

**Monroe County
And
Monroe County
Bar Association
Assigned Counsel Program
2012 Annual Report**

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***2011-2012**

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TABLE OF CONTENTS

INTRODUCTION	1
<i>"To Provide Quality Representation"</i>	<i>1</i>
<i>"To Provide A Coordinated And Centralized Assignment System For Conflict Cases".....</i>	<i>2</i>
<i>"To Provide A More Equitable Distribution Of Conflict Assignments Among Lawyers".....</i>	<i>3</i>
<i>"To Attract More Lawyers Willing To Handle Conflict Assignments"</i>	<i>4</i>
<i>"To Maintain Uniform And Proper Billing Practices And To Ensure Cost Accountability Of Services".....</i>	<i>5</i>
<i>"To Provide Increased Efficiency For The Courts".....</i>	<i>5</i>
NEW ATTORNEYS IN 2012	6
TOTAL CASES REFERRED BY PANEL 2007-2012	7
2012 ASSIGNMENTS	8
<i>2012 Homicide Assignments.....</i>	<i>9</i>
<i>2012 ABC/DE Felony Assignment.....</i>	<i>10</i>
<i>2012 Misdemeanor Assignments.....</i>	<i>15</i>
<i>2012 Family Court Assignments.....</i>	<i>21</i>
<i>2012 Appellate Assignments.....</i>	<i>26</i>
2012 COSTS	
By Attorney.....	28
2012 TABLE OF PROGRAM USE BY JUDICIARY	37
2012 CASE DISPOSITION	41

Introduction

2012 was the twenty first year the Assigned Counsel Program operated in all courts. It was also the tenth year of operation for the Conflict Defender Office.

In 2012 The Conflict Defender Office had a staff of nine (9) attorneys and two to three (2-3) support staff (one person retired in June of 2012). This reduced number (from a normal ten) was due to the fact that one appellate attorney was recruited to act as Interim Conflict Defender for most of the year, meaning that there was one less appellate attorney effectively, and the position taken up by this person was almost entirely administrative. Outside support services such as investigation and service of process are done on a contract basis, and this remained the case. The attorneys in the office represent clients in conflict cases in Family Court, Rochester City Court and all of the appellate courts. All cases in Local Criminal Court, all felony cases and all statutorily assigned cases in Superior Court are still assigned to private counsel under the Joint Monroe County/Monroe County Bar Association Plan for Conflict Assignments.

The following statistical information shows the Program's relative success in meeting the goals of the Plan:

"The objectives of this conflict assignments plan are to provide quality representation to eligible indigent defendants or other litigants in those cases where the Public Defender has a conflict of interest; to provide a coordinated and centralized assignment system for conflict cases arising in the courts specified in Article IV herein; to provide a more equitable distribution of conflict assignments among lawyers; to attract more lawyers willing to handle conflict assignments; to maintain uniform and proper billing practices; to ensure cost accountability of services, and to provide increased efficiency for the courts by making qualified attorneys more readily available to handle conflict cases."
Monroe County Bar Association Sponsored Plan for Conflict Assignments, ARTICLE II. Plan Objectives

"To Provide Quality Representation"

2012 saw a continued increase in case assignments to the Conflict Defender Office from both Family Court, and Rochester City Court. As there was no way that four staff attorneys could have adequately cover all the parts of Monroe County Family

Court, thankfully the funding for two Grant-funded Family Court staff positions became available, and one person was added to the staff in January of 2012. Needless to say, the caseload was much more reasonable as distributed among five (5), not four (4) attorneys, and the second grant position was to be filled in January of 2013. Attempts to compare caseloads as between the Public Defender and Conflict Defender Offices remained problematic as The Conflict Defender attorneys had access to no support staff at all for the calendar year 2012: including no secretarial support or paralegal support. In comparison, the Public Defender's Office had two full-time paralegals assigned to Family Court, and paralegals greatly reduce the amount of office time that attorneys must spend on document preparation, giving the attorneys more time for court appearances and client counseling. Additionally, the demands placed on attorney time by Family Treatment Court and the new Permanency legislation – requiring hearings every six months – continued to pose a coverage problem for the Conflict Defender Office in 2012.

As noted above, in response to this developing Family Court caseload issue, the office had successfully applied for two Grants from The New York State Office of Indigent Legal Services that allowed for the hiring of two aforementioned full time Family Court attorneys, one of whom started in January 2012. These two Grant positions are each funded for three year terms.

Since the CLE requirements of the Assigned Counsel Program overlap with the Mandatory Continuing Legal Education requirements of the State of New York, compliance is 100%.

"To Provide a Coordinated And Centralized Assignment System For Conflict Cases"

The Assigned Counsel Program is fully computerized. The prior Program entered all cases reported to it in a centralized database that tracked the representation from assignment through payment of the voucher for all cases; both Assigned Counsel and Conflict Defender cases. At the end of calendar year 2011 a new Database was purchased for use by the Office, and the underlying support system needed for the use of the prior ACP Database was discontinued. This new system, operational by January 2012 proved relatively easy to use, and like the older ACP system, avoids duplication of representation by showing all open cases for a particular client, thus insuring that there is a continuity of representation if the client is arrested on new charges. This system also promptly closes any case thus clearing any potential conflict of interest that the Conflict Defender might have in representing the client in future cases.

Assignments referred by the courts continue to be assigned from a rotating list of available attorneys who are qualified for varying panels. The Program is very successful in insuring continuity of counsel where a client is re-arrested on new charges, even when the arrests span differing jurisdictions. Additionally, the Program continues to track conflict of interest information so that counsel is not unnecessarily assigned when the Conflict Defender Office could ethically continue.

Through the efficiency of the court's requesting assignment of counsel in a timely manner, and the cooperation of the panel members, we were able to insure that no clients went without counsel regardless how short a notice of the next appearance our office received.

