



**Real Attorneys
Professional Defenders**

ASSIGNED COUNSEL PROGRAM

The Brisbane Building
403 Main Street, Suite 215
Buffalo, NY 14203

Phone (716) 856-8804
Fax (716) 856-0424

Officers 2025-2026

January 27, 2026

Peter Vasilion
President

Rachel Saeli
Vice President

Pamela Thibodeau
Secretary

Kristin Arcuri
Treasurer

Olivia M. Owens
Clerk of the Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Re: Resolution 233 of May 6, 1975

Kevin Stadelmaier
First Deputy Defender
Criminal Division

Dear Ms. Owens,

Yvonne Vertlieb
Second Deputy Administrator
Family Division

Pursuant to the above-referenced Resolution, I am enclosing a financial report, cash basis, for the period 07/01/2025-12/31/2025, along with a list of attorneys who are currently on our panel. I am also enclosing copies of the minutes of each meeting of our Board of Directors that has been held within that six month period. The November 2025 minutes are in draft form since the Board of Director's next meeting is 2/11/26, at which time they will vote on approval.

Lori A. Hoffman
Deputy for Quality Assurance

Thank you.

David Heraty
Deputy for Litigation Support
And Appellate Bureau

Very truly yours,

Hon. Thomas P. Franczyk
Deputy for Legal Education
Director of the
John R. Nuchereno
Center for Legal Excellence

Hope Keilman
Chief Financial Officer

Kevin C. Condon
Deputy for Child Welfare

Encs.

Mary Beth DePasquale
Deputy for Discovery
Litigation and Expert Services

Mission Statement

We strive to help those who cannot help themselves; who face steep odds against the power of the State; and who struggle with poverty, mental issues, helplessness, and dread. We save lives and we save families. We are the first line of defense for the freedoms granted to us by the U.S. Constitution and the Bill of Rights.

**ECBA AIP
Assigned Counsel Program**

Report to the Clerk of Erie County Legislature	Period 7/1/2025-12/31/2025
Source of Funds: (cash basis, not accounts receivable)	
County of Erie	\$9,257,180
NYS: ILS (2024)	\$0
NYS: ILS (2025)	\$3,229,392
NYS: ATD (2025)	\$104,484
NYS: ATD DISCOVERY AND ATD SUPPLEMENTAL (BLOCK GRANT) 3/2023-3/2025	\$2,888,637
NYS: DCJS - HATE CRIME GRANT DIRECT PAY TO AGENCY 2025	\$1,428
Niagara County	\$0
Redlich Horwitz Foundation - Restricted Funds	\$80,000
Donation - Training Restricted	\$13,000
Donation - Attorney Recognition Event	\$0
Interest Revenue - Collateral Account	\$139,782
LESS 2024 UNUSED FUNDS - paid back to Erie County	-\$2,781,271
Total Revenue rec'd (Cash Basis):	\$12,932,633
Program Expenditures:	
Attorney Fees	\$11,391,428
Transcripts	\$74,329
Experts	\$89,058
Investigators	\$15,237
Total Program/Atty Fees:	\$11,570,052
Administration:	
Personnel (Wages, Hosp, FICA, Unemploy, Disability, Work. Comp & Pension)	\$2,323,927
Util/Telephone	\$19,945
Space Rental	\$122,407
Office Supplies	\$15,884
Postage	\$1,404
Travel/Conferences	\$10,145
Vehicle Lease (ILS/NYS approved)	\$7,907
Insurance	\$18,235
Legal/accounting (Accountant)	\$12,000
Dues & Assoc. Membership Fees	\$2,672
Office Printing/copying (Reproduction)	\$3,597
Training	\$25,053
Equipment Purchase	\$56,257
* Computer Maintenance/Support/Software Licenses	\$534,451
Legal Publications	\$10,511
Temps/Recruitment	\$35,829
Consultants	\$38,169
Payroll Service	\$3,752
Bank Charges	\$15
Online Billing Software fees	\$34,186
Intern/Law Student	\$0
Attorney Recognition Event	\$0
Misc (Misc & Misc Volunteer Support)	\$5,285
Total Administration:	\$3,281,630
<i>Expenses include all expended to Erie Cty 18b, ILS, ATD, DCJS, Niagara Cty and Redlich Horwitz Foundat</i>	
Grand Total Expenses:	\$14,851,682
* NOTE: With the DCJS Discovery Revenue, we prepaid years 2-5 for the Axon software licenses for discover	
This will appear on our Balance Sheet as a prepaid expense, not on our annual expenses for 2025	
(only year 1 is - in the Computer line)	
The prepaid expenses figure for Year 2-5 is \$1,563,970.37	
The expense captured for 2025 is \$414,370.88	

