STATE OF NEW YORK

11397

IN ASSEMBLY

May 15, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Ramos) -- (at request of the Unified Court System) -- read once and referred to the Committee on Judiciary

AN ACT to amend the county law, in relation to compensation of individuals appointed by the court in guardianship proceedings pursuant to article 81 of the mental hygiene law

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 722-c of the county law, as amended by section 2 of part GG of chapter 56 of the laws of 2023, is amended to read as follows:

§ 722-c. Services other than counsel. Upon a finding in an ex parte proceeding that investigative, expert or other services are necessary and that the defendant or other person described in section two hundred forty-nine or section two hundred sixty-two of the family court act, article six-C of the correction law [~~or~~], section four hundred seven of the surrogate's court procedure act **or article eighty-one of the mental hygiene law**, is financially unable to obtain them, the court shall authorize counsel, whether or not assigned in accordance with a plan, to obtain the services on behalf of the defendant or such other person **or, pursuant to section 81.09 or subdivisions (c) and (d) of section 81.32 of the mental hygiene law, appoint an eligible individual to carry out the duties of a court evaluator or court examiner**. The court upon a finding that timely procurement of necessary services could not await prior authorization may authorize the services nunc pro tunc. The court shall determine reasonable compensation for the services and direct payment to the person who rendered them or to the person entitled to reimbursement. Only in extraordinary circumstances may the court provide for compensation in excess of three thousand dollars per investigative, expert or other service provider.

Each claim for compensation shall be supported by a sworn statement specifying the time expended, services rendered, expenses incurred and reimbursement or compensation applied for or received in the same case from any other source.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD09838-02-5