While the new Database assignment program continued to operate efficiently in terms of conflict analysis and assignment, it is significant to note that various distinctive data, unique to ACP, including some information custom designed for capture for this annual report, is no longer available via the new system. Additionally, it should be noted that there exist certain anomalies in the new program that lead to sometimes inexact total capture. *So while the new Database is fine for everyday conflict assignment uses, various information and efficiencies have been forfeited; and this issue remains under review by the current Conflict Defender.

*For example, data needed to populate prior tables such as the "costs by panel", "costs by case type", "costs by Judiciary", and prior "type of cases referred table", are no longer available.

"To Provide a More Equitable Distribution of Conflict Assignments Among Lawyers"

While not perfect, the Assigned Counsel Program continues to achieve a significant improvement over the previous system of assignment of conflict cases. The Program constantly strives for new and better systems to distribute assignments more equitably among the participating attorneys. In criminal cases, the current system is highly effective; however, there are still several local criminal courts that do not fully utilize the services of the Program in the assignment of counsel. This sometimes leads to a client having multiple attorneys for different pending charges. This results in increased and unnecessary costs to the taxpayer.

The District Attorney's policy change regarding felony hearings causes a situation that skews the assignment distribution toward those attorneys who were most available for assignments. Since we need attorneys very quickly, those available when called got a disproportionate number of assignments. We are working on development of systems designed to alleviate this problem. Attorneys may notify us of availability on certain dates and at certain times so we may contact them when an assignment opportunity occurs on that date and time. Notice can be emailed, telephoned or faxed to our office. In addition, the first page of our web site contains a form that can be filled out and sent to us.

Equitable distribution of cases remained low in those Family Court cases not represented by the Conflict Defender staff. A mechanism must be found to address the inequities in Family Court assignments. The fact that a very few attorneys receive the bulk of the assignments places an undue burden on those attorneys and can impact directly on the quality of representation. More training through the appropriate committee of the Bar Association is necessary to familiarize the panel attorneys with local Family Court practice. The panel requirements for differing levels (custody/neglect versus removal proceedings) of Family Court representation are being revised and panel requirements are being enhanced so that issues regarding quality of representation are addressed.

"To Attract More Lawyers Willing to Handle Conflict Assignments"

Included in this report is a list of new panel members added during the 2012 calendar year, and it should be noted that there were very few applications for panel membership throughout most of 2012. The Program continued to take every opportunity to remind the current panel members to apply for the more restrictive panels once they achieve the requisite qualifications. Due to extensive list of attorneys developed over many years, plenty of qualified assigned counsel members on all panels remained available to more than meet requests for assignment of counsel by the courts.

"To Maintain Uniform and Proper Billing Practices and to Ensure Cost Accountability of Services"

As was the case in previous years, The Administrator reviews each voucher before processing to insure compliance with the voucher regulations and notifies each attorney of any noncompliance to educate the attorney on proper procedures. The review and notification help maintain proper and uniform billing practices among the participating attorneys.

The District Attorney's policy regarding felony hearings negatively affected the overall cost of the Assigned Counsel Program. Attorneys were forced to spend more time in court and more time attempting to obtain information previously obtained before or during the felony hearing. Additionally, more cases that would have been screened by the felony hearing process were indicted leading to increased time spent in hearings and trials.

"To Provide Increased Efficiency for the Courts"

Courts fully utilizing the services of the Assigned Counsel Program report a positive impact on the efficiency in obtaining assigned counsel in conflict cases. They report a significant decrease in the burden on the court staff in finding attorneys willing to accept assignments, a decrease in the number of phone calls necessary to contact an attorney for assignment, a decrease in the voucher processing time since the vouchers are now clearly labeled as to the matter and already reviewed with comments by the Administrator, and a prompt response from the Assigned Counsel Program in obtaining assigned counsel.

Due in no small part to the number of dedicated attorneys serving on the assigned counsel panels, and the staff attorneys in the Office of The Conflict Defender, a very high quality of representation in all of the criminal, family, and appellate courts was continued in 2012.

New Attorneys in 2012¹

Attorney	Panel				Appellate	Grand Total
	ABC Felony	DE Felony	Misdemeanor	Family Court		
Jonascu, Michael					x	1
Bowman, Wynn			x	x		2
Siguenza, Teodoro		x	x			2
Steinman, Charles		x	x			2
Grand Total		2	3	1	1	7

¹ Panel for which the attorney was approved in 2012. Attorney may have been approved in a previous year for a different panel or panels

Total Cases Referred by Panel 2007-2012²

Panel	2007	2008	2009	2010	2011	2012
ABC Felony	663	683	641	590	534	546
Appellate	53	55	53	44	45	54
DE Felony	493	531	508	606	537	304
Family Court	1693	1745	2470	2940	2867	2980
Misdemeanor	1995	2496	2458	2703	2759	3251
Other	54	42	47	50	45	40
Probation/Parole	221	211	225	221	298	204
Grand Total	5172	5763	6402	7154	7085	7379

2. Does not represent number of assignments made, only initial cases referred for assignment.

2012 Assignments³

The following charts show the assignments each attorney received in 2012. The number of assignments may be higher than the number of cases referred because in some cases more than one attorney receives an assignment for a case. Also, an attorney might be assigned in 2012 to a case originally referred in a previous year. This occurs most often after a court relieves one attorney and either the court or the Assigned Counsel Program assigns a new attorney.

Several factors should be considered in looking at these tables. First, approved panel members receive more assignments than non-approved panel members do. Some of the attorneys with a low number of assignments are non-approved panel members. Most often, such an attorney is court assigned. Secondly, those attorneys gaining membership on a panel for the first time during 2012 will have fewer assignments in that panel because they were not on the panel for an entire year. Thirdly, a number of attorneys decline a significant number of assignments, requested removal from the Program for periods of time or resigned from the Program during 2012. While the report includes non-approved attorneys, new panel members, attorneys declining appointments, and attorneys temporarily removed from panels at their own request, concentrating on those members who participated for the full year as approved members of a particular panel gives a truer picture of the equitable distribution of assignments.