**Assigned Counsel Active Panel
As of December 31, 2025**

ABATE	JEFFREY	DIDIO	PAUL
ABBARNO	ANTHONY	DINKI	EDWARD
ADENIJI	JESTOWO	DOLGOFF	BARRY
AGRO	JOSEPH	DOMENICO	ANTHONY
ALBA	SAMUAL	DONATELLI	ALAN
AMENDOLA	FRANCIS	DORLIAE	CECILE
ANCONA	ELENA	DOUGHERTY	CONNOR
ANDERSON	HEATHER	DUBOIS	DANIEL
ANDERSON	RYAN	DUNCAN	THEARTHUR
ANDRUSCHUT	TIMOTHY	EATON	WINTER
ANTHIS	SARA LEE	EVANS	JASON
AURICCHIO	JAMES	FABIATOS	LEE
BAKER	JACKIE	FARACO	ANTHONY
BARANSKI	TIBOR	FARAH	ELIAS
BAUERLE	ARIEL	FARRELL	BETH
BAUMANN	JEFFREY	FERULLO	M. KREAG
BECK	WILLIAM	FLESSA	MICHAEL
BEDASKA	JOHN	FLYNN	ROBERT
BELLROSE-LLOYD	JACQUELINE	FRANGIONE	CHRISTOPHER
BENDER	DEBRA	FROMAN	LUCAS
BERCHOU	CATHERINE	FUNDA	JOYCE
BERNARD	SCOTT	GABRIELLE	VANESSA
BERTOZZI	SARAH	GALLAGHER	TIMOTHY
BILLANTI	CATHERINE	GARVEY	CHRISTINE
BLAHOWICZ	ASHLEY	GATELY	TYLER
BOGULSKI	FRANK	GENOVESE	GIOVANNI
BOJAK	ADAM	GIBBONS	KENNETH
BRADY	DANIEL	GIBBONS	KEVIN
BRODERICK JR	WILLIAM	GILBERT	BRENDAN
BROOKS	MATTHEW	GIOIA	MICHAEL
BROOKS	TIMOTHY	GIOIA	REBECCA
BRUCE	ANTHONY	GOLDSTEIN	ROBERT
BRYNE	MARK	GREENBERG	CHARLES
CAFFARELLO	SANTINO	GREENE	ALVIN
CAFFERY	DANIEL	GREENE	SHANE
CANTERBURY	IAN	GUTOWSKI	DAVID
CAREY	CATHERINE	GRIEBEL	DANIEL
CERCONE	JAKE	HADJU	LYLE
CHABALA	ANTHONY	HART	ARRIANNA
CHAN	MARY	HENNESSY	TIMOTHY
CHIARELLI	ALEXANDRIA	HEUBUSCH	THOMAS
CIARROCCA	REBECCA	HOERNER	KAITLYN
CIMASI	MICHAEL	HUGHES	STEPHEN
CIMINELLI	JAMES	IERACI	FRANK
CLAYTON	DAVID	JABLONSKI	JUSTIN
COAD	KEVIN	JARZEMBEK	JOSEPH
COLE	RICHARD W.	JOHNSON	ROBERT
CONNELLY	CAITLIN	JONES	DEONNA
CONROY	MICHAEL	KANE	KEVIN
COOPER	CHRISTY	KAPPERMAN	KELLY
COOPER	CINDY	KARALUS	SUSAN
CURTIN	WILLIAM	KELLY	SEAN
CUTTING	ROBERT	KOTNIS	MARK
DELL	PAUL G.	KRAJEWSKI	JEFFREY
DEMATTEO	JAMES	LANDWEHR	PAUL
DESIDERIO	LAWRENCE	LAVIN	KATHERINE

**Assigned Counsel Active Panel
As of December 31, 2025**

LAURINCELLA	DILLON	POWELL	BECKY
LEFFLER	EVAN	PROIA	OLIVIA
LENHARDT	CLAYTON	PURKS-MORRIS	SHAKOR
LIPPES	JOSHUA	QUINLIVAN	PATRICK
LITWIN	ASHLEY	RADACK	ANDREW
LONGO	FRANK	REMMES	JAMES
LOSS	KATRINA	REPKA	CRYSTAL
MACDONALD	BRIAN	ROBERTS	LINWOOD
MACKAY	PARKER	ROBSHAW	NORA
MAHONEY	KEVIN	RODRIGUEZ	DAVID
MALONEY	JAMES	ROMAN	LORI
MARINERO	ALIXANDRA	ROOTH III	WALTER
MARRANCA	MINDY	ROSCIGLIONE	MARIA
MARRERO	RACHEL	ROSSI	WILLIAM
MARTIN	ALEXANDER	RUOTOLO	LISSETTE
MARTINSHIN	EDWARD	SACHA	MARK
MATHEWSON	WILLIAM	SALCEDO	STEVEN
MCCANN	STEPHEN	SALEVSKY	BRENT
MCCRORY	ATHENA	SANFILIPPO	SALVATORE
MCGRATH	PETER	SARKOVICS	DAVID
MCIVER	JAMES	SCANLON	RACHEL
MCKEATING	MICHAEL	SCHAUS	DANIEL
MCLAUGHLIN	PATRICK	SCHERER	JEFFREY
MCMORROW	THOMAS	SCHNURR	JEREMY
MICHALEK JR	PAUL	SCHOEMICK	JOHN
MIDLIK	TARA	SCHWEGLER	LAWRENCE
MINGO	MICHAEL	SEEGERT	SETH
MISERENDINO	SAMUEL	SCINTA	JOSEPH
MISSELL	CORY	SHATKIN	MARC
MORRISROE	RICHARD	SMEHLIK	ADELA
MUELHBAUER	HALEY	SMITH	JENNIFER
MUSCATO	JOSEPH	STACHOWSKI	MICHAEL
NASON	ANDREW	STADLER	JOSEPH
NASSAR	ABRAHAM	STAEHR	JONATHAN
NEWCOMB	TERENCE	STAFFORD	PATRICK
NICHOLS	ANN	STEINHAUS	ANDREW
NOWADLY	KATE	STEINHAUS	ROBERT
OSEMUDIAMEN	OJEME	STILLER	DOUGLAS
O'NEILL	TYLER	SWERDLIN	MATTHEW
O'SULLIVAN	EVELYNE	SZCZEPANSKI	WILLIAM
OSMAN	MAYADA	SZCZUR	CELIA
PAJAK	DAVID	TABASHNECK	ANDREW
PARKER	BRIAN	TARANTINO	DANIEL
PARLATO	VINCENT	TEXIDO	NICHOLAS
PAUL	KIM	THIBODEAU	PAMELA
PAWARSKI	TIMOTHY	TOTA-NEAL	DELREASE
PENDERGRASS	ANTHONY	TOWEY	BRIAN
PENBERTHY	BRITTANY LEE	TROTT	EMILY
PENN	MARY	TUPCHIK	LANA
PERAZA	JESSICA	TURNER	JOSEPH
PETERSEN	FREDRICK	VANDETTE	JAMES
PIDANICK	CHAD	VASILION	PETER
PLATZER	KATHLEEN	VENZON	CATHARINE
PORETTA	MICHAEL	VESPER	JESSICA
POTENZA	MATTHEW	VIOLANTI	LOUIS
POTTER	TODD	VOELKL	JEFFREY

