



# *Monroe County Legislature*

**CALVIN LEE, JR.**  
ASSISTANT DEMOCRATIC LEADER

**CALVIN LEE, JR.**  
LEGISLATOR - DISTRICT 25  
19 SHELTER STREET  
ROCHESTER, NEW YORK 14611  
OFFICE (585) 753-1940  
HOME (585) 328-5222

January 28, 2008

Honorable Wayne E. Zyra, President  
Monroe County Legislature  
Room 410 County Office Building  
39 West Main Street  
Rochester, New York 14614

Dear President Zyra:

In accordance with Section 545-24(A), I ask that my proposed referral entitled "Re-establishing a Non-Political, Merit-Based Process for Selection of the Public Defender" be considered of sufficient concern as to warrant its acceptance as a Matter of Urgency for the current legislative cycle.

Thank you for your consideration.

Respectfully submitted,

Calvin Lee, Jr.  
Assistant Democratic Leader

cc: David M. Barry, Jr., Clerk, Monroe County Legislature





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To the Honorable  
Monroe County Legislature  
407 County Office Building  
39 West Main Street  
Rochester, NY 14614

**Re: Re-establishing a Non-Political, Merit-Based Process for Selection of the Public Defender**

Honorable Legislators:

The Office of the Public Defender is responsible for representing and advocating for individuals who cannot afford a private attorney. In 1977, the Monroe County Bar Association established a non-political, merit-based screening panel, composed of legal professionals and community representatives, to review all applicants for the position of public defender and make its recommendation to the Public Safety Committee of the County Legislature. This process was transparent and inclusive, ensuring that the legal community contributed its expertise and that the diversity of clients served by the public defender was adequately represented.

Over the past few months, citizens of Monroe County have come forward to demand a fair and non-partisan method for selecting a new public defender. The Monroe County Bar Association, along with the Coalition for a Fair and Independent Monroe County Public Defender's Selection Process, both withdrew their support from a legislatively-organized screening panel. The recent decision to make the Legislature's Public Safety Committee responsible for reviewing applicants has shut the community out of the process entirely.





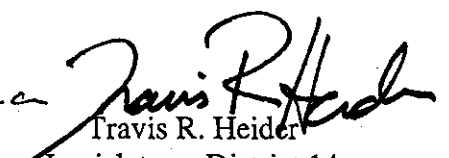



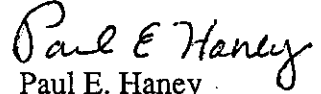



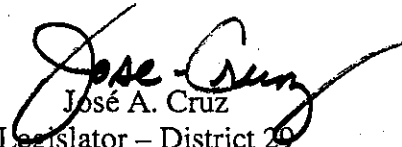
Therefore, in order to restore the community's confidence in the selection process and to ensure a thorough and professional evaluation of applicants for the position of public defender, we propose that this Honorable Body adopt a resolution to allow the Monroe County Bar Association to form and administer an ad-hoc screening panel committee, to function outside of the Monroe County Legislature to review applicants and submit its recommendation of the top three (3) qualified candidates to the Public Safety Committee of the Legislature, and to extend the deadline for applications to be submitted thirty (30)



days from the adoption of this proposal, for the purpose of conducting a nationwide search for candidates.

This proposal shall have no financial impact on the 2008 Monroe County Budget.

Respectfully submitted,

 Harry B. Bronson Democratic Minority Leader	 Calvin Lee, Jr. Assistant Minority Leader	 Carrie M. Andrews Assistant Minority Leader
 Richard A. Beebe Legislator – District 6	 Carmen Gumina Legislator – District 8	 Travis R. Heider Legislator – District 14
 Vincent Esposito Legislator – District 16	 Ted O'Brien Legislator – District 17	 Glenn J. Gamble Legislator – District 22
 Paul E. Haney Legislator – District 23	 Steve Eckel Legislator – District 26	 Willie Joe Lightfoot Legislator – District 27
 Cynthia W. Kaleh Legislator – District 28	 José A. Cruz Legislator – District 29	