

ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend, effective immediately, sections 127.1(a) and (b) and 127.2(a) of the Rules of the Chief Administrator, relating to the assignment and compensation of forensics, to read as follows:

**§ 127.1 Assignment and Compensation of Counsel, Psychiatrists,  
Psychologists, [and] Physicians and Social Workers**

(a) Assignments and appointments of counsel, psychiatrists, psychologists, [and] physicians and social workers [pursuant to section 35 of the Judiciary Law] shall be made by the court in accordance with such rules [to] as may be adopted by each Appellate Division. Each Appellate Division may compile and maintain such lists of attorneys, psychiatrists, psychologists, [and] physicians and social workers as it shall deem appropriate for the implementation of its rules. Such rules may provide that the appointment of psychiatrists, psychologists, [and] physicians and social workers shall be made after consultation with the Mental Hygiene Legal Service.

(b) Each claim by assigned counsel, psychiatrist, psychologist, [or] physician or social worker payable from State funds for services rendered to indigent persons, pursuant to section 35 of the Judiciary Law, shall be submitted on forms authorized by the Chief Administrator of the Courts for approval within 45 days after completion of service to the court which made the assignment. Upon approval, the court shall thereupon, within 15 days

after receipt, forward such claims to the appropriate Appellate Division for certification to the Comptroller for payment.

**§ 127.2 Compensation of Counsel and Other Providers in Extraordinary Circumstances**

(a) Whenever an attorney, psychiatrist, psychologist, [or] physician[,] or social worker, or a person providing investigative, expert or other services, seeks compensation in excess of the statutory limits prescribed by Article 18-B of the County Law or section 35 of the Judiciary Law, because of extraordinary circumstances, he or she shall submit with his or her claim a detailed affidavit stating the nature of the proceeding, the manner in which the time was expended, the necessity therefor, and all other facts that demonstrate extraordinary circumstances. If the claim is by an attorney, the attorney shall state the disposition of the matter.

---

Chief Administrative Judge of the Courts

Dated:

AO/ /08



---