Regular Meeting of the Board of Directors
Erie County Bar Association Aid to Indigent Prisoners Society Inc.
August 20, 2025

12:15 p.m., Virtual and 403 Main Street, Suite 215

Board Members Present: Kristin Arcuri, Ericka Bennett, Giovanni Genovese, Brian Melber, ED Michelle Parker, Todd Potter, Jr., Nora Robshaw, Rachel Saeli, Joseph Terranova, Pamela Thibodeau, Lana Tupchik, Peter Vasilion, Hon. Paul Wojtaszek.

Excused: Hon. Keith Kibler

Guests: Hope Keilman, CFO; Amy Brown, Supervising Administrative Assistant

1. A quorum being present, ED Michelle Parker called the meeting to order at 12:22 p.m.
2. Approval of the Board minutes from June 18, 2025; motion to approve by Joseph Terranova; seconded by Rachel Saeli; passed unanimously.
3. Approval of the Board minutes of Executive Session from June 18, 2025; motion to approve by Todd Potter; seconded by Joseph Terranova; passed unanimously.
4. Approval of the Board minutes of Special Session from August 6, 2025; motion to approve by Joseph Terranova; seconded by Peter Vasilion; passed unanimously.
5. Old Business
 - a. BAEC President Brian Melber (already serving as a Director in his second 3-year term) appointed BAEC Director Ericka Bennett as his designee to the ACP Board.
 - b. Designee for the BAEC Criminal Law Committee: pending.
 - c. County Executive's appointee: pending.
6. New Business:
 - a. Board's review of the Auditor's 2024 Draft Form 990; will be finalized.
 - b. Board Governance – Conflict of Interest forms – filed annually; ED Parker has followed up for outstanding forms.
 - c. Recruitment Committee Report – held August meeting, next scheduled for October.

- d. Bylaws Committee – Chaired by Board President, Peter Vasilion; Kristin Arcuri will serve; awaiting another Board member to serve. No activity.
- e. Executive Committee – report
 - i. 2027 Budget: Request to re-establish in-office personnel for intake of eligibility applications for non-incarcerated litigants in Family and Criminal Court.
 - 1. Currently the Request for Financial Status is completed by the assigned attorney in their first contact with the client, whether in-person or over the phone.
 - 2. ED Parker outlined the barriers to having applicants come to the Program offices and the increase that would result in the Program’s administrative expenses under 18-b (County budget.)
 - 3. ED Parker noted that the Onondaga County Bar Association’s ACP relies, as the Program does, on attorneys completing the RFS with the client at first contact.
 - 4. Vice-president Rachel Saeli outlined the problems for the Article 10 AOD to obtain this information at the arraignment.
 - 5. Director Todd Potter noted that he has no problems obtaining this information at arraignment as an Article 10 AOD.
 - 6. President Vasilion proposed that the Board speak to the First Deputy – Criminal and Second Deputy – Family Court about this. Issued tabled to the November 2025 meeting.

7. Report of Executive Director/Chief Defender:

a. Update as to Operations

<u>CASE TYPE BREAKDOWN %</u>		<u>(ANNUAL/2025)</u>	<u>2024</u>
Criminal cases	18,052 (71%)	\$14,463,842 (63%)	69% of # - criminal
Family cases	7,447 (29%)	\$ 8,335,570 (37%)	64% of \$ - criminal

A. Erie County Department of Law

New Contracts:

Erie County 18-b – awaiting amendment to the 2025 contract (exhibit 8 regarding pilot program – C felonies at Buffalo City Court to be handled by LABB starting 7/1/2025.)

ILS CAFA4 – ILS sent to County with their final signature – awaiting fully executed contract with Erie

DCJS – Discovery Reform Funding (\$2.8M) – this funding is now in place, and we have posted the positions that will provide discovery support to the criminal defense panel.

Extensions:

ILS Distribution #12 – approved by ILS; awaiting contract/resolution from Erie County Legislature.

ILS Distribution #14 - amended – approved by ILS; awaiting contract/resolution from Erie County Legislature.

First Deputy Upstate Family Defense Grant – approved by ILS; awaiting contract/resolution from Erie County Legislature.

Criminal Division –

The effective date that we ended the “Pre-Arrestment Assignment” program was July 1, 2025. All cases have been transferred to our office after the CAFA arraignment. There was a seamless transition; there was a decreased incidence of bench warrant closures and there was no negative feedback from either Courts or panel attorneys. In each of the town and village courts, we have either an agreement to use their scanner or placement of an ACP scanner to email post-arrestment documents directly to the Program staff.

On June 23, we shared with the Board the 1st quarter Deputy Newsletter directed to outlining panel attorney re: “Wins!” On July 7, we shared the 2nd quarter report with the Board.

There is continuing communication with the Erie County Indigent Defense Working Group as to the transition of “C” felony cases in Buffalo City Court which was effective on July 1, and the transfer of all non-conflict, non-homicide cases in the City of Buffalo and the Town of Cheektowaga effective January 1. The Buffalo City Court conflict percentage rose from approximately 20% to nearly 30%. We expect this trend to increase with the additional transfer of cases. On Tuesday, August 19, the Transition Protocols Committee met with LABB representatives to resolve several issues surrounding CAFA for after-hours arraignment in the Town of Cheektowaga, Youth Part, fugitive matters arising in Superior Court, non-A felony attempted murder cases, and preparation for the January 1 transition. The next meeting will be in 60 days.

