

TIOGA COUNTY LAW DEPARTMENT

2025 ANNUAL REPORT

EXECUTIVE BRIEF

The Law Department continued to provide quality legal services to the Tioga County taxpayers through its work with the County Legislature and all County Departments. The Law Department includes the County Attorney's Office, the Department of Social Services (DSS) Legal Unit and the Safety Office. All were able to complete their core tasks in 2025 with some notable events and challenges.

The County Attorney's Office has continued to work on implementing recent changes to the tax foreclosure process resulting in streamlining the process to claim surplus proceeds. The County Attorney's Office continues to be very involved with efforts to upgrade the County's Emergency Radio System.

Workflow has been modified to ensure that all County's agreements are current, accessible and fairly address the County's risk of loss. There were several major litigation events throughout the year which the County Attorney's Office was able to competently handle while completing all other work tasks. Membership was secured in district courts to allow the County Attorney to handle claims without the need for outside counsel.

The DSS Legal Unit has worked toward the goal of establishing and maintaining positive open communication with the social services department they represent. Attorneys began doing in person "Office Hours" every other Monday at the Health and Human Services (HHS) building. This has increased facetime with caseworkers and facilitated better communication. The DSS Legal Unit has been very involved with initiatives to collaborate on the Family Preservation Grant to reduce filings, foster care placements and subsequently fewer court delays. A challenge this office faces is court congestion which we are actively working on to improve.

The Safety Office has had a very successful year in ensuring all programs are functioning correctly and minimizing claims and losses. Both New York Municipal Insurance Reciprocal (NYMIR) and Public Employee Safety and Health (PESH) had no recommendations when they reviewed county safety programs. Major challenges or constraints are working with existing technology to explore options and improvements in workplace violence protection and response. Safety goals for 2026 are to continue to collaborate with employees and management to expand safety programs and overall facility safety.

TIOGA COUNTY LAW DEPARTMENT

2025 ANNUAL REPORT

Narrative Departmental Report

The County Attorney serves as the Tioga County risk manager and arranges for all insurance coverage and the management of risk associated with County activities and projects. The County Attorney heads the Loss Control Committee, whose membership includes the Personnel Officer, Benefits Manager, Safety Officer, Commissioner of Public Works and the Sheriff's Captain. The purpose of the committee is to review claims and the handling thereof, as well as pattern analyzation for ways to mitigate or deter future claims.

Much of the County's legal activity focuses on family court matters, on behalf of the Department of Social Services, and the prosecution of juvenile delinquency matters. Most of the civil litigations are third party claims against the County. These claims are primarily referred to the County's liability insurance carrier, New York Municipal Insurance Reciprocal (NYMIR), which retains outside counsel to handle the County's defense. However, the Law Department remains involved throughout the claim to supervise and act as the local contact. There were several major litigation events not covered by NYMIR for which the Law Department directly defended the matter or retained and supervised outside defense counsel including an extended trial event in Federal Court. Most cases were resolved with either dismissal or an amicable settlement.

The Law Department reviews and approves County and department contracts. In 2025, the Department reviewed four hundred and eighty-three (483) contracts including numerous grants, requests for proposals (RFP), and contract addendums which continue to increase significantly when compared to prior years. The Law Office has been very involved in a large radio tower project, participating in regular meetings and assisting with acquiring easements and agreements where needed to place infrastructure.

The Tioga County Law Department provides daily professional, experienced legal counsel, and services to all health and human service agencies, i.e. the Departments of Social Services (DSS), Public Health and Mental Hygiene and their employees.

The County Attorney's Office attends the following monthly meetings: Youth Assessment Team, Child Advocacy Center, Executive Policy, MDT Leadership, Public Health, Leaders Meeting, Legislative Workshops, Broome-Tioga Regional Child Fatality Review Team (CFRT) and Quarterly administrative meetings with the Department of Social Services.

