

NORMAN P. EFFMAN  
EXECUTIVE DIRECTOR

18 Linwood Avenue  
Warsaw, New York 14569  
(585) 786-8450

WYOMING COUNTY-ATTICA LEGAL AID BUREAU, INC.

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June 11, 2020

Kathleen Mulligan Baxter  
General Counsel  
NYSBA  
1 Elk Street  
Albany, New York 12207

Re: Agenda Item #13, Friday, June 26, 2020  
Report and Recommendations of Task Force on Parole System

Dear Kathy:

I have discussed a request for a "friendly amendment" to the report with Co-chairs James and Russell who have both indicated that they would have no objection to the amendment.

PROPOSED AMENDMENT

I would move in place of the second paragraph on page twelve (under IIC) that the following paragraph be substituted and would read as follows:

There is no consistent, ongoing training for assigned counsel in parole proceedings statewide. The small number of attorneys providing such representation in many areas and the dearth of state funding and standards and training support in counties with no, or minimal assigned counsel programs contributes to this problem. Only occasional training on parole representation has been available. On June 1, 2018, the Committee on Mandated Representation presented a public training program that included training on parole representation, and the Committee was scheduled to present another CLE program on representation on parole matters in June of 2020. As noted in discussion with the

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Executive Director of the New York State Defenders Association (NYSDA), one of the primary providers of CLE programs for criminal defense providers, NYSDA has presented parole representation training in the past and is willing and able to do so in the future. But without specific, statewide requirements for training of all lawyers providing parole representation, CLE providers like NYSDA cannot reach a substantial portion of those lawyers.

Very truly yours,

A handwritten signature in black ink, appearing to read 'N. Effman', with a long horizontal flourish extending to the right.

NORMAN P. EFFMAN

NPE/su

xc: Seymour W. James, Jr.  
William T. Russell, Jr.



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June 16, 2020

Kathleen Mulligan Baxter  
General Counsel  
NYSBA  
1 Elk Street  
Albany, New York 12207

Re: Agenda Item #13, Friday, June 26, 2020  
Report and Recommendations of Task Force on Parole System

Dear Kathy:

By letter dated June 11, 2020, I advised you of the proposed "friendly amendment" that I intend to introduce regarding the above report at the Executive Committee meeting. Over the past two weeks, I have discussed with the Task Force co-chairs, as well as other members of the Task Force, an additional amendment which I again believe will be viewed as a "friendly amendment". The amendment would appear on what I believe is page 21 of the report, immediately following the proposed legislation and prior to the sentence indicating that the work of the Task Force is ongoing.

**PROPOSED AMENDMENT**

The following language will be added in a paragraph following the proposed legislation as follows:

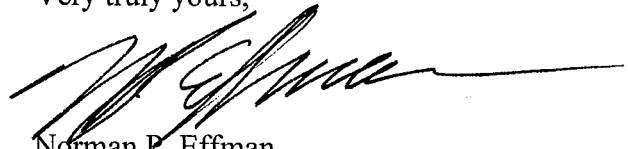
"In addition, as noted above, §259-I of the Executive Law provides for a right to have counsel assigned in connection with an administrative appeal from the denial, revocation, or rescission of parole release. Accordingly, in the event that the Legislature adopts this proposed amendment to the Executive Law eliminating administrative appeals, we urge the Legislature

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to provide for a right to assigned counsel in connection with any Article 78 proceeding challenging the denial, revocation, or rescission of parole release.”

Very truly yours,

A handwritten signature in black ink, appearing to read 'Norman P. Effman', with a long horizontal flourish extending to the right.

Norman P. Effman  
Executive Director

NPE/su

xc: Seymour W. James, Jr.  
William T. Russell, Jr.