There was expansion of our “Electronic Discovery for Incarcerated Clients” project to the Erie County Correctional Facility. This effort will be increased as we expand our services and staff thanks to the NYS Department of Criminal Justice Services and Aid to Defense Year 1 Discovery funding. There will be a rollout of a significant technology upgrade and four new Program positions immediately to broaden the scope of our services and fully effectuate the goals of the CPL 245 reforms. This will be fully up and running by the time of the Board’s November 2025 Regular meeting.

Upcoming panel trainings: “Extreme Risk Protection Order” CLE on August 20; “Drug Recognition Expert” on September 26 and 27 (that class is full -- 20 participants scheduled); October 2025 New Attorney Training Class (that class is full – 20

participants scheduled.) There were six candidates wait-listed that will be enrolled in our April 2026 training.

There has been contact with the two new Judicial Administration leaders (Justices Amy Martoche and Paul Wojtaszek) on two that had languished; creation of a Centralized Arraignment Part (CAP) in Erie County, and the imposition of a “Court Rule” dealing with clients arraigned on non-qualifying charges but unable to be released due to their status as predicate felons.

Board member Samantha White connected us to Kate Rubin, Director of Policy for Youth Represent. They convene all NYC youth defenders for a 5-borough zoom a couple of times a year to discuss Raise The Age and would like statewide engagement. First Deputy Defender Kevin Stadelmaier will appear on the September 17 zoom at 1:15 p.m.

B. Family Court Division -

The Family Court division continues the monthly lunchtime case conferences on the fourth Tuesday of the month. There will be coordination with DePasquale and panel attorney Lana Tupchik on new “lunch and learn” opportunities.

The Parent Advocate for Family Court Barbara Emmanuel began billing against the ILS funding for that position in July 2025. We are currently seeking a second person for an additional Parent Advocate position. There was an effort to canvas for DSS employees (like Ms. Emmanuel) but that did not result in any candidates. Yvonne will now work with Katie Hartung to turn to public means of job posting.

Mary Beth DePasquale and Kevin Condon held a trial technique seminar on June 28 and July 12. DePasquale’s intensive training on the issue of *res ipsa* cases in FC concentrating on shaken baby syndrome was moved to October 2025.

Mary Beth DePasquale and Kevin Condon will represent the Program at the ILS Third Annual Family Defense Grantee Consortium on September 18 at NYSBA HQ in Albany.

The FC attorney panel review will take place in October; each year one-third of the panel is reviewed, along with members of the panel who have been brought to Yvonne’s attention as requiring review. The review will be more intense than in the past and involve a review of the panel member’s file; in particular, noting if discovery has occurred and if petitions have been amended where appropriate.

C. Other

- Starting in May 2022, we have been discussing with Niagara County Conflict Defender & Assigned Counsel Administrator Kathleen Kugler how it is that the Erie ACP can leverage its ILS-funded resources to support her Niagara County ACP. This grew into an April 2025 discussion at the Erie ACP offices coordinated through the ILS WNY Regional Support Center and moderated by then-AIC Ian Harrington. The

plan is to transition the management of the Niagara County ACP to the Erie ACP. Following his departure, the discussions stalled. Now ILS-WNY Criminal Defense Counsel Andy Fiske has restarted the discussions. We are meeting on Tuesday, August 26 to continue this discussion at his request.

- Chief Defenders Association of NY (CDANY) – Deputy for Litigation Support – Criminal, David Heraty, has been named to the CDANY Amicus Committee.
- CDANY –We had previously met with the Schoharie County Administrator of the Office of Legal Defense of Indigents to go over the Defender Data case management software. We had a zoom meeting on August 4 with Administrator Suzanne Graulich and CFO Hope Keilman to discuss our voucher workflow and offer suggestions for her program.
- Staff Demographics: we continue to adhere to a goal of ensuring that the Program staffing demographics looks like Erie County.

	Erie County 2020 Census	ACP Started tracking in 2021	ACP Last report 3/30/2025	ACP Most recent 6/30/2025	Change since the last quarter	Change since January 2021
Female	52	73.3%	80%	81%	+1%	+7.7%
Male	48	26.6%	19%	19%	0%	-7.6%
Born outside USA	10	0	0	0	Unchanged	Unchanged
Caucasian	74.9	80%	73.17%	73.17%	Unchanged	-6.83%
Black	13.1	17%	17.07%	17.07%	Unchanged	+0.07%
Native American	.53	3%	2.44%	2.44%	Unchanged	-.56%
Hispanic	4.5	0%	4.88%	4.88%	Unchanged	+4.88%
MENA		0%	2.44%	2.44%	Unchanged	+2.44%
Asian	3.81	0	0	0	Unchanged	Unchanged
Native Hawaiian	.03	0	0	0	Unchanged	Unchanged
Black/Hispanic	.53	0	0	0	Unchanged	Unchanged
Multi-racial	2.27	0	0	0	Unchanged	Unchanged
Other	.33	0	0	0	Unchanged	Unchanged

MENA – Starting April 2024, a new EEOC race and ethnic category for a person of Middle Eastern or North African descent.