The success of the program in achieving equitable distribution of cases is excellent when compared with other New York jurisdictions.

Of particular significance in this report is the fact that in the criminal courts, where the Assigned Counsel Program assigns a large percentage of cases, there is a more even distribution of assignments. This is attributable to the fact that, by comparison, Family Court has a much lower percentage of cases assigned by the Assigned Counsel Program. Most assignments are directly by the court. Attaining more equitable distribution of cases is difficult, if not impossible. The Administrator and Advisory Committee must work diligently to provide a workable solution to the inequities of the Family Court assignments. Looking at the last column of the tables, it takes significantly fewer attorneys for the Family Court assignments to reach a high percentage than it does for the criminal court assignments. Nonetheless, it is an issue

³ Only assignments to new clients or to old clients with more serious charges are counted here.

that should be addressed for those cases where the Conflict Defender Office cannot represent the client in Family Court.

2012 Homicide Assignments

Agency	Attorney	Referral		Grand Total
		ACP	Court	
ACP	Aureli, Daniel		1	1
	Damelio, Joseph	1	1	2
	DiPrima, Michael	1		1
	Easton, William T		2	2
	Funk, Mark	1		1
	Kasperek, Lawrence	1		1
	Mastrella, Dan		2	2
	Murante, David		2	2
	Nafus, Matthew	1		1
	Pullano, Peter		1	1
	Russell, Dianne		2	2
	Schmitt, Michael		1	1
	Schiano, Michael		1	1
	Turner-Bailey, Karen	1		1
	Zimmerman, Clark	1		1
ACP Total		7	13	20
CDO Total		0	0	0
	Grand Total	7	13	20

2012 ABC/DE Felony Assignments

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Ajaka, Maroun	11	3	14
	Annechino, John A.	2		2
	Aramini, Mary E.	8	11	19
	Astacio, Leticia D	6	9	15
	Aureli, Daniel L.	3	6	9
	Barnes, Stefanie	3	3	6
	Barr, Culver	4	3	7
	Barraco, Ted	3	1	4
	Bitetti, Gary	6	10	16
	Bourtis, Eftihia	1	1	2
	Bowman, Jason J.	20	3	23
	Brown, James E.	6	2	8
	Buettner, Brian	7	2	9
	Catalano, Christian A.		3	3
	Ciardi, Francis M.	5	13	18
	Cocuzzi, Thomas J.	5	2	7
	Colombo, Jeanne M.		1	1
	Damelio, Joseph S.	10	4	14
	DeCarolis, Brian	2	1	3
	DeJohn, Timothy W.	8	3	11
	DiPalma, Jeffrey P.	4	1	5
	DiPrima, Michael T.	1	4	5
	DiSalvo, Thomas J.	12		12

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Duclos, Marc	1		1
	Easton, William T.	4	2	6
	Egger, Jan P.	6		6
	Falk, Jr., Terrance A.	7		7
	Farrell-Gallagher, Barbara E.	13	3	16
	Feindt, Mary E.	7	4	11
	Funk, Mark D.	11	3	14
	Ganguly, Avik K.	13	9	22
	Garretson, Scott A.	15	5	20
	Gross, Richard R.	15	1	16
	Guarino, Michael	6		6
	Guerrieri, Paul	6	6	12
	Hinman, James S.	6	1	7
	Holliday, Billie D.	5	1	6
	Housel, Jason M.	13	4	17
	Hummel, Chad M.	1		1
	Hurwitz, Phillip R.	6	2	8
	Hyland, Kenneth	3	1	4
	Infantino, Marc	10	1	11
	Johnson, Christopher G.	6	1	7
	Jones, Rhian	1		1
	Kasperek, Lawrence L.	9		9
	Kennedy, Christian J.	19	4	23
	Khuns, Kevin	9	2	11

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Krane, Joel N.	7	2	9
	Kristal, Peter L.	7	2	9
	Lamb, III, Robert G.	4	2	6
	Lamb, Meredith M.B.	5	1	6
	Leegant, Jo Anne	5	2	7
	Lester, Frederick	5	0	5
	MacAulay, Paul D.	8	2	10
	Marley, Allison L.	1	1	2
	McCarthy, II, Martin Patrick	4	3	7
	McKain, Kevin	6		6
	Merante, Vincente	1	1	2
	Mix, Matthew J.	2		2
	Monaghan, Lori Robb	6		6
	Morabito, David R.	1	3	4
	Morabito, Kevin A.	3		3
	Muldoon, Gary	1	2	3
	Murante, David A.	15	10	25
	Nadler, Christian M.		2	2
	Nafus, Matthew	8	5	13
	Napier, James A.	3		3
	Napier, Robert A.	1		1
	Napolitano, Lorenzo	20	4	24
	Oathout, Bryan	6	9	15
	Owens, David L.	8	2	10

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Palmiere, David		1	1
	Pennica, Kenneth	2		2
	Perez, Gilbert R.	6	2	8
	Pilato, Charles M.	1	1	2
	Pullano, Peter J.	8	5	13
	Ratchford, Beth A.	10	4	14
	Riotto, II, James L.	9	1	10
	Rizzo, James J.	6	2	8
	Rodeman, Christopher K.	3	3	6
	Rose, Angelo A.	2	4	6
	Roxin, Richard C	1	2	3
	Ruby, William	2	1	3
	Rumi, Fares A.	4	1	5
	Russell, Dianne C.	8	5	13
	Russi, Patrick K.	2	2	4
	Ryan, Scott	5		5
	Schiano, Christopher	2	2	4
	Schiano, Jr., Charles A.	3	1	4
	Schiano, Michael P.	8	3	11
	Schmitt, Michael D.	7		7
	Scibetta, Michael P.	8	3	11
	Session, Jerry	6	4	10
	Shulman, Brian J.	6	2	8
	Sperano, Aaron J.	11	2	13

