



CO-LEG MAR 5 '26 PM 12:16

Dear District Attorney Keane,

The Comptroller's analysis raises serious concerns about potential abuse within Erie County's Assigned Counsel Program. The report identifies attorneys billing more than 3,000 hours in a single year, handling over 300 cases annually despite state caseload standards, and receiving hundreds of thousands of dollars in taxpayer-funded payments, while internal oversight mechanisms failed to flag irregular billing patterns. These findings warrant careful review to determine whether fraud, waste, or abuse may have occurred.

The audit found that 10 of the 16 highest-paid attorneys exceeded 1,875 compensated hours in at least one year, which the New York State Office of Indigent Legal Services identifies as a reasonable full-time workload. Five attorneys exceeded 2,250 hours, and three exceeded 3,000 hours in a year. At the same time, some attorneys opened more than 300 cases in a single year, surpassing recommended caseload standards designed to ensure defendants receive meaningful legal representation.

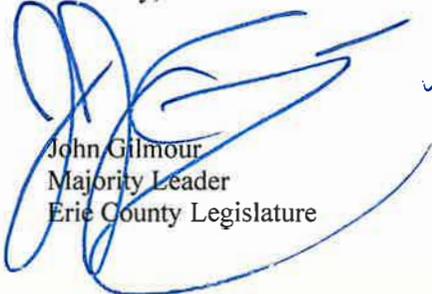
The report also identifies troubling billing patterns that warrant further review. In one example, an attorney recorded 267 billing actions totaling 74.1 hours in a single week across multiple cases. In another case, a voucher of \$14,206 for a misdemeanor matter was submitted, compared with an average of approximately \$1,126 for similar cases. The audit also identified instances where attorneys billed substantial hours on cases that ultimately resulted in a plea to the top count, raising additional questions about billing practices and oversight.

In addition, the audit found that 606 vouchers were submitted more than 180 days after case closure, despite program rules requiring timely submission. Of those, 264 vouchers totaling approximately \$147,711 were paid even though the program's handbook indicated they should have been forfeited. These delays impair financial oversight and raise concerns about the effectiveness of internal controls.

While the audit was not designed to determine whether criminal misconduct occurred, the findings clearly identify patterns that merit further review. Given the significant amount of taxpayer funding involved and the importance of maintaining public confidence in the administration of justice, we respectfully request that your office review these findings to determine whether a formal investigation is warranted.

We appreciate your attention to this matter and your continued commitment to protecting the integrity of our justice system and safeguarding taxpayer resources.

Sincerely,



John Gilmour
Majority Leader
Erie County Legislature



Lindsay Lorigo
Erie County Legislator