- As mentioned at the last meeting, on June 10, ILS issued a Request for Input regarding the update to the caseload standards for criminal trial level cases. ILS invited one of the Erie ACP panel attorneys, Kelly Kapperman, to serve on the 17-member statewide Delphi Panel which met to establish a clear working definition of "reasonably effective assistance" and "prevailing professional norms" (i.e., the *Strickland v. Washington* standard for effective assistance of counsel) as well as to learn about the next steps for determining appropriate caseload standards.
 - We met with Ms. Kapperman on June 26 to learn more about the operation of the Delphi Panel.
 - At their April conference, Ms. Kapperman was the only attorney present from an ACP; everyone else was from an institutional provider.
 - The data collection method was anecdotal. Ms. Kapperman was the only attorney present who routinely keeps track of her time as a matter of course.
 - Ms. Kapperman was the only self-employed attorney present and therefore the only one in the room who appeared as a volunteer on personal time.
 - ILS only partially compensated her travel expenses; after confirming our travel budget would permit it, we obtained her travel receipts and reimbursed her for the remainder of her travel expense which ILS had not reimbursed.

b. Proposed Erie County Budget for 2026

- i. 0% change from the 2025 to the 2026 Budget request.
- ii. Uncertainty as to whether the Pilot Program will reduce the voucher expense due to expected prevalence of conflict cases
- iii. We are at about 97.5% of vouchers being paid at the rate of \$158/hour (i.e., vouchers with no time events prior to 4/1/2023.)
- iv. COLA for the staff salaries
- v. ILS needs to recalculate the annual baseline used for computing the amount we submit for "ACP Increasing Voucher Costs" under the *Hurrell-Harring* Statewide Contract line.
 1. The baseline will need to be reduced to reflect the loss of cases/voucher costs in Cheektowaga and Buffalo City Court.
 2. Otherwise, the added amount of time/cost that attorneys are spending on cases arising from *HH* funded resources will burden on Erie County 18b funds.

8. Report of CFO-

- a. Reviewed July 2025 Preliminary Financials (pre-audit); under budget by \$210,000; health insurance expenses are under budget about \$5,000; salaries are under budget at about \$37,000; cash flow is fine.

- b. NYS DCJS grant for discovery support: in the process of posting and filling positions.
 - c. Status of NTB Bank Line of Credit - \$0
9. Motion to go into Executive session at 1:37 p.m. by Kristin Arcuri; seconded by Giovanni Genovese; passed unanimously. Hope Keilman, CFO and Amy Brown, Supervising Administrative Assistant, left the meeting.
10. Returned to the Regular Meeting; adjourned at 2:25 p.m. Meeting schedule: all on the third Wednesday of the month at 12:15 p.m.; virtual and in-person.
- a. Following date: Wednesday, November 19, 2025.
 - b. Last date: Wednesday, February 11, 2026 – second, not third Wednesday.
 - c. Annual Meeting: Wednesday, April 15, 2026 (the week following Spring recess.)

Regular meeting of the Board of Directors
Erie County Bar Association Aid to Indigent Prisoners Society, Inc.
November 19, 2025 (draft)

12:15 p.m., Virtual and 403 Main Street, Suite 215

Board Members Present: Giovanni Genovese, Brian Melber, ED Michelle Parker, Todd Potter, Nora Robshaw, Rachel Saeli, Joseph Terranova, Pamela Thibodeau, Delrease Tota-Neal, Lana Tupchik, Joseph Turner, Samantha White, Hon. Paul Wojtaszek.

Guests: Hope Keilman, CFO; Amy Brown, Supervising Administrative Assistant

1. A quorum being present, ED Michelle Parker called the meeting to order at 12:28 p.m.
2. Approval from the Board minutes on August 20, 2025; motion to approve by Rachel Saeli; seconded by Joseph Terranova. Passed unanimously.
3. Approval from the Board minutes for the Executive session from August 20, 2025; motion to approve by Rachel Saeli; seconded by Pamela Thibodeau. Passed unanimously.
4. Old Business
 - a. Designee for the BAEC Criminal Law Committee: pending. Bar President/Director Brian Melber advised that the BAEC Board will select a designee, since the current Chair is employed by the Legal Aid Bureau of Buffalo and the co-chair is a prosecuting attorney (ineligible for Board service per the Bylaws.)
 - b. County Executive's appointee: pending.
5. New Business
 - a. Board Governance - Conflict of Interest forms - filed annually; ED Parker has followed up with the relevant Directors for outstanding forms.
 - b. Recruitment Committee Report - held meetings in September and November; currently 173 on the criminal panel (+7; 152 are trial attorneys; 21 are CAFA only); 93 on the Family Court panel (+5.)
 - i. Criminal Division October training - 21 attendees; 16 to be added by 12/15/25; 5 awaiting admission. 10 signed up for training in April 2026.
 1. The New/Misdemeanor training in April will be confined to lawyers who can take day-time assignments, not just night court. We need to develop the pipeline for the felony panel;

people who are "night court only" do not fill that bill.

- ii. Family Court Division October/November training - 6 completed; 5 will be placed with mentors and start taking assignments; 1 is awaiting admission.
- iii. Through an ILS grant for FC pre-petition services, we've had a recent marketing campaign developed by Social Work Program Director Holly Edwards, LMSW, and carried out by FC Social Worker Mary Ieraci, LMSW, to promote Family Court pre-petition services:

Mary Ieraci, LMSW, appearance on WNY Living on WGRZ/Channel 2:

[Assigned Counsel Program | wgrz.com](#)

Mary Ieraci, LMSW, appearance on Daytime Buffalo
[Daytime Buffalo: Nov. 12th, 2025 | News 4 Buffalo](#)

Mary Ieraci, LMSW appearance on WUFO -



EXPO 2025 LEGAL
HOTLINE INTERVIEW

Bee Newsletters, running October through December



Newspaper Ad 2025
Bee.pdf

Buffalo Latino Village, running October through January



Newspaper Ad
Spanish 2025.pdf

Hamburg Sun, running October through December



Hamburg Sun Final
Ad.pdf

River Rock Times, ran September through October
The Challenger, running October through December
The Criterion, running September through December



- c. Bylaws Committee – No activity. Chaired by Board President Peter Vasilion; member: Kristin Arcuri; awaiting another Board member to serve.
- d. Executive Committee – report
 - i. 2027 Budget: Request to re-establish in-office Program personnel to undertake the completion of eligibility applications for non-incarcerated litigants in Family and Criminal Court, instead of having the assigned attorney do it over the phone or at the first court appearance.
 - 1. It would mean the 2027 Budget request to the County would include a request to add a position to the Program’s administrative personnel (paid by 18-b funding.)
 - a. Tabled to February meeting: speak to the First Deputy - Criminal and Second Deputy - Family Court about this.