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Stowe, Eric W.	6	4	10
	Thomas-Diaz, Kathleen	7		7
	Thompson, Donald M.	7		7
	Tuohey, Michael J	5		5
	Turner, Karen Bailey	6	1	7
	Vacca, James P.	15	3	18
	Vacca, Jr., Paul J.	7	2	9
	Valleriani, Sam L.	6	5	11
	Walsh, James		5	5
	Wesley, Sarah	5	9	14
	Wood, Robert W.	7		7
	Young, D. Scott	14	2	16
	Young, Mark A.	14	4	18
	Zimberlin, John F.	3		3
	Zimmermann, Jr., Clark J.	10		10
	ACP Total	678	275	958
	CDO Total			
	Grand Total	678	275	958

2012 Misdemeanor Assignments

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Ajaka, Maroun	13		13
	Annechino, John A.	5		5
	Aramini, Mary E.	5		5
	Asamoah-Wade, Yolanda A.	1		1
	Astacio, Leticia D.	14	2	16
	Aureli, Daniel L.	6	5	11
	Barnes, Stefanie	1	1	2
	Barraco, Ted A.	2	1	3
	Bitetti, Gary	9	4	13
	Bourtis, Eftihia	6	1	7
	Bowman, Jason J.	15	1	16
	Brooker, James G.	1		1
	Brown, James E.	11	3	14
	Buettner, Brian C.	4		4
	Byrnes, James M.	5		5
	Catalano, Christian A.		44	44
	Chait, Mitchell A.	3		3
	Cianca, Mark F.	1	1	2
	Ciardi, Francis M.	19	8	27
	Cocuzzi, Thomas J.	5	4	9
	Colombo, Jeanne M.	1		1
	D'Arpino, John Joseph		1	1
	DeCarolis, Brian	2		2
	Dedes, William C.	5		5

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	DeJohn, Timothy W.	2		2
	Demo-Vazquez, Kristine M.	6		6
	DiSalvo, Thomas J.	3		3
	Dolan, Eric	2		2
	Dollinger, Alison	3	2	5
	Duclos, Marc A.	2	2	4
	Egger, Jan P.	2		2
	Falk, Jr., Terrance A.	3		3
	Farrell-Gallagher, Barbara E.	11	5	16
	Feindt, Mary E.	11	3	14
	Fulmer, Daniel C.	11	9	20
	Funk, Mark D.	8		8
	Ganguly, Anjan K.	7	1	8
	Ganguly, Avik K.	12	5	17
	Garretson, Scott A.	9	1	10
	Gianforti, Gary J.	8		8
	Gibbons, Patricia Ann	1		1
	Gladstone, Katherine	9		9
	Goldman, Ronald S.	1		1
	Gravelle, Jeffrey D.	4		4
	Gross, Richard R.	9	1	10
	Guarino, Michael	8	2	10
	Guerrieri, Paul	5	14	19
	Hardies, Robert M.	1		1
	Hartt, James D.	3	1	4

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Hinman, James S.	12	6	18
	Holliday, Billie D.	6		6
	Housel, Jason M.	10	2	12
	Hummel, Chad M.	9	2	11
	Hurwitz, Phillip R.	1	1	2
	Hyland, Kenneth	3	1	4
	Infantino, Marc	2	2	4
	Jain, Rekha	7		7
	Johnson, Christopher G.	12	2	14
	Jonascu, Michael	2		2
	Jones, Rhian Dudson	5		5
	Josh, Sylvia W.	15	1	16
	Karatas, Nigos	1	1	2
	Kennedy, Christian J.	11	3	14
	Khuns, Kevin M.	19	9	28
	King, Jr., William H.	6		6
	Kovalsky, Shaina	8	6	14
	Krane, Joel N.	8		8
	Kristal, Peter L.	5		5
	LaBue, Eugene P.	13		13
	Lahman, Janice Allen	2	2	4
	Lamb, III, Robert G.	3	5	8
	Lamb, Meredith M. B.	3		3
	Leegant, Jo Anne	1		1
	Lester, Frederick	60		60

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	MacAulay, Paul D.	1	1	2
	Maggio, Frank G.	9		9
	Marley, Allison L.	3		3
	Mastrella, Daniel J.		3	3
	McCarthy, II, Martin Patrick	4	1	5
	McCarty, Terence	9	1	10
	McClenathan, Edward W.	1	1	2
	McKain, Kevin	7		7
	Merante, Vincent E.	10	32	42
	Mix, Matthew J.	2	2	4
	Monaghan, Lori Robb	9		9
	Morabito, Kevin A.	1	5	6
	Murante, David A.	14	2	16
	Murante, Kathleen	6	5	11
	Nadler, Christian M.	1	5	6
	Nafus, Matthew D.	1		1
	Napier, James A.	3		3
	Napolitano, Lorenzo	5	2	7
	Oathout, Bryan	14	2	16
	O'Toole, Keith	6	1	7
	Owens, David L.	7	1	8
	Palmiere, David M.	1		1
	Parks, Anthony	3		3
	Paulino, James M.	1		1
	Perez, Gilbert R.	15		15

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Pilato, Charles M.	1		1
	Pilato, David C.	7	10	17
	Pullano, Peter J.	2		2
	Ratchford, Beth A.	9	1	10
	Reardon, Kathleen P.	2		2
	Redmond, Gregg H.	3		3
	Riotto, II, James L.	9	15	24
	Rizzo, James J.	6	3	9
	Rodeman, Christopher K.	5	3	8
	Rosner, Leonard A.		2	2
	Ruby, William S.	5		5
	Rumi, Fares A.	4	1	5
	Russell, Dianne C.		2	2
	Russi, Patrick K.	2	5	7
	Ryan, Scott A.	1		1
>	Schiano, Christopher	1	4	5
	Schiano, Michael P.	1	1	2
	Schmitt, Michael D.	8	2	10
	Scibetta, Michael P.	13	1	14
	Sekharan, Raja N.	5		5
	Sercu, Stephen	1	1	2
	Session, Jerry	11		11
	Shulman, Brian J.	11	16	27
	Siguenza, Teodoro	1		1
	Siragusa, Lisa Serio		2	2

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Sperano, Aaron J.	9	3	12
	Stern, Jon M.	3		3
	Stowe, Eric W.	17	3	20
	Thomas-Diaz, Kathleen	13	2	15
	Thompson, Donald M.		4	4
	Tuohey, Michael J.	1		1
	Turner, Robert P.	2		2
	Vacca, James P.	18	1	19
	Vacca, Jr., Paul J.	2	1	3
	Valleriani, Sam L.	4	8	12
	Walsh, Jr., James E.		4	4
	Welch, Jamie	1		1
	Wesley, Sarah	3	24	27
	Wisner, Todd J.W.	1	1	2
	Wood, Robert W.	2	2	4
	Young, D. Scott	11	4	15
	Young, Mark A.	5		5
	Zimberlin, John F.	7		7
	Zimmermann, Jr., Clark J.		4	4
ACP Total		836	360	1198
CDO	Crimi, Joseph P.			531
	Murante, Kathleen			742
	Solomon, R. Adrian			618
CDO Total				1891
Grand Total		836	359	3090

2012 Family Court Assignments

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Ajaka, Maroun	2	19	21
	Alexander, Budd	1	3	4
	Aramini, Mary E.		5	5
	Asamoah-Wade, Yolanda A		6	6
	Badain, Lara R.		3	3
	Barnes, Stefanie	5	10	15
	Barraco, Ted	2		2
	Bourne, Leah K.		16	16
	Bourtis, Efthia	1	1	2
	Bowman, Jason J.	5	4	9
	Brown, James E.		2	2
	Budd, Alexander M.	1	3	4
	Buettner, Brian C.	3	4	7
	Byrnes, James M.	2		2
	Callanan, Karen Smith	3	13	16
	Capanna, Paloma	3		3
	Chait, Mitchell A.	3	7	10
	Chase, Carolyn L.		21	21
	Ciardi, Francis M.	1	6	7
	Colombo, Jeanne	2		2
	Crowder, Debra A.		2	2
	DeJohn, Timothy W.	3	2	5

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Demo-Vazquez, Kristine M.	1		1
	Dollinger, Alison	12	27	39
	Elsner, Erin M.	3	1	4
	Farrell-Gallagher, Barbara E.	2	1	3
	Feinberg, Heidi W.	3	2	5
	Feindt, Mary E.	1	31	32
	Funk, Mark D.	1	1	2
	Gibbons, Patricia Ann		2	2
	Giuliano, Michael	1		1
	Gladstone, Katherine	3	9	12
	Gravelle, Jeffrey D.	2		2
	Gross, Richard R.	1		1
	Guarino, Michael	1	5	6
	Guerrieri, Paul		1	1
	Handelman, Eric D.		12	12
	Hartzell, Jr., Thomas C.	2	3	5
	Hinman, James S.		1	1
	Holliday, Billie D.	1		1
	Houde, Ardeth	1		1
	Hummel, Chad M.	1		1
	Indivino, Deborah A.		6	6
	Infantino, Marc		2	2
	Jain, Rekha	3	1	4
	Johnson, Christopher G.	2		2
	Jones, Rhian Dudson	4	12	16

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Josh, Sylvia W.	2		2
	Karatas, Nigos	2	2	4
	Kennedy, Christian J.	2		2
	Khuns, Kevin M.	9	7	16
	King, Jr., William H.		11	11
	Korotkin, Alexander	3	1	4
	Kovalsky, Shaina	3	4	7
	Kress, Danielle	6		6
	Kristal, Peter L.	1	2	3
	Lago, Victoria	4	1	5
	Lamb, Meredith M. B.	2		2
	Lamb, Robert	2	1	3
	Laragy, Susan	1	4	5
	Leavy, Anthony		19	19
	Lester, Frederick	2	6	8
	Martin, Thomas N.		6	6
	Maslow, Lisa J.	3	31	34
	McCarty, Terence	2		2
	McClenathan, Edward W.	3	12	15
	McKain, Kevin	1		1
	McMullen, Margaret		13	13
	Menard, John	2	10	12
	Merante, RoseMaria		16	16
	Mix, Matthew	1		1
	Monaghan, Lori Robb	1		1

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Nafus, Matthew D.	2	2	4
	Napolitano, Lorenzo	3	2	5
	Oathout, Bryan	5	32	37
	Owens, David L.	2		2
	Pappalardo, Fauna M.		3	3
	Pennica, Kenneth	2		2
	Perez, Gilbert R.	5	34	39
	Pilaroscia, Marla J.	2	2	4
	Ratchford, Beth A.	3	6	9
	Reinstein, Natalia		1	1
	Rich, Matthew	2	2	4
	Riotto, II, James L.	1		1
	Ruby, William	2		2
	Rumi, Fares A.	2	2	4
	Russi, Patrick K.		1	1
	Ryan, Scott A.	4	1	5
	Sadinsky, Lisa A.	3		3
	Schmitt, Michael D.	2	3	5
	Scibetta, Michael P.		1	1
	Sekharan, Raja N.	1		1
	Session, Jerry	2		2
	Shulman, Brian J.	2	1	3
	Siragusa, Lisa Serio		1	1
	Sperano, Aaron J.	4		4
	Stern, Jon M.	2	32	34

