

Public Defender's Job Becoming Full-Time in Greene

The Greene County Legislature has formed a committee to recruit a full-time public defender, a position current Public Defender Greg Lubow said he's been requesting for years.

The Legislature's decision this week comes a little over a month after county officials conducted a private meeting about the handling of the department and a week before a judge is to hear arguments on a Hunter attorney's claim that the office failed to provide his client with adequate representation.

"There's been a lot of publicity on whether or not we're providing enough time for defendants," said Legislator Wayne Speenburgh, R-Coxsackie, a member of the search committee. "Many of us believe that the office needs a full-time public defender and maybe fewer part-time (defenders). It would increase the efficiency of the office."

At present, Lubow and four assistants all work part-time.

Speenburgh said the full-time attorney would be paid between \$68,000 and \$72,000 annually and that decisions on part-time staffing levels would be made in consultation with the public defender.

The proposed 2005 county budget calls for \$67,074 in additional funding for the department, a 32 percent increase.

Mathew Tully, the attorney who filed the motion to be heard next week, called the changes "stop gap" solutions that fail to address the pay level disparity between the county's public defenders and district attorneys.

"I question whether or not top quality attorneys are going to apply for this job," he said, noting that the county's prosecutor will make \$119,800 in 2005.

Speenburgh said the pay levels are appropriate, since the prosecutor's office handles all cases and the public defender's office only those of indigent defendants.

A bar association, the New York State Association of Criminal Defense, is reviewing Tully's motion, which says the public defender's office failed to respond to more than 60 of 72 letters sent by his client, Kathryn Ebert, and provided her with just 17 minutes of counsel during the eight months prior to her being sentenced to probation in 2002 on a charge of criminal contempt.

Marvin Schechter, a member of the bar association and former president, said it has formed a committee to examine if it can play a role in litigating the case.