6. Report of Executive Director/Chief Defender:

a. Update as to Operations

CASE TYPE BREAKDOWN %		(ANNUAL/2025)	2024
Criminal cases	16,979 (70%)	\$14,159,091 (63%)	69% of # - criminal
Family cases	7,128 (30%)	\$ 8,453,059 (37%)	63% of \$ - criminal

A. *Erie County Department of Law*

New Contracts:

Erie County 18-b - awaiting amendment to the 2025 contract (exhibit A regarding pilot program - C felonies at Buffalo City Court to be handled by LABB starting 7/1/2025.)

ILS CAFA4 - ILS sent to County with their final signature - awaiting fully executed contract with Erie

ILS Distribution #14 - The renewal contract and the amendment are going to be combined into a single contract; this has been approved by ILS and sent to the County; awaiting resolution from the Erie County Legislature and then a

contract with ACP.

Extensions:

ILS Distribution #12 - approved by ILS; awaiting signed contract from Erie County.

ILS Distribution #14 - amended - approved by ILS; awaiting contract/resolution from Erie County Legislature and then contract with ACP.

First Upstate Family Defense Grant- approved by ILS; awaiting contract/resolution from Erie County Legislature.

B. *Internal/Training*

a. *Leadership Training*

We contacted the National Association for Public Defense (NAPD) regarding training opportunities for the development of internal leaders. NAPD offers a 4-part small-group Public Defense Leadership training program in which the ACP leaders are currently participating.

There is virtual attendance with public defense leaders from across the country; each part is 90 minutes:

1. Client Centered Leadership & Four Frames
 - a. Client Centered Leadership
 - i. Resilience and the Triad
 - ii. Ethics & the Triad
 - iii. Client Centered Leadership
 - iv. Leadership Dilemmas
 - b. Four Frames
 - i. Structural Frame
 - ii. Human Resource Frame
 - iii. Political Frame
 - iv. Symbolic Frame
2. Feedback
 - a. Introduction & Why Feedback Matters
 - b. "Clear Is Kind": The Cost of Avoiding Tough Conversations
 - c. Positive Feedback & The Power of Recognition
 - d. Supervising Across Differences & Checking Biases
 - e. Choosing the Right Method: Face-to-Face vs. Email vs. Text
 - f. Clear is Kind and Constructive Feedback
 - g. Common Responses to Constructive Feedback
 - h. One-on-Ones & Final Thoughts on Accountability

3. Challenging Conversations
 - a. Defining Difficult Conversations
 - b. Why Address Problems Directly & Supervisor Influence
 - c. Separating Facts from Stories
 - d. What is our statement of good intent?
 - e. Stating Facts & Exploring 'the Story': A Clear Path to Curiosity
 - f. Putting It All Together: Honest Openers & Genuine Intent
 - g. Navigating the Messy Middle of Difficult Conversations
 - h. Ending the Conversation Effectively
 - i. Measuring Success in Difficult Conversations

4. Culture
 - a. Introduction & Defining Culture in Public Defense
 - b. Values and Assumptions
 - c. Establishing Core Values & Leadership Training
 - d. Office Layout, Culture Walk, & Visual Reinforcements
 - e. Operationalizing Culture: Role Expectations & Accountability

There is a luncheon scheduled for the ACP leaders on Monday, December 15, to discuss the training and exchange thoughts about opportunities for improvement to internal processes.

b. CPR/AED Training

Chief Investigator David Kubiak held CPR/AED training on a voluntary basis for the staff. Thirteen (13) staff members attended.

c. Criminal Division -

In October 2025 we received the first round of funding under the Department of Criminal Justice Services and Aid to Defense CPL 245 Implementation grants. This funding will allow full implementation of CPL 245 (Discovery Reform) on the defense side. The formation of and service menus for this new Unit are expected to "go live" by December 1.

There is a five (5) year contract with Axon Justice Premier for a Discovery organization and storage platform which will be mirrored by the Erie County DA. This will allow seamless transmission and perpetual storage of discovery materials. It will further allow ACP staff the ability to work with panel

attorneys to better utilize their discovery and litigate issues more effectively. Axon has a tentative "go live" at the end of Q1 2026. Panel communication and a Zoom to explain, as well as a training schedule, will be communicated soon. The office buildout to accommodate these new positions and the work of the Unit is nearly completed.

There continues to be assessment to expand the "Electronic Discovery for Incarcerated Clients" project to the Erie County Correctional Facility. First Deputy Kevin Stadelmaier has recently worked with Erie County Sheriff's Department Staff to increase efficiency in the delivery of these materials at the Holding Center.

Panelist Trainings: "Extreme Risk Protection Order" CLE on August 20; a two day "Drug Recognition Expert" training on September 26 and 27. On November 7, there was a "Parole Primer" CLE presented by Barry Dolgoff and Nick Texido, which was promoted statewide; it is expected to add upwards of ten (10) new parole panelists because of this training.

Preparation for the next "New Felony Attorney" training class and have received commitments from twelve (12) current misdemeanor panelists. Those classes will take place from 2/17/26 to 2/24/26.

The October new-attorney training included an employee from the Wyoming County PD's office. The mock trial portion of the training for that person will be handled by WCPD Leah Nowotarski.

Mentor: October 31st marked the last day of former Parole Mentor at Large Mark Worrell. Mark served ACP with distinction as a panelist, staff member and mentor for decades here at ACP. Barry Dolgoff has taken over for Mark as our parole MAL effective November 1st.

