Young  
Richard W. Youngman  
Robert J. Zaccheo, Jr.  
Angela Zagreda  
J. Grant Zajas  
Neil Martin Zang  
Francis A. Zarro, Jr.  
Carol Zeldin Whitby  
**Andrea Zellman**  
Benjamin Zeman  
John M. Zenir  
Cory A. Zennamo  
Marvin Zevin  
Noel Ziegler  
John F. Zimmerlin  
Robert W. Zimmerman  
Clark J. Zimmermann, Jr.  
Helen W. Zimmermann  
Michael Zosh  
Donald H. Zuckerman*  
Marc A. Zuckerman  
Joseph D. Zumbo  
Van Zwisohn  
**Grant Funders**  
Foundation to Promote Open Society  
The New York Bar Foundation  
**Software Providers**  
AtomiSystems  
Microsoft
NYSDA Membership Application

I wish to join the New York State Defenders Association and support its work to uphold the constitutional and statutory guarantees of legal representation to all persons regardless of income and to advocate for an effective system of public defense representation for the poor.

Enclosed are my membership dues: □ $75 Attorney □ $40 Non-Attorney □ $15 Student □ $15 Prisoner

Name _________________________________________ Firm/Office ______________________________________
Office Address __________________________________ City __________________ State ____ Zip _________
Home Address ___________________________________ City __________________ State ____ Zip _________
County ________ Phone (Office) (____) ___________ (Fax) (____) ___________ (Home) (___) _______
E-mail (Office) __________________________________ (Home) _____________________________________

At which address do you want to receive membership mail? □ Office □ Home

Please indicate if you are: □ Assigned Counsel □ Public Defender □ Concerned Citizen
□ Legal Aid Attorney □ Private Attorney □ Student □ Prisoner

Attorneys and law students please complete: Law School_____________________ Degree ________

Year of graduation ______ Year admitted to practice ______ State(s) ______________________

I have also enclosed a tax-deductible contribution: □ $500 □ $250 □ $100 □ $50 □ Other $___________

Checks are payable to New York State Defenders Association, Inc. Please mail coupon, dues, and contributions to: New York State Defenders Association, 194 Washington Ave., Suite 500, Albany, NY 12210-2314.

To pay by credit card: □ Visa □ MasterCard □ Discover □ American Express

Card Billing Address: ______________________________________________________________
Credit Card Number: __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ Exp. Date: ______ / ____
Cardholder’s Signature: ___________________________________________________________________________
Annual Report of Directors
Pursuant to Not-for-Profit Corporation Law 519

Pursuant to Section 519 of the Not-for-Profit Corporation Law, the Board of Directors herewith submits to the membership the Corporation’s most recent certified financial statement.
NEW YORK STATE DEFENDERS ASSOCIATION, INC.

AUDITED FINANCIAL STATEMENTS

Years ended December 31, 2010 and 2009


NEW YORK STATE DEFENDERS ASSOCIATION, INC.

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<td>Notes to Financial Statements</td>
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</tbody>
</table>
INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
New York State Defenders Association, Inc.

We have audited the accompanying statements of financial position of New York State Defenders Association, Inc. (the "Association") as of December 31, 2010 and 2009, and the related statements of activities and changes in net assets and cash flows for the years then ended. These financial statements are the responsibility of the Association's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of New York State Defenders Association, Inc. as of December 31, 2010 and 2009, and the changes in its net assets and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

UHY LLP

Albany, New York
April 15, 2011
NEW YORK STATE DEFENDERS ASSOCIATION, INC.
STATEMENTS OF FINANCIAL POSITION
December 31, 2010 and 2009

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$1,292,608</td>
<td>$1,429,440</td>
</tr>
<tr>
<td>Grant and other receivables</td>
<td>33,307</td>
<td>178,446</td>
</tr>
<tr>
<td>Deposits</td>
<td>8,077</td>
<td>7,777</td>
</tr>
<tr>
<td>Prepaid expenses</td>
<td>17,864</td>
<td>17,602</td>
</tr>
<tr>
<td>Furniture and equipment, less accumulated depreciation</td>
<td>36,740</td>
<td>46,482</td>
</tr>
<tr>
<td>2010, $189,470; 2009, $190,368</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total assets</td>
<td>$1,388,596</td>
<td>$1,679,747</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LIABILITIES AND NET ASSETS</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIABILITIES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable and accrued expenses</td>
<td>$20,116</td>
<td>$11,346</td>
</tr>
<tr>
<td>Accrued salaries and vacation pay</td>
<td>121,269</td>
<td>108,986</td>
</tr>
<tr>
<td>Deferred grant and contract revenue and advances</td>
<td>378,295</td>
<td>527,189</td>
</tr>
<tr>
<td>Deferred membership dues</td>
<td>48,048</td>
<td>50,068</td>
</tr>
<tr>
<td>Total liabilities</td>
<td>567,728</td>
<td>697,589</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMITMENTS AND CONTINGENCIES</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>NET ASSETS</td>
<td>820,868</td>
<td>982,158</td>
</tr>
<tr>
<td>Unrestricted</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total liabilities and net assets</td>
<td>$1,388,596</td>
<td>$1,679,747</td>
</tr>
</tbody>
</table>

