

# COURT NOTICES

## AMENDMENT OF RULE

### Rules of the Chief Administrator 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 promulgate, effective April 1, 2008, section 127.5 of the Rules of the Chief Administrator of the Courts, relating to the workload of attorneys for children, to read as follows:

#### *§127.5 Workload of the Attorney for the Child*

(a) *Subject to adjustment based on the factors set forth in subdivision (b), the number of children represented at any given time by an attorney appointed pursuant to section 249 of the Family Court Act shall not exceed 150.*

(b) *For representation provided under an agreement pursuant to section 243(a) and (b) of the Family Court Act, the workload standards set forth in subdivision (a) may be adjusted based on such factors as:*

(1) *Differences among categories of cases that comprise the workload of the office covered by the agreement;*

(2) *The level of activity required at different phases of the proceeding;*

(3) *The weighting of different categories and phases of cases;*

(4) *Availability and use of support staff;*

(5) *The representation of multiple children in a case;*

(6) *Local court practice, including the duration of a case;*

(7) *Other relevant considerations.*

(c) *The administrators of offices pursuant to such agreements shall be responsible for managing resources and for allocating cases among staff attorneys to promote the effective representation of children and to ensure that the average workload of the attorneys for children in the office complies with the standards set forth in subdivision (a) as modified by subdivision (b).*

(d) *For representation provided by a panel of attorneys for children pursuant to section 243(c) of the Family Court Act, the Appellate Division may adjust the workload standards of subdivision (a) to ensure the effective representation of children.*

(e) *The Chief Administrator of the Courts, with respect to representation pursuant to section 243(a) of the Family Court Act, and the Appellate Divisions, with respect to representation pursuant to section 243(b) and (c) of the Family Court Act, shall annually, at the time of the preparation and submission of the judiciary budget, review the workload of such offices and panels, and shall take action to assure compliance with this rule.*

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Not more than two years following enactment of this rule, the Chief Administrator shall, in consultation with the Appellate Divisions, review the effectiveness of the rule in achieving the objectives of section 249-b of the Family Court Act, and confirm or modify the standards and procedures provided for in the rule.

