

**ADMINISTRATIVE ORDER OF THE
CHIEF JUDGE OF THE STATE OF NEW YORK**

Pursuant to the authority vested in me, and upon consultation with the Administrative Board of the Courts, and with the approval of the Court of Appeals of the State of New York, I hereby amend, effective June 1, 2003, Part 26 of the Rules of the Chief Judge [22 NYCRR], relating to filing of statements pursuant to section 35-a of the Judiciary Law, to read as follows:

**PART 26. FILING OF STATEMENTS
PURSUANT TO JUDICIARY LAW §35-a**

§ 26.1 General

(a) This section applies to any appointments made by a court [after August 30, 2000 to positions] including but not limited to appraiser, special guardian, guardian ad litem, guardian, referee, counsel, special referee, special examiner, conservator, committee of incompetent, court evaluator or counsel for an incapacitated person appointed pursuant to Article 81 of the Mental Hygiene Law, or receiver, and in connection with which fees of more than \$500 for the services performed have been awarded.

(b) This section shall not apply to attorneys appointed to a court to represent indigent persons pursuant to Article 18-B of the County Law, section 35 of the Judiciary Law, or section 407 of the Surrogates' Court Procedure Act, or to law guardians appointed pursuant to the Family Court Act [or to appointments made prior to September 1, 1975]; but in the case of referees or court examiners appointed pursuant to section 78.25 or

section [81.2] 81.32 of the Mental Hygiene Law, a statement shall be filed with the Administrative Office of the Courts, annually, by the judge or special referee who approved compensation for those services.

[(c) Appointments made before September 1, 1975 shall continue to be governed by the rules of former Part 26 of these rules.]

§ 26.2 Filing of Statements by Judges

Any judge or justice who has approved compensation of more than \$500 to a court appointee shall file with the administrative office for the courts, on the first business day of the week following approval, a statement of compensation [required by this section.] on a form authorized by the Chief Administrator of the Courts.

[§ 26.3 Judge's State of Approval of Compensation; Contents

The statement of approval of compensation shall be in substantially the following form, and shall contain specific instructions for its completion on the reverse side thereof:]

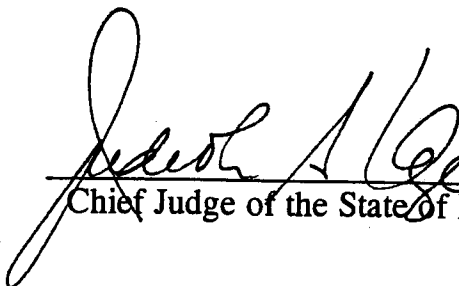
[The entire form UCS-830 (Statement of Approval of Compensation) is repealed]

[§ 26.4] § 26.3 Fixing Amount of Compensation

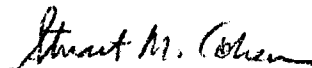
The judge or justice approving compensation shall certify that the compensation approved is fixed by statute or, if not, is a reasonable award for the services rendered by the appointee. If the fee for services performed is fixed by statute, the judge or justice shall specify the statutory fee and the section of the statute authorizing the payment of the fee.

**[§ 26.5] §26.4 Request for Information Regarding
Filed Statements**

A request for information regarding a filed statement must be made to the Office of Court Administration, Statement of Approval of Compensation, P.O. Box 3171, Church Street Station, New York, N.Y. 10008, in writing, specifying the information desired. [The social security number of the appointee should be included in the request if available.]



Chief Judge of the State of New York

Attest: 

Clerk of the Court of Appeals

Dated: November 15, 2002

AO/ 03 /02