See notes to financial statements.
NEW YORK STATE DEFENDERS ASSOCIATION, INC.  
STATEMENTS OF ACTIVITIES AND CHANGES IN NET ASSETS  
Years Ended December 31, 2010 and 2009

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New York State appropriation</td>
<td>$1,315,879</td>
<td>$1,535,834</td>
</tr>
<tr>
<td>Other grants and contracts</td>
<td>220,000</td>
<td>52,618</td>
</tr>
<tr>
<td>Membership dues</td>
<td>100,826</td>
<td>99,984</td>
</tr>
<tr>
<td>Interest</td>
<td>4,155</td>
<td>8,386</td>
</tr>
<tr>
<td>Contributions</td>
<td>7,405</td>
<td>5,646</td>
</tr>
<tr>
<td>Conferences, publications and other income</td>
<td>359,889</td>
<td>296,654</td>
</tr>
<tr>
<td>Management fees</td>
<td>18,182</td>
<td>73,960</td>
</tr>
<tr>
<td><strong>Total revenue</strong></td>
<td><strong>2,026,336</strong></td>
<td><strong>2,073,082</strong></td>
</tr>
</tbody>
</table>

| **Expenditures:**     |            |            |
| Salaries              | 1,124,108  | 937,562    |
| Contracted services   | 224,444    | 195,268    |
| Other employee benefits | 249,294   | 190,871    |
| Conference facilities and travel | 157,102   | 160,159    |
| Occupancy             | 114,768    | 112,721    |
| Payroll taxes         | 95,051     | 74,227     |
| Printing and publications | 47,945   | 44,824     |
| Office and computer supplies | 37,716    | 39,895     |
| Library and professional dues | 34,789    | 33,420     |
| Postage and shipping  | 26,142     | 23,982     |
| Depreciation          | 19,196     | 21,716     |
| Miscellaneous         | 17,496     | 21,453     |
| Telephone and communications | 19,207   | 19,436     |
| General insurance     | 10,314     | 11,202     |
| Equipment rental and maintenance | 10,054    | 9,885      |
| **Total expenditures**| **2,187,626** | **1,896,621** |

| Change in net assets before project transfer | (161,290) | 176,461 |

| Immigrant Defense Project Transfer | -   | 81,616 |

| Change in net assets | (161,290) | 94,845 |

| **Net assets, beginning** | 982,158 | 887,313 |

| **Net assets, ending** | $ 820,868 | $ 982,158 |

See notes to financial statements.
NEW YORK STATE DEFENDERS ASSOCIATION, INC.
STATEMENTS OF CASH FLOWS
Years Ended December 31, 2010 and 2009

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH FLOWS FROM OPERATING ACTIVITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Change in net assets</td>
<td>$(161,290)</td>
<td>$ 94,845</td>
</tr>
<tr>
<td>Adjustments to reconcile change in net assets to net cash provided by operating activities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation</td>
<td>19,196</td>
<td>21,716</td>
</tr>
<tr>
<td>Changes in:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grant and other receivables</td>
<td>145,139</td>
<td>(110,275)</td>
</tr>
<tr>
<td>Prepaid expenses and deposits</td>
<td>(562)</td>
<td>2,224</td>
</tr>
<tr>
<td>Accounts payable and accrued expenses</td>
<td>8,770</td>
<td>152</td>
</tr>
<tr>
<td>Accrued salaries and vacation pay</td>
<td>12,283</td>
<td>9,922</td>
</tr>
<tr>
<td>Deferred contract revenue and advances and membership dues</td>
<td>(150,914)</td>
<td>(71,858)</td>
</tr>
<tr>
<td><strong>Net cash (used in) provided by operating activities</strong></td>
<td>(127,378)</td>
<td>(53,274)</td>
</tr>
</tbody>
</table>

| **CASH FLOWS FROM INVESTING ACTIVITIES** |        |        |
| Purchase/disposal of furniture and equipment, net | (9,454) | 5,170 |
| **Net cash provided by (used in) investing activities** | (9,454) | 5,170 |

| **NET (DECREASE) INCREASE IN CASH** |        |        |
| (136,832)                       | (48,104) |

| **CASH:**                     |        |        |
| Beginning of year             | 1,429,440 | 1,477,544 |
| End of year                   | $1,292,608 | $1,429,440 |

See notes to financial statements.
NOTE 1 — ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization

New York State Defenders Association, Inc. ("The Association") is a not-for-profit organization which is exempt from Federal income taxes under Internal Revenue Code Section 501(c)(3). The Association was incorporated in 1967 for the primary purpose of promoting an interchange of ideas and experiences concerning functions in the field of criminal defense. The Association has an agreement with the New York State Division of Criminal Justice Services ("DCJS") whereby New York State will fund the Association to provide various back-up services required by public defenders, legal aid society attorneys, and assigned counsel lawyers who accept assignments to represent public defense clients.