Elevation: The following attorneys will be elevated to higher level panels on January 1; each has proven worthy of taking higher level matters:

Dan Whorley: D/E

Michael Mingo: D/E

Mudi Ojeme: D/E

Dan Brady: C

Tom Heubusch: A/B

Jeff Krajewski: A/B

Connor Dougherty: Homicides

Peter McGrath: A/B

Centralized Arraignment Part (CAP) - First Deputy Kevin Stadelmaier continues to work with OCA Judicial Administration leaders (8th JD Administrative Judge Hon. Amy Martoche, JSC, and 8th JD Supervising Judge - Criminal Hon. Paul Wojtaszek, JSC) on two outstanding issues that had

languished: creation of a Centralized Arraignment Part (CAP) in Erie County, and the imposition of a "Court Rule" dealing with clients arraigned on non-qualifying charges but unable to be released due to their status as predicate felons. He will be following up on these issues in the weeks to come.

D. Family Court Division -

The Family Court division continues the monthly lunchtime case conferences on the fourth Tuesday of the month; these were held on August 26, September 23, and October 28.

The Parent Advocate for Family Court Barbara Emmanuel began billing against the ILS funding for that position in July 2025. On November 19, 2025, Second Deputy Yvonne Vertlieb hired Maquita Potts, MSW, for the second Parent Advocate position (she has recently worked as a Social Worker at Legal Aid Bureau of Buffalo.) Starting on January 1, 2026, a Parent Advocate will be automatically assigned on all Article 10 matters (the ILS funding is confined to Article 10.)

Deputy for Litigation Support - FC Mary Beth DePasquale held an intensive training on the issue of *res ipsa* cases in FC concentrating on shaken baby syndrome on Saturday, October 25. In September and October, the Division held a 2-day Trial Technique session held over 2 Saturdays that was open to all FC panel attorneys. The attorneys coming on board from October/November new attorney training will be required to take the Trial Technique training in 2026.

Deputy for Litigation Support - FC Mary Beth DePasquale and Deputy for Child Welfare Kevin Condon represented the Program at the ILS Third Annual Family Defense Grantee Consortium on September 18 at NYSBA HQ in Albany.

The FC attorney panel review took place in October; each year one-third of the panel is reviewed, along with members of the panel who have been brought to Yvonne's attention as requiring review. The review was more intense than in the past and involved a review of the panel member's individual case files: in particular, noting if discovery has occurred and if petitions have been amended where appropriate. Where the review revealed an opportunity for improvement, this was addressed with a plan for additional supervision.

Yvonne Vertlieb continues to work with the Family Court judges to change the method in which assignments are sent to our office, to have the client contact information included. This would make it easier for the panel attorneys to get in touch with their clients in advance of their first appearance.

E. Regionalization

At the 7th/8th JD ACP-only Chief Defender meeting in 2023, we aimed to promote the Erie ACP as a resource for other ACP programs. The 2024 ACP-only meeting was held in Rochester on Friday, October 24. Based on a discussion item, we shared with all participating Chief Defenders a copy of the 2025 Erie ACP Handbook for Attorneys.

Following the event, we offered to host the 2026 ACP-only meeting here at our offices: this will take place on Friday, October 26, 2026.

Regional consolidation of ACPs appears inevitable. The Erie ACP is well-positioned to take advantage of opportunities in this regard:

- **Niagara County** - Starting in May 2022, we have been discussing with Niagara County Conflict Defender & Assigned Counsel Administrator Kathleen Kugler how it is that the Erie ACP can leverage its ILS-funded resources to support her Niagara County ACP.
 - o April 2025 discussion at the Erie ACP offices coordinated through the ILS WNY Regional Support Center and moderated by then-AIC Ian Harrington regarding the plan is to transition the management of the Niagara County ACP to the Erie ACP.
 - o August 26: we met at the request of ILS-WNY Criminal Defense Counsel Andy Fiske to continue this discussion.
 - o September 16: we shared with the WNY ILS office an operational timeline and information we'd require to explore a transition of the administration of the Niagara County ACP to the Erie ACP.
 - o October 15: we obtained and shared with WNY/ILS Mr. Fiske a copy of the agreement between Schuyler and Tompkins Counties which could serve as a blueprint for an agreement between the Erie County and Niagara County ACPs.
- **Wayne County** - On October 27 we timely responded to a Wayne County "RFP" for handling criminal assignments which was drafted by First Deputy Kevin Stadelmaier with information from CFO Hope Keilman. The Erie ACP finished 2nd out of 6 applicants; the bid was awarded to the Monroe County ACP.

- **GLOW Counties - Genesee, Livingston, Orleans, & Wyoming**

Met with Hon. Michael Mohun (JCC, ret.) and ACP Director Joe Terranova on 9/24/2025 regarding J. Mohun's involvement with a discussion among the GLOW counties to create a single ACP. We advised J. Mohun that the Erie ACP is on board and at his disposal.

- o **Genesee County** - The Genesee County PD contacted us for a copy of the ACP Bylaws as part of the project to set this up. We provided this and suggested that Genesee County explore contracting to the Erie ACP instead of creating a new NFP to handle ACP matters.

- o **Wyoming County** -The Wyoming County Attorney runs that County's ACP. She followed up with us secondary to the October 24 "All-ACP" Chief Defenders meeting. On Thursday, November 20, we will meet with her and the Wyoming County Administrator to explore outsourcing their ACP responsibilities to the Erie ACP.

- First Deputy Kevin Stadelmaier has drafted a proposal to present to them in advance of the meeting tomorrow; we have a meeting at 8:30 a.m. on November 20 CFO Hope Keilman and Second Deputy Yvonne Vertlieb to review and finalize.

- **Regionalization Outcome:** There should be consideration for an organizational name change with the additional of regional ACP responsibilities.

