

**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 May 1, 2006, Part 36 of the Rules of the Chief Judge, relating to the Office of the Public Administrator, to read as follows:

**§36.1 Application**

(a) Except as set forth in subdivision (b), this Part shall apply to the following appointments made by any judge or justice of the Unified Court System:

\* \* \*

(11) a public administrator within the City of New York and for the counties of Westchester, Onondaga, Erie, Monroe, Suffolk and Nassau and counsel to the public administrator, except that only sections 36.2(c) and 36.4(e) of this Part shall apply, and that section 36.2(c) shall not apply to incumbents in these positions until one year after the effective date of this paragraph.

(b) Except for sections 36.2(c)(6) and 36.2(c)(7), this Part shall not apply to:

\* \* \*

(2) The appointment of, or the appointment of any persons or entities performing services for, any of the following:

\* \* \*

(v) except as set forth in section 36.1(a)(11), a [public administrator or] public official vested with the powers of an administrator;

\* \* \*

#### **§36.4 Procedure After Appointment**

\* \* \*

##### **(e) Approval and Reporting of Compensation Received by Counsel to the Public Administrator.**

(1) A judge shall not approve compensation to counsel to the public administrator in excess of the fee schedule promulgated by the administrative board of the public administrator under SCPA 1128 unless accompanied by the judge's statement, in writing, of the reasons therefor, and by the appointee's affidavit of legal services under SCPA 1108 setting forth in detail the services rendered, the time spent, and the method or basis by which the requested compensation was determined.

(2) Any approval of compensation in excess of the fee schedule promulgated by the administrative board of the public administrator shall be reported to the Office of Court Administration on a form promulgated by the Chief Administrator and shall be accompanied by a copy of the order approving compensation, the judge's written statement, and the



counsel's affidavit of legal services, which records shall be published as determined by the Chief Administrator.

(3) Each approval of compensation of \$5,000 or more to counsel shall be reported to the Office of Court Administration on a form promulgated by the Chief Administrator and shall be published as determined by the Chief Administrator.

\_\_\_\_\_  
Chief Judge of the State of New York

Attest: \_\_\_\_\_  
Clerk of the Court of Appeals

Dated:

AO/ /06

