

FAMILY COURT

INSTRUCTIONS AND FORMS FOR A MOTION FOR POOR PERSON RELIEF

ASSIGNMENT OF COUNSEL AND A FREE COPY OF THE TRANSCRIPT

1. Papers to be filed with the Court (one copy of each)
 - Notice of Motion
 - Notarized Affidavit
 - Copy of the Notice of Appeal
 - Copy of the Order or Judgment Appealed From
 - Notarized Affidavit of Service
2. The motion is returnable only on Mondays.
3. Service: Personal service is 8 days notice; by mail it is 13 days notice.
The day of service is not counted.
For example: If you personally serve your papers on your adversary on May 1st, the earliest date you can make your motion returnable is May 9th.
4. The Legal Aid Society Juvenile Rights Division, as well as the agency's attorney should also be served with a copy of the motion.
5. See Section 600.6 of this Court's rules (Appeals from Family Court) where perfecting the appeal on the original record does not require permission of this Court. However, unless poor person relief is granted, this rule does not waive the \$315 filing fee.
6. The order/judgment appealed from can be obtained from your lawyer or the Family Court.

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT**

_____ X
:
In Re: _____ : NOTICE OF MOTION FOR
Name of Child(ren) : POOR PERSON RELIEF
: COUNSEL AND TRANSCRIPT
Agency (If known) _____ :
Petitioner/ _____ :
-against- : DOCKET NO. _____
Your Name: _____, :
Respondent/ _____ :
_____ X

PLEASE TAKE NOTICE that upon the annexed affidavit of

_____, sworn to the ____ day of _____, 20____, the undersigned will move this Court at a term thereof to be held at the Appellate Division Courthouse located at 25th Street and Madison Avenue, New York, N.Y., 10010, on the ____ day of _____, 20____, at 10:00 a.m., for an order pursuant to CPLR 1101 and 1102, granting leave to the appellant herein to prosecute the above-entitled appeal to this Court as a poor person, on the original record and typewritten briefs, for the assignment of counsel, for a free copy of the transcript, granting an exemption from the subpoena fee required for the transfer of said record to this Court, and for such other and different relief as may be just.

Dated: _____

To: (Agency Attorney) _____ Your name, address & phone no.

Attorney for Children (If applicable)

Name, address and phone no. _____

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT**

_____ X
:
In Re: _____ : AFFIDAVIT IN SUPPORT OF
Name of Child(ren) : MOTION TO PROCEED AS
: POOR PERSON
Agency (If known) _____ :
Petitioner/ _____ :
-against- : DOCKET NO. _____
Your Name: _____, :
Respondent/ _____ :
_____ X

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

_____, being duly sworn, deposes and says;

1. I am the appellant in this action and make this affidavit in support of my motion for permission to proceed as a poor person.
2. I reside at _____

3. This action was brought by petitioner(s) against the respondent(s) for [specify the nature of the Family Court proceeding]:

-
6. I am unable to pay the costs, fees and expenses necessary to prosecute this appeal.
 7. Attached hereto is a copy of the Notice of Appeal and a copy of the order/judgment appealed from.
 8. No previous application for the same or similar relief has been made.

WHEREFORE, I respectfully ask that an order of this Court be granted permitting me to appeal as a poor person.

x _____ x

Sworn to before me this _____ day
of _____, 20__

Notary Public

Abbott House

Magovern & Sclafani
111 John Street, Suite 2509
New York, NY 10038
212-962-1450

Angel Guardian Home

Warren & Warren, P.C.
189 Montague Street
Brooklyn, NY 11201
718-875-9264

Association to Benefit Children

Rosin & Reineger
630 Third Avenue
New York, NY 10017
212-972-5430

Cardinal McCloskey Services

David Berman, Esq.
540 West Boston Post Road, PBM 154
Mamaroneck, NY 10543

Catholic Child Care Society

Jeremiah Quinlan, Esq.
36 Main Street
Hastings-on-Hudson, NY 10706

Catholic Guardian Society

Ana D. Torres, Esq.
1990 Westchester Avenue, 2nd Floor
Bronx, NY 10022
718-818-0300

Catholic Home Bureau for
Dependant Children

Magovern & Sclafani
111 John Street, Suite 2509
New York, NY 10038
212-962-1450

Children's Aid Society

Rosin & Reineger
630 Third Avenue
New York, NY 10017
212-972-5430

Edwin Gould Services for Children

Michael A. Neff, Esq.
36 West 44th Street, Suite 1212
New York, NY 10036
212-921-2855

Episcopal Social Services, Inc.

Magovern & Sclafani
111 John Street, Suite 2509
New York, NY 10038
212-962-1450

Family Support Systems

John R. Eyerman, Esq.
36 West 44th Street, Suite 1212
New York, NY 10036
212-921-0069

Forestdale, Inc.

Michael A. Neff, Esq.
36 West 44th Street, Suite 1212
New York, NY 10036
212-921-2855

Graham Windham Services
for Children

James M. Abramson, Esq.
12 East 41st Street, Suite 1401
New York, NY 10017
212-683-7050

Jewish Child Care Association

James M. Abramson, Esq.
12 East 41st Street, Suite 1401
New York, NY 10017
212-683-7050

Lakeside Family & Children's Services

Cynthia W. Rountree, Esq.
18 West 130th Street
New York, NY 10037

Leake & Watts

Rosin & Reiniger
630 Third Avenue
New York, NY 10017
212-972-5430

Little Flower Children's Service

Carrieri & Carrieri
200 Old Country Road, Suite 320
Mineola, NY 11501
516-248-1188

Louis Wise Services

Rosin & Reiniger
630 Third Avenue
New York, NY 10017
212-972-5430

Lutheran Social Services

Satterlee Stephens Burke & Burke
230 Park Avenue
New York, NY 10169
212-818-9200

McMahon Services

Joseph T. Gatti, Esq.
150 East 37th Street
New York, NY 10016

New Alternatives

James M. Abramson, Esq.
12 East 41st Street, Suite 1401
New York, NY 10017
212-683-7050

New York Foundling Hospital

David Berman, Esq.
540 West Boston Post Road, PBM 154
Mamaroneck, NY 10543

Pius XII Youth

Michael A. Neff, Esq.
36 West 44th Street, Suite 1212
New York, NY 10038
212-921-2855

Sheltering Arms

Magovern & Sclafani
111 John Street, Suite 2509
New York, NY 10038
212-962-1450

Society for Children & Families

Michael A. Neff, Esq.
36 West 44th Street, Suite 1212
New York, NY 10036
212-921-2855

St. Christopher's Inc.

Carrieri & Carrieri
200 Old Country Road, Suite 320
Mineola, NY 11501
516-248-1188

St. Christopher-Ottillie

Carrieri & Carrieri
200 Old Country Road, Suite 320
Mineola, NY 11501
516-248-1188

St. Dominic's Home

Warren & Warren, P.C.
189 Montague Street
Brooklyn, NY 11201
718-875-9264

St. Joseph's Services for Children

Michael A. Neff, Esq.
36 West 44th Street, Suite 1212
New York, NY 10036
212-921-2855

St. Vincent's Services, Inc.

Magovern & Sclafani
111 John Street, Suite 2509
New York, NY 10038
212-962-1450

Talbot Perkins Children

James M. Abramson, Esq.
12 East 41st Street, Suite 1401
New York, NY 10017
212-683-7050