A summary of the Association's significant accounting policies follows:

Revenue Recognition

All revenues and expenditures are recorded on an accrual basis. Appropriations and grant revenues are recognized as income when related qualifying costs are incurred. Deferred contract revenue and advances represent revenue received in advance. Deferred membership dues represent membership dues received in advance.

Furniture and Equipment

Furniture and equipment are recorded at cost. Depreciation is recorded on the straight-line basis over estimated useful lives ranging from three to seven years.

Estimates

The preparation of financial statements in accordance with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts. Actual results could differ from those estimates.

Net Assets

Net assets are classified as unrestricted, temporarily restricted, or permanently restricted depending on the existence and/or nature of any donor imposed restrictions. The Association's net assets were all unrestricted as of December 31, 2010 and 2009.

Cash

The Association places its cash with a high quality credit institution. At times such deposits may be in excess of the FDIC insurance limit.

Subsequent Events

In preparing these financial statements, management has evaluated events and transactions for potential recognition or disclosure through April 15, 2011, the date the financial statements were available for issuance.

Income Tax Positions

The Association's income tax positions are that it continues to be exempt from income taxes and does not have net unrelated business income that would be subject to income taxes. The Association's information returns for the years ended December 31, 2007 and later are subject to examination.
NOTE 2 — DEFERRED REVENUE/APPROPRIATIONS RECEIVABLE (ADVANCED)

The Association's Public Defense Backup Center ("Center"), funded through DCJS, has a budget of $1,820,000 extending from April 1, 2010 to September 15, 2011 of which $1,185,000 was received in 2010 ($1,516,000 extending from April 1, 2009 to September 15, 2010; $1,316,000 was received in 2009 and $200,000 in 2010). New York State makes periodic advances to the Association for operating costs incurred. Funds of $1,185,000 were approved during 2010 for the budget period ended September 15, 2011. Funds of $1,316,000 were approved during 2009 and $200,000 was approved in 2010 for the budget period ended September 15, 2010. Funds of $1,185,000 were advanced during 2010 for the budget period ended September 15, 2011 ($1,316,000 advanced during 2009 and $200,000 during 2010 for the budget period ended September 15, 2010).

Expenditures associated with this program were $1,785,709 for the year ended December 31, 2010 ($1,535,884 in 2009). Management and general expenditures were $112,319 for the year ended December 31, 2010 ($85,276 for 2009).

Expenditures for other programs during 2010 were $279,598 ($357,127 in 2009).

NOTE 3 — NOTES PAYABLE — BANK

The Association has a line of credit with First Niagara Bank, with a maximum of $500,000 available as of December 31, 2010 and 2009, and an interest rate of prime plus 1%, with a floor of 4%, which expires in June 2011. The line is secured by all business assets. As of December 31, 2010 and 2009, there was no outstanding balance on this line of credit.

NOTE 4 — LEASE OBLIGATION — ALBANY, NEW YORK

The Association entered into an operating lease agreement for office space in Albany, New York effective February 15, 1999 and amended in February 2001 for a term of seven years, with an option to renew for an additional five-year period and a second option for an additional three-year period. The Association exercised the first option to renew the lease for the five-year period commencing March 1, 2006 and the second option to renew the lease for an additional five year period commencing March 1, 2011. Rent expense for the office location was $106,489 for 2010 and $106,365 for 2009. Future annual minimum rental payments under this lease are $106,193 for 2011, $106,129 for 2012 through 2015 and $17,688 for 2016, totaling $548,397.

NOTE 5 — TAX DEFERRED ANNUITY PLAN

The Association established a tax deferred annuity plan in accordance with Section 403(b) of the Internal Revenue Service Code during 1994. The employer contribution is determined by the Board of Directors annually, but will not be less than 3% of employee compensation. The employer's contribution, included in other employee benefits, was $73,199 for 2010 ($48,843 for 2009).
NEW YORK STATE DEFENDERS ASSOCIATION, INC.
NOTES TO FINANCIAL STATEMENTS
December 31, 2010 and 2009

NOTE 6 — RELATED ORGANIZATION

Three members of the Board of Directors of the Association currently serve as members of the Board of Directors of New York State Defenders Justice Fund, Inc. (Justice Fund). Justice Fund is a separately incorporated New York not-for-profit organization exempt from federal income taxes under Section 501(c)(4) of the Internal Revenue Code. The purposes of Justice Fund include, among other things, to heighten public awareness as to issues of public defense services and to advocate and lobby for improvements in the criminal justice system generally and public defense services in particular. The organizations employ some of the same employees and the Association provides management services to the Justice Fund in accordance with a cost allocation plan and fee agreement which is approved by the Association and the Justice Fund. In 2010, the Justice Fund paid the Association a management fee of $18,182 ($73,960 in 2009) and reimbursed costs of $77,053 ($239,218 in 2009) which were incurred on behalf of the Justice Fund. At December 31, 2010 the Association was due $8,696 from the Justice Fund for reimbursed costs.