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Stowe, Eric W.	2	1	3
	Taylor, Laura J.	3		3
	Thomas-Diaz, Kathleen	3		3
	Turner, Robert P.	3	29	32
	Vacca, James P.	2	4	6
	Van Loon, Nathan Allen		3	3
	Walsh, Jr., James E.		3	3
	Watkins, Paul B.	2		2
	Weisbeck, Kimberly W.	3	3	6
	Welch, Jamie	2		2
ACP Total		205	559	764
CDO	Duclos, Marc			11
	Edwards, Tynise Y.			503
	Holt, Sarah			393
	Leonardo, Stephanie N.			443
	Palmisano, Chelsea			446
	Thomson, Derek A.			383
CDO Total				2179
Grand Total		205	559	2943

2012 Appellate Assignments

Agency	Attorney	Referral		Grand Total
		ACP	Court	
	Bourtis, Efthia	1	1	2
	Bowman, Jason		1	1
	Davison, Mary P.	1	1	2
	Field, Bridget	2		2
	Funk, Mark	1		1
	Gleanon, Peter	1	1	2
	Gorman, Shirley A.	1	1	2
	Hinman, James	1		1
	Jones, Rhian	1		1
	Kaplan, David M.		1	1
	Kasperek, Larry	2		2
	McCarthy, II, Martin Patrick	1		1
	Muldoon, Gary		1	1
	Napolitano, Lorenzo		1	1
	Pixley, William	1		1
	Ratchford, Beth	1		1
	Reardon, Kathleen P.	1		1
	Rizzo, James	1	1	2
	Robb-Monaghan, Lori	1		1
	Shiffrin, Brian	1		1
	Steinberg, Michael		1	1
	Stern, Jon	1		1
	Thompson, Don	1		1
	Tuohey, Michael		1	1

	Waldman, Cara	1	1	2
	Walsh, James		1	1
ACP TOTAL		21	13	34
CDO	Czapranski, Kimberly J.			10
	Waldorf, Joseph			10
CDO TOTAL				20
	Grand Total			54

- Note: Beginning in January 2012 a significant number of cases had to be assigned out to ACP attorneys due to a conflict of interest with The Conflict Defender Office, as a member of the appeals staff was hired directly from the Office of the Monroe County District Attorney, which resulted in an added number of conflicts of interest.

2012 Costs by Attorney

Attorney Full Name	
Ajaka, Maroun	\$28,497.50
Annechino, John A.	\$8,118.75
Aramini, Mary E.	\$12,460.59
Asamoah-Wade, Yolanda A	\$10,171.50
Astacio, Leticia D	\$27,123.78
Aureli, Daniel L.	\$27,819.75
Badain, Lara R.	\$1254.90
Barnes, Stefanie	\$38,848.13
Barr, Culver K.	\$6,727.50
Bitetti, Gary	\$9,964.50
Bourne, Leah K.	\$1,391.06
Bowman, Jason J.	\$17,228.84
Brown, James E.	\$44649.73
Buettner, Brian C.	\$3,320.03
Byrnes, James M.	\$960.00
Callanan, Karen Smith	\$13,006.80
Capanna, Paloma A.	\$5461.29
Catalano, Christian A.	\$38,089.50
Chait, Mitchell A.	\$3003.75
Chase, Carolyn L.	\$4297.50
Christie, James	\$16,552.50
Cianca, Mark F.	\$2,653.50
Ciardi, Francis M.	\$46,614.38
Cimino, Michelle	\$1890

Attorney Full Name	
Cocuzzi, Thomas J.	\$10,890.00
Colombo, Jeanne M.	\$1770.00
Crowder, Debra A.	\$1809.50
Damelio, Joseph S.	\$30,816.00
D'Arpino, John Joseph	\$1057.84
Davison, Mary P.	\$23,473.13
DeCarolus, Brian	\$13,684.50
Dedes, William C.	\$4,405.00
DeJohn, Timothy W.	\$15,030.00
Demo-Vazquez, Kristine M.	\$1,392.00
DiPrima, Michael T.	\$36,750.00
DiSalvo, Thomas J.	\$4,275.60
Dollinger, Alison	\$17,121.48
Duclos, Marc A.	\$3,399.00
Easton, William	Easton Thompson Kasperek Shiffrin, LLP
Easton Thompson Kasperek Shiffrin, LLP	\$59,037.37
Egger & Leegant	\$24,137.61
Egger, Jan	Egger & Leegant
Elsner, Erin M.	\$1,076.25
Falk, Jr., Terrance A.	\$4,108.20
Farr, William H.	\$2,572.50
Farrell-Gallagher, Barbara E.	\$25,859.12
Feindt, Mary E.	\$47,936.52
Fero, Matthew John	\$1,882.50
Field, Bridget	\$1,775.00

Attorney Full Name	
Foti, Mark	\$1261.00
Fulmer, Daniel C.	\$7046.00
Funk, Mark D.	\$12,115.50
Ganguly Brothers, PLLC	\$51,810.31
Ganguly, Anjan	Ganguly Brothers, PLLC
Ganguly, Avik K.	Ganguly Brothers, PLLC
Garretson, Scott A.	\$39,339.52
Geraci, Michael	Trevett Cristo Salzer & Andolina
Gianforti, Gary J.	\$630.00
Gibbons, Patricia Ann	\$1756.50
Giulino, Michael	\$712.50
Gladstone, Katherine	\$19,634.00
Goldman, Ronald S.	\$708.90
Gorman, Shirley A.	\$6494.73
Gravelle, Jeffrey	\$1107.00
Gross, Richard R.	\$19,510.50
Guarino, Michael	\$17,696.64
Guerrieri, Paul	\$29,749.50
Hagen, Matthew	Laduca Law Firm
Handelman, Eric D.	\$6,957.75
Hardies, Robert M.	\$780.00
Hartt, James D.	\$450.00
Hinkley, Kim A.	\$135.00
Hinman, James S.	\$13,658.70
Holliday, Billie D.	\$14,883.75
Houde, Ardeth L.	\$592.95