The Assistant Attorneys continue to attend regular meetings and provide training to the Commissioner of Social Services, the Deputy Commissioner, supervisors, and caseworkers to discuss individual cases,

TIOGA COUNTY LAW DEPARTMENT

2025 ANNUAL REPORT

case management, general protocols, etc. to ensure good communication and avoid potential issues before problems arise. This year the Social Services Attorneys started holding regular office hours at DSS to facilitate regular communication.

The County Attorney's Office handles Child Protective Registry Expungement proceedings. Conferences, hearings, and discovery are now being handled by the part time attorney and paralegal at the main office with many requiring multiple hearing appearances. There were nineteen (19) expungement hearings held during the year.

The County Attorney's Office handles all juvenile and raise-the-age prosecutions and is involved in all levels of prosecution from consulting with law enforcement on charging through conviction and appellate work. There has been a significant increase in the number of potential charges and prosecutions with forty-eight (48) prosecutions handled in 2025.

The County Attorney's Office reviews and provides the Supreme Court with recommendations for the Applications for persons seeking to waive filing fees in civil proceedings. This office is required to calculate the income of the applicant in relation to the poverty levels. If the income exceeds one hundred twenty five percent (125%) of the federal poverty level, an objection is made to the granting of the application. In 2025, thirty-three (33) applications were processed, which is a slight decrease from the previous year.

The DSS Legal Office continued to be extremely busy with a high volume of child protective matters. The numbers for 2025 held relatively steady from the prior year.

Petition filings have become more complicated, and the degree of neglect and abuse cases more severe. A brief synopsis of filings and appearances is listed below.

- The total number of Court appearances in 2025 was eight hundred ten (810) for Neglect / Abuse, PINS, and Fair Hearings.
- Child Protective Services/PINS – forty-four (44) petitions/orders were filed.
- Department of Social Services – two hundred thirty-three (233) Court appearances relating to modification petitions, violation petitions, Order to Show Cause proceedings, extensions of supervision, interveners, and permanency hearings.
- Child Support Collection – five hundred seventy-seven (577) appearances before the Tioga County Support Magistrate, and referrals to the Family Court Judge.
- Seven (7) Support Collections warrant review appearances
- Pistol Permits – This office also prepares and files petitions concerning pistol permits with the County Court in conjunction with the Sheriff's

TIOGA COUNTY LAW DEPARTMENT

2025 ANNUAL REPORT

Office and attended all court proceedings related to pistol permits. There were twenty (20) pistol permit proceedings filed in 2025.

- The office handles all appeals and enjoyed notable victories during 2025 which upheld their efforts to protect Tioga's children.

The Safety Office continues to ensure that the County complies with all Federal and State safety directives and manages all County safety programs. The Safety Officer assists investigating and mitigating workplace violence complaints and working with the County's building security vendor.

The Safety Officer continues to manage the LENS (License Event Notification System) program to monitor the license status of all approved County drivers and the Department of Transportation and FMCSA directives for drug and alcohol screening for commercial truck drivers (CDL license).

Monthly building inspections were completed, and all AED equipment has been restocked in county buildings with training demonstrations of equipment as requested.

The Safety Officer entered into an MOU with Town of Owego to provide staff trainings and to develop appropriate programs based off their internal employee handbook policies and provided training to forty-one (41) of their employees in WPV, Safety, Sexual Harassment and Title VI.

GOALS & OBJECTIVES FOR 2026

The goals and objectives for the Department in 2026 are as follows:

- To continue to provide professional, quality legal work and advice to the legislature, department heads, employees and agencies within the county government.
- To achieve continued open communication between the Law Department and the other departments and agencies within the county government.
- To remain current in our areas of law by attending continuing education seminars and by playing an active role with the NYS County Attorneys Association.
- Recruit and hire candidates who meet the organizational needs of the County Attorney's Office.

Respectfully submitted,
Peter J. DeWind
Tioga County Attorney