NOTE 7 — TRANSFER OF IMMIGRANT DEFENSE PROJECT

On January 1, 2009, the Association transferred program services related to the Immigrant Defense Project (IDP) to an unrelated nonprofit agency based in New York City. In conjunction with this transfer, total costs of $81,616 were incurred by the Association.

The Association transferred assets comprised of $67,701 cash (net IDP donations, net IDP stipends, net IDP other income and net immigration manual sales), $11,921 net book value of equipment located in the IDP NYC office and $1,994 rental deposit on the former NYC office space.

NOTE 8 — CONTINGENCIES

The Comptroller of New York State has the right to audit expenditures for prior periods relating to the Association's Public Defense Backup Center. In the opinion of management, all expenses covered by such contracts meet the requirements of the grant and adjustments, if any, that may result from such future audits would be immaterial.
Photo Captions:
(For captions of cover photos, see inside front cover)

Page 1:
Reception desk at the Public Defense Backup Center in Albany.

Page 2:
Left column—
Client Advisory Board member Velma Smith.
Bottom right—
CLE participants at the 2010 Annual Meeting and Conference.

Page 3:
Top center column—
Andrew Fine (l) of The Legal Aid Society received the 2010 Wilfred R. O’Connor Award.
Bottom left—
Norman (l) and Sabina Shapiro await the start of CLE.

Page 4:
Top left—
Former State Senator John Dunne (l), greets Charlie O’Brien (r) and his wife Karen Kane (c) after Charlie received an award based on John’s nomination.
Bottom right—
Alice P. Green (l), Elisia Dones (c), and Charles Culhane (r) at a Client Advisory Board meeting.

Page 5:
Left column—
Dave Austin, away from his computers at the Backup Center, helping record CLE trainings.
Top left—
Staff members Ken Strutin, (l), Darlene Dollard (c), and Stephanie Batcheller (r), share a light moment.

Page 6:
Top right—
NYSDA Board member Gaspar M. Castillo, Jr. (l) during a break in CLE presentations.
Bottom right—
NYSDA member Jerome Frost (c) received the 2011 Denison Ray Award, and the Office of the Appellate Defender, headed by Richard Greenberg (r), received a 2011 Award for Outstanding Achievements in Promoting Standards of Excellence in Mandated Representation” as did Charlie O’Brien (l).

Page 7:
Left column—
DUI attorney Peter Gerstenzang presenting CLE at the 2010 Annual Meeting and Conference.
Top right—
NYSDA Board member Seymour W. James, Jr. (l) listens as John Schoeffel (r) responds to a question following a CLE session at the 2010 Annual Meeting and Conference.

Page 8:
Top—
From left: John H. Ciulla, Jr., Brandon Boutelle, Lorelei B. Smith Miller, Kevin D. O’Connell and others at the Chief Defender Convening in Saratoga Springs in July 2010.
Bottom—
William Leahy (c—end of the table), Director of the Indigent Legal Services Office, meets with Chief Defenders from the Seventh Judicial District. From left: Andy Correia, First Assistant Public Defender, Wayne County; V. Bruce Chambers, Wayne County Assigned Counsel Administrator; Edward J. Brockman, Yates County Public Defender; Marceo Clark Tetamore, Livingston County Public Defender; Timothy P. Donaher, Monroe County Public Defender; Leanne Lapp, Ontario County Public Defender; Byrum “Tad” W. Cooper, Jr., Steuben County Public Defender; Dianne S. Lovejoy, Yates County Assigned Counsel Administrator.

Page 9:
Top—
NYSDA staff: (from left, standing) Dave Austin, Stephanie Batcheller, Dawn Allert, Darlene Dollard, Melissa Mackey, Charlie O’Brien, Al O’Connor, Barbara Baggett, Jonathan Gradess, Susan Bryant; (seated) Jacky Kirkpatrick, Bridget Baggett, Diane DuBois, and Mardi Crawford.
Bottom—
Barbara Baggett prepares to mail information about representing foreign national clients in criminal cases.

Page 10:
Top—
Stephen J. Pittari at the 2010 Annual Meeting and Conference.
Bottom—
Public Defense Backup Center Conference Room.