Attorney Full Name	
Housel, Jason M.	Sperano & Housel, Attorneys at Law
Hurwitz, Phillip R.	\$11,396.40
Hyland, Kenneth	\$8442.57
Indivino, Deborah A.	\$1852.50
Infantino, Marc	\$23,290.50
Jain, Rekha	\$5,089.75
Johnson, Christopher G.	\$9,670.75
Jones, Rhian Dudson	\$34,698.00
Josh, Sylvia W.	\$310.50
Kaplan, David M.	\$682.50
Karatas, Nigos	\$5,232.25
Kasperek, Lawrence	Easton Thompson Kasperek Shiffrin, LLP
Kaul, Richard A.	\$251.25
Kennedy, Christian J.	\$47,391.00
Khuns, Kevin M.	\$36,092.54
Kovalsky, Shaina	\$4,915.85
Krane, Joel N.	\$25,287.00
Kress, Daniel	\$4,942.50
Kristal, Peter L.	\$3,508.50
LaBue, Eugene P.	\$2,748.00
Laduca Law Firm	\$9,514.50
LaDuca, John L.	Laduca Law Firm
Lago, Victoria	\$1,980.00
Lahman, Janice Allen	\$3,003.27
Lamb, III, Robert G.	\$12,686.69

Attorney Full Name	
Lamb, Meredith M. B.	\$6,848.59
Laragy, Susan	\$3,276.67
Leavy, Anthony	\$13,197.50
Leegant, Joanne	Egger & Leegant
Lester, Frederick	\$30,606.00
MacAulay, Paul D.	\$19,838.90
Maggio, Frank G.	\$9,840.00
Marcera, Jr., Salvatore J.	\$300.00
Marsha, Sarah Ellen	\$2,317.94
Martin, Thomas N.	\$6,802.50
Maslow, Lisa J.	\$15,835.79
Mastrella, Daniel J.	\$2,938.50
Mazzarella, Julie	\$606.00
McCarthy, II, Martin	Muldoon & Getz
McCarty, Terence	\$1,260.00
McClenathan, Edward W.	4,995.55
McKain, Kevin	\$11,007.00
McKeown, John F.	\$855.34
McMullen, Margaret	\$29,581.00
McNelis, Michael	\$1,230.00
Menard, John	Van Loon, Menard, Attorneys at Law
Merante, RoseMaria	\$13,485.00
Merante, Vincent E.	\$15,078.00
Monaghan, Lori Robb	\$6,967.75
Morabito, David R.	\$66,287.55
Mort, Lawrence D.	\$247.50

Attorney Full Name	
Muldoon & Getz	\$29,581.00
Muldoon Gary	Muldoon & Getz
Murante, David A.	\$100,978.54
Murante, Kathleen	\$2467.02
Nafus, Matthew D.	\$28,187.42
Napier, James A.	\$1875.00
Napier, Robert A.	\$2,634.00
Napolitano, Lorenzo	\$18,777.55
Nobles, James L.	\$6195.00
Oathout, Bryan	\$58,827.00
O'Neill, Jr., Raymond B.	\$45.00
O'Toole, Keith	\$4,926.00
Owens, David L.	\$10,231.50
Palmiere, David M.	\$1260.00
Paluch, Stephen James	\$312.44
Pappalardo, Fauna	\$6,963.75
Parks, Anthony	\$1,736.77
Paulino, James M.	\$564.00
Pennica, Kenneth L.	\$5523.50
Perez, Gilbert R.	\$73,956.00
Pilaroscia, Maria	\$3934.50
Pilato, Charles M.	Laduca Law Firm
Pilato, David C.	\$9,514.50
Pixley, William G.	\$34,992.50
Pullano, Peter J.	\$10,878.17
Ratchford, Beth A.	\$27,529.84

Attorney Full Name	
Reardon, Kathleen P.	\$5726.06
Redmond, Gregg H.	\$3558.00
Reinstein, Natalia	\$11,846.50
Rich, Matthew	\$12,418.00
Riotto, II, James L.	\$18,953.10
Rodeman, Christopher K.	\$20,250.00
Rose, Angleo A.	\$18,510.75
Roxin, Richard C.	\$54,760.86
Ruby, William S.	\$4428.50
Rumi, Fares A.	\$20,522.38
Russell, Dianne C.	\$10,246.75
Russi, Patrick K.	\$17,731.50
Ryan, Scott A.	\$918.00
Schiano Law Offices, PC	\$53,212.50
Schiano, Christopher	Schiano Law Offices, PC
Schiano, Jr., Charles A.	Schiano Law Offices, PC
Schiano, Michael P.	Schiano Law Offices, PC
Schiano, Sr., Charles A.	Schiano Law Offices, PC
Shiffrin, Brian	Easton Thompson Kasperek Shiffrin, LLP
Schmitt, Michael D.	\$17,518.10
Scibetta, Michael P.	\$13,781.75
Sekharan, Raja N.	\$1099.32
Sercu, Stephen	\$432.00
Shramek, William J.	\$1848.00
Shulman, Brian J.	\$29,873.85
Siragusa, Lisa Serio	\$1013.50

Attorney Full Name	
Sperano, Aaron	Sperano & Housel, Attorneys at Law
Sperano & Housel, Attorneys at Law	\$80,490.00
Stacy, Michael P.	\$187.50
Stern, Jon M.	\$12,120.32
Stowe, Eric W.	\$32,938.78
Thomas-Diaz, Kathleen	\$9706.50
Thompson, Donald M	Easton Thompson Kasperek Shiffrin, LLP
Trevett Cristo Salzer & Andolina	\$18,747.75
Tuohey, Michael J.	\$2861.26
Turner, Karen	\$14,434.50
Turner, Robert P.	\$17,835.00
Vacca, James P.	\$23,733.00
Vacca, Jr., Paul J.	\$39,990.00
Valleriani, Sam L.	\$23,793.00
Van Loon, Menard, Attorneys at Law	8442.50
Van Loon, Nathan	Van Loon, Menard, Attorneys at Law
Waldman, Cara	\$5460.70
Watkins, Paul B.	\$1222.50
Weisbeck, Kimberly W.	\$1023.75
Welch, Jamie	\$1056.00
Wesley, Sarah	\$2476.50
Wisner, Todd J.	\$318.00
Wood, Robert W.	\$12,217.46
Young, D. Scott	\$18,024.86

