

5494

2013-2014 Regular Sessions

I N   S E N A T E

May 16, 2013

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Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to the fee rates for counsel appointed in the supreme court or surrogate's court for certain family matters

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 7 of section 35 of the judiciary law, as  
2 amended by chapter 41 of the laws of 2010, is amended to read as  
3 follows:  
4     7. Whenever the supreme court or a surrogate's court shall appoint  
5 counsel in a proceeding over which the family court might have exercised  
6 jurisdiction had such action or proceeding been commenced in family  
7 court or referred thereto pursuant to law, and under circumstances  
8 whereby, if such proceeding were pending in family court, such court  
9 would be authorized by section two hundred forty-nine of the family  
10 court act to appoint an attorney for the child, such counsel shall be  
11 compensated [in accordance with the provisions of this section] AND  
12 ALLOWED EXPENSES AND DISBURSEMENTS IN THE SAME AMOUNTS AS ESTABLISHED BY  
13 SECTION TWO HUNDRED FORTY-FIVE OF THE FAMILY COURT ACT.  
14     S 2. This act shall take effect immediately and shall apply to appli-  
15 cations or proceedings pending on or after its effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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