F. Staff Demographics

- Staff Demographics: we continue to adhere to a goal of ensuring that the Program staffing demographic looks like Erie County. Since ED Parker's start in January 2021, the Program's demographics have evolved to become more female, more Black, and more Hispanic.

	Erie County 2020 Census	ACP Started tracking in 2021	ACP Last report 6/30/2025	ACP Most recent 9/30/2025	Change since the last quarter	Change since January 2021
Female	52	73.3%	81%	82%	+1%	+8.7%
Male	48	26.6%	19%	18%	-1%	-8.6%
Born outside USA	10	0	0	0	Unchanged	Unchanged
Caucasian	74.9	80%	73.17%	71.79%	-1.38%	-8.21%
Black	13.1	17%	17.07%	20.51%	+3.44%	+3.51 %
Native American	.53	3%	2.44%	0%	-2.44%	-3.0%
Hispanic	4.5	0%	4.88%	5.13%	+2.25%	+5.13%
MENA		0%	2.44%	2.56%	+1.12%	+2.56%
Asian	3.81	0	0	0	Unchanged	Unchanged
Native Hawaiian	.03	0	0	0	Unchanged	Unchanged
Black/Hispanic	.53	0	0	0	Unchanged	Unchanged
Multi-racial	2.27	0	0	0	Unchanged	Unchanged
Other	.33	0	0	0	Unchanged	Unchanged

MENA - Starting April 2024, a new EEOC race and ethnic category for a person of Middle Eastern or North African descent

G. *ILS*

There is a new Attorney-in-Charge (AIC) at the ILS WNY Regional Support Center: Margaret Phillips. She replaced Ian Harrington who took a position at the LABB. Ms. Phillips had served on our criminal appeals panel; her cases were reassigned. Prior to that, she was Director of Paralegal Studies at Daemen University (now a Certificate Program; the Bachelor's degree program is paused.)

Performance Measures Progress Report (PMPR)

In past years, ILS has required a semi-annual and annual Performance Measures Progress Report (PMPR) re: use of *Hurrell-Harring* funded resources for the Criminal Division, which we usually file in October.

This year and going forward, for the October round ILS required only a response to a survey of 11 impact items which we submitted; not the numerical questions and three general questions about successes and challenges in the main areas of implementation: CAFA, caseload relief, and improvement of the quality of representation. The April round will focus on the data/numerical questions and the usual narrative responses.

Hurrell Harring Meeting

At the request of the local ILS office (WNY Regional Support Center), on October 22, we met with their local team to discuss the status of implementation of the Second Statewide Expansion of the Hurrell-Harring contract ("HH2.")

2025 Data Officer Convening

CFO Hope Keilman and ED/CD MMP appeared on November 17 for the ILS 2025 Data Convening conference held in the BAEC's Sun Room at the Main Court Building. This covered how ILS uses the data we submit in their reports and data dashboards, how Orange County uses their case management system, and included brainstorming opportunities regarding challenges with data collection and solutions to common problems. We used the opportunity to connect with the Livingston County CD and the Yates County DO on how the Erie ACP could be a resource for subcontracting portions of the ACP data collection operations.

H. Proposed Erie County Budget for 2026

- a. The Budget tendered to the Erie County Legislature by the County Executive reflected a reduction of \$750,000 to our 2026 Budget request.
- b. ILS still needs to recalculate the annual baseline used for computing the amount we submit for "ACP Increasing Voucher Costs" under the *Hurrell-Harring* Statewide Contract line.

- i. Improving the quality of ACP criminal representation pursuant to the *Hurrell-Haring* stipulated settlement included ensuring that panel attorneys have reasonable caseloads.
- ii. ILS' plan to the NYS Division of Budget included budgeting for the increase in ACP attorney vouchers associated with more time and improved quality representation. Therefore, we have encouraged the panel attorney to spend more time on their cases, utilizing the ACP resources and support.
- iii. As per state law, the funds are to supplement, not supplant county funding. To account for this, a reference point of county funding was developed starting in 2015. There is a complex formula that takes the reference point into account to ensure that ILS funding for increased voucher costs supplements, and does not supplant, Erie County funding for the cost of attorney vouchers.
- iv. For 2025, ILS was providing **\$3.9M** to offset increased voucher costs. This is budgeted for **\$3.9M** in 2026.
- v. The baseline will need to be reduced to correspond with the loss of cases/voucher costs in Cheektowaga and Buffalo City Court based on the transfer of those matters to the in-house PD's office at the LABB.
- vi. This ILS-funding source will not transfer to the LABB when those cases transfer. It is specifically allocated within the NYS Division of Budget as support for an ACP program.
- vii. The baseline adjustment is necessary because otherwise the burden will shift to Erie County to pay via 18-b funds the added amount of time/cost that attorneys are spending on cases arising from *HH* funded resources.
- viii. This baseline adjustment will be accomplished in 2026, once CFO Hope Keilman has data on the effect of the loss of cases/voucher costs.

7. Report of CFO

- a. Comptroller Request for Evaluation: 2022-2024 compensation and controls.
- b. Reviewed October 2025 Preliminary Financials (pre-audit); under budget by \$21,144; cash flow is fine.
- c. NYS DCJS grant for discovery support: in the process of posting and filling positions.
- d. Status of the Evans Bank line of credit-\$0

8. Executive Session: Motion to go into Executive Session at 1:15 p.m. by Pamela Thibodeau; seconded by Joseph Terranova. Passed unanimously. Hope Keilman, CFO and Supervising Administrative Assistant, Amy Brown left the meeting.

9. Returned to the Regular Meeting and adjourned at 1:26 p.m.

- i. Next regular meeting: Wednesday, February 11, 2026, 12:15 p.m. (the second, not third, Wednesday of the month.)
- ii. Annual Meeting: Wednesday, April 15, 2026 (the week following Spring recess.)