Attorney Full Name	
Young, Mark A.	\$25,174.50
Zimberlin, John F.	\$6301.50
Zimmermann, Jr., Clark J.-Trevett Cristo Salzer Andolina	Trevett Cristo Salzer Andolina
Total	\$ 2,620,638.85

2012 Table of Program Use by Judiciary⁶

The table below shows the number of assignments for each Judge making at least one assignment during 2012. The statistics, between this chart and the attorney assignments, clearly show that Rochester City Court, which assigns the greatest number of cases in the County, is very high in percentage of cases assigned through the Assigned Counsel Program. These facts directly correlate to the fact that the distribution of cases among the attorneys is greatest for criminal cases. Conversely, the statistics show that Family Court has a very low percentage of cases assigned through the Assigned Counsel Program when removing those cases assigned to the Conflict Defender Office.

Judge	ACP	Court	Total
Affronti, Francis A.	3	15	18
Appellate Division,	6	28	34
Argento, Victoria M.	3	49	52
Ark, John J.		1	1
Arnold, Jeanne	2	3	5
Barone, Vincent M.		7	7
Beikirch, James F.		31	31
Bernacki, John E.	4	6	10
Boldt , Margaret M.	9	1	10
Brown-Steiner, Terrence		24	24
Campbell, Vincent	36	32	68
Castro, Melchor E.	99	39	138
Coapman, Carl A.	12	3	15
Connors, Robert P.	4	5	9
Constantino, Cynthia	1	1	2

⁶ The assignment numbers are higher here because unlike reporting of attorney assignments where only new assignments are reported, all assignments made by the Judges are counted here. These numbers do not include those cases handled by the Office of the Conflict Defender.

Judge	ACP	Court	Total
Corretore, David	26	4	30
Crimi, Jr., Charles F.	82	18	100
DeMarco, John L.		28	28
Depferd, Mark R.	8		8
Dinolfo, Vincent M.	5	35	40
DiSalvo, Thomas J.	11	3	14
Dixon, Maija C.	82	9	91
Donofrio, Gail		65	65
Donsky, Steven M.		51	51
Doyle, Daniel J.		170	170
Elliott, John E.	42	19	61
Falk, John A.	11	1	12
Farber, Sidney T.	3		3
Gallagher, John		100	100
Gallaher, Patricia E.	1	88	89
Genier, Joseph T.		42	42
Geraci, Jr., Frank P.	17	23	40
Gordon, Julie Anne	59	43	102
Hammel, Allyn S.	1	2	3
Irizarry, Diana M.	11		11
Johnson, Teresa D.	98	6	104
Klonick, Thomas A		3	3
Kohout, Joan S.		73	73
Litteer, Jr., Harold H.	1		1
Lomenzo, Jr., John P.	5	3	8
Maley, Jr., James E.	1		1

Judge	ACP	Court	Total
Miller, Stephen T.	86	44	130
Moffett, Richard W.	4		4
Morris, Karen	18	4	22
Morse, Thomas Rainbow	562	124	686
Mulley, James	6	1	7
Murante, David A.		5	5
Nesser, Joseph G.	1	50	51
Nitti, Gino M.	57	26	83
Odorisi, J. Scott	2	16	18
Olver, Melvin L.	2	14	16
Owlett, Deborah	7	2	9
Pericak, John G.		33	33
Piampiano, James J.	8	36	44
Pietropaoli, Patrick		9	9
Pilato, Linda Lohner	2		2
Pisaturo, John J.	1		1
Polito, Thomas W.	42	12	54
Pupatelli, Peter P.	3	33	36
Rao, Michael G.	7		7
Renzi, Alexander	2	34	36
Riordan, Paul M.	57	10	67
Rivoli, John J.	6	5	11
Ruhlmann, Dandrea L.	4	137	141
Russi, Patrick		39	39
Schiano, Jr., Charles A.	3	58	61
Schiano, Michael Patrick		5	5

Judge	ACP	Court	Total
Schwartz, John R.		7	7
Sciortino, Michael A.	5	3	8
Smith, Jr., William A.	1	3	4
Stowe, Richard E.	1	3	4
Valentino, Joseph J.	3	43	46
Wilcox, Christopher T.	1		1
Winslow, Joanne M.	7	1	8
Yacknin, Ellen M.	76	11	87
Grand Total	1438	1554	2992

2012 Case Dispositions

Abated by Death	1
ACD	716
Acquittal	21
Admit Petition	58
Appeal Judgment - Dismissed	1
Appeal Judgment – Modified	3
Appeal Judgment – Reversed	1
Appeal Sentence – Modified	3
Trial - Guilty Lesser	29
Trial - Guilty Original	28
Client Retained Own Counsel	107
Conflict of Interest	44
Consolidated - Other Charges	6
Covered by Plea - Other Charge<	236
Dismissed - CPL 30.30	440
Dismissed - Felony Complaint	383
Dismissed – Indictment	11
Dismissed – Information	83
Dismissed- Motion	68
Dismissed – Plea in Satisfaction	212
Extradition Granted	1
No Bill – Grand Jury	83
No Conflict - PD Continued	3
Other	82
Petition Dismissed	412

Petition found after hearing	14
Plea to Reduced Charge	1021
Plea to Top Charge	449
Pre-Trial Diversion	2
Relieved by Court	197
Stipulated Settlement	1503
Transfer to Family Court	3
Transfer to IDV	47
Trial Order of Dismissal	2
YO Adjudication	24
Grand Total	6294
