



NEW YORK STATE SENATOR

Susan Serino

SERINO PUSHES FOR MAJOR UNFUNDED MANDATE RELIEF

SUSAN SERINO January 22, 2016

| ISSUE: **UNFUNDED MANDATE, LEGAL SERVICES**

SERINO PUSHES FOR MAJOR UNFUNDED MANDATE RELIEF

ALBANY, NY—Senator Sue Serino (R, C, I—Hyde Park) today called for the Legislature to make unfunded mandate relief and justice a priority by passing a bill she co-sponsors requiring the state to fund indigent legal services.

“Unfunded mandates are crippling our localities and the burden of covering those costs is falling on the shoulders of local taxpayers,” said Senator Serino. *“Now is the time to focus on reinvesting in our localities so that they can better serve our communities. This bill is a win for our counties, for local taxpayers and, because it aims to improve the delivery and quality of indigent legal services, it is a win for justice.”*

Currently, federal mandate requires counties across the state to be responsible for funding indigent legal services. However, the quality of each county’s program is dependent on the individual county’s ability to fund the program which often results in disparity and varying standards of quality in services. The bill, S.6341, aims to improve quality and relieve counties of the financial burden of providing indigent legal services by requiring the state to take over full funding of the program in 2018.

Recently the state settled a lawsuit with five upstate counties that requires the Office of Indigent Legal Services to take over the public defense operations in those communities,

marking the first time that the state will be responsible for those services. As a press conference today in Albany, the bill's Senate and Assembly sponsors were joined by local representatives from across the state to call for the bill's passage so that all localities may benefit from the move.

Dutchess County Executive, Marcus Molinaro, who was in Albany for the press conference, said, *“Indigent legal defense is a constitutionally protected service that the federal government requires counties to provide at a hefty cost to local taxpayers. This unfunded mandate costs Dutchess County taxpayers over \$3 million a year, with minimal oversight or limited ability to control cost. Relieving counties of a large portion of the cost associated with providing indigent legal defense just makes sense. This legislation is an important step toward meaningful unfunded mandate relief and I applaud Senator Serino for her efforts on our behalf.”*

Putnam County Executive MaryEllen Odell, who was also in Albany today for the press conference agreed, saying, *“Government must balance its fiscal responsibility to the taxpayers with social needs of the community. Indigent defense services currently costs Putnam County over a \$1 million a year. While those who are less fortunate have a right to counsel, the courts have ruled that it is an unfair unfunded mandate for the county governments to foot so much of the bill. Transitioning the financial burden from county governments to the state provides some much needed mandate relief to the local municipalities and its taxpayers. I urge our state representatives to pass A.6202B/S.6341.”*

The bill is sponsored by Senator John DeFrancisco in the Senate and by Assemblywoman Patricia Fahy in the Assembly.

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- Introduced

 - ◦ In Committee Assembly
 - In Committee Senate

 - ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

 - ◦ Passed Assembly
 - Passed Senate

 - Delivered to Governor

 - Signed By Governor

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Requires state reimbursement to counties the full amount of expenditures for indigent legal services

January 04, 2016

In Senate Committee [Rules](#)

Sponsored by [John A. DeFrancisco](#)

Do you support this bill?