

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

against

**ATTORNEY'S CERTIFICATE OF
CONTINUED ELIGIBILITY FOR POOR
PERSON RELIEF AND ASSIGNMENT
OF COUNSEL ON APPEAL**

(SUPREME COURT)

Appellate Division Docket No.:

THIS FORM SHOULD BE USED IN CONNECTION WITH AN APPEAL ARISING FROM A SUPREME COURT ACTION IN WHICH COUNSEL HAS BEEN ASSIGNED PURSUANT TO JUDICIARY LAW § 35(8)

I, _____, an attorney admitted to practice in the State of New York, hereby certify, pursuant to Family Court Act § 262 and Judiciary Law §35(8) that:

1. I am an attorney duly licensed to practice in the State of New York
2. I was assigned as counsel for _____, the *plaintiff/defendant (strike one)* in the above-entitled action, upon a determination of the Supreme Court, _____ County, pursuant to Judiciary Law § 35(8) and Family Court Act § 262, that the he/she was indigent and unable to afford the costs, fees, and expenses of the proceeding, and was entitled to the assignment of counsel.
3. *On behalf of _____, I filed a notice of appeal OR A notice of appeal was filed (strike one)* from an order of the Supreme Court, _____ County, dated _____, 20__, which _____
(set forth the nature of the order). Copies of the order appealed from, the notice of appeal, and any separate decision are attached hereto.
4. To the best of my knowledge, the financial status of the *appellant/respondent (strike one)* has not changed from the date the Supreme Court, _____ County, determined that he/she was entitled to the assignment of counsel, and he/she is presently, and for the foreseeable future will be unable to afford the costs, fees, and expenses of the above-entitled appeal.
5. To the best of my knowledge, _____ is interested in *prosecuting/defending against (strike one)* the appeal. His/her last known address is as follows:

6. I wish to be assigned to represent _____ on the appeal in the above-entitled action.

OR

6. I cannot represent _____ on the appeal in the above-entitled action, and request that another attorney be assigned to represent him/her.

7. A copy of this certification is being provided to the County Attorney, and to counsel for each other party, or to the party if appearing pro se, and to the attorney for the children, if any.

Dated: _____, New York
_____, 20____

The following persons have been provided with a copy of the foregoing certificate: