

GENERAL QUESTIONS

1. How do I become an attorney for children?

- You must be a member in good standing of the Bar of the State of New York and in any other jurisdiction in which you are admitted to the practice of law.
- You must complete 19 CLE credit hours of attorneys for children introductory training sponsored by the Attorneys for Children Program (attend a two-day training seminar, Introduction to Effective Representation of Children, and watch 6 CLE credit hours of training videos on domestic violence). The Fourth Department Attorneys for Children Program collaborates with the Third Department Attorneys for Children Program to offer the seminar twice annually on consecutive days in the spring (in Rochester) and the fall (in Latham). Please see the [Prospective AFC](#) page for more information.
- Within the past two years, you must have obtained experience in the representation of children by substantial participation, either as counsel of record or as co-counsel, in:
 - a juvenile delinquency or person in need of supervision proceeding; and
 - a child abuse, child neglect, or termination of parental rights proceeding; and
 - a custody or visitation proceeding; and
 - participated as counsel or co-counsel in, or observed, two hearings in Family Court at which testimony was taken. Child support hearings cannot be used to satisfy this requirement.
- You must have no other full-time employment with any other governmental agency unless you have the express written permission of the employer, Family Court, and the Attorneys for Children Program.
- If you want to receive the introductory seminar agenda and an application to attend the seminar and be designated to an attorneys for children panel, please contact Jennifer Nealon at jnealon@nycourts.gov. A hard copy of the completed application with an original signature must be submitted during the application period to the Attorneys for Children Program Office by the deadline stated on the application.
- If you are accepted to the introductory seminar, you will be given access to the domestic violence videos on-line. When you have viewed the videos you must send proof of viewing to the Program office.

- At the seminar, you will receive an affirmation and an "orientation packet." You will complete an affirmation for the county panel to which you would like to be designated and submit the affirmation to the Attorneys for Children Program Office. The office will submit the completed affirmation and the application to the appropriate Family Court judge for consideration.
 - Upon receipt of the Judge's approval, the Appellate Division Clerk's Office will enter an order placing you on the panel. A copy of the order will be sent to you and to the Family Court.
- 2. If I am already an attorney for children, how do I register for Attorneys for Children Training seminars?**

Follow the registration procedure on the agenda of the seminar you want to attend. The agendas are located on the [Seminars](#) webpage.

3. How are attorneys for children assigned?

Each county has its own practice. Generally appointments are rotated among attorneys for children on the County's panel, although Judges sometimes appoint more experienced attorneys for children to complex cases and may assign a particular attorney for children if the Judge thinks the attorney is especially suited to the case.

4. How do I get paid?

You will be paid by completing an on-line voucher on the Attorneys for Children Internet Voucher system (AFCIV). You can access that system by going to [AFCIV](#). You should update your time as the case progresses. For directions on using AFCIV, read the [Reimbursement Guidelines](#).

5. Where can I obtain a user id and password for the Attorneys for Children Internet Voucher system?

By contacting the Attorneys for Children Program Office at 585-530-3173.

6. When should vouchers be submitted to the court?

When there is a final disposition in the case, the attorney for children should complete the voucher and submit it to the Judge for certification. Once approved by the Judge, the voucher is sent to the Appellate Division for processing. For further information, please consult the [AFCIV Reimbursement Guidelines](#). If the Attorneys for Children Program receives the voucher more than 90 days from disposition, the attorney for children must submit an affirmation (90 Day Affirmation) stating that the attorney for children has not been previously paid for the services and explaining the reason for the delay. The Appellate Division may, in the exercise of its discretion, disapprove claims

not received within 90 days. If you have post-dispositional activities ordered by a Judge or an appeal, begin a new voucher for those activities.

7. How should expenses be broken down?

Always indicate number of miles traveled and number of photocopies. Include receipts for parking and other expenses over \$15.00.

APPEALS

1. How do I voucher an appeal?

Use proceeding code “AP” and send the voucher, together with a copy of the brief and the Appellate Division order and decision, directly to the Attorneys for Children Program for approval by an Appellate Division Justice. If you did not meet with your client or attend oral argument, you must submit an explanatory affirmation with the voucher. Please see Appeals Vouchers Q & A for further information.

2. What if I do not want to continue as the attorney for children on an appeal?

As soon as possible after the notice of appeal has been served, send a letter to the Attorneys for Children Program requesting that a substitute attorney for children be appointed by the Appellate Division. Be sure to “cc” the attorneys for the parties, as well as any pro se party. Attach copies of the date-stamped notice of appeal, the order appealed from, and the decision, if any. If the client is the appellant, also attach a copy of the affidavit of service of the Notice of Appeal. You will remain the appellate attorney for children until an Appellate Division order substituting another attorney for children is entered.

TRANSCRIPTS

1. Under what circumstances will the Attorneys for Children Program pay for transcripts?

Ordinarily, the Program will pay for transcripts where the client is the appellant or where an attorney for children has been substituted and the substituted attorney for children needs the transcript because he or she was not present at a hearing. For transcripts for use at the trial level, only one transcript is authorized and you must obtain permission if the cost will exceed \$300. The statutory rate of payment for transcripts is \$2.50 per page for an original and \$1.00 for a copy. *Do not pay for transcripts.* The AFC Program pays the transcriber directly.

2. How do I order a transcript?

Consult page 10 of the [Reimbursement Guidelines](#). You must use a [minute order form](#).

EXPERTS

1. Under what circumstances will the Attorneys for Children Program pay for expert evaluations?

The Attorneys for Children Program will pay the reasonable cost of the child's portion of a custodial evaluation. Expert funds are also available for experts such as social workers and private investigators when circumstances support the request.

2. How do I hire an expert?

Consult pages 8 and 9 of the [Reimbursement Guidelines](#).