# NEW YORK STATE SUPREME COURT APPELLATE DIVISION, FOURTH DEPARTMENT

# HONORABLE GERALD J. WHALEN PRESIDING JUSTICE

# ATTORNEYS FOR CHILDREN INTERNET VOUCHER SYSTEM MANUAL & REIMBURSEMENT GUIDELINES



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#### INTRODUCTION

TO: Attorneys for Children

Fourth Judicial Department

FROM: Linda J. Kostin

Attorneys for Children Program Director

RE: Attorneys for Children Internet Voucher System (AFCIV) Manual &

Reimbursement Guidelines

On behalf of Hon. Gerald J. Whalen, Presiding Justice of the Appellate Division, Fourth Department, and the members of the Court, thank you for your participation in the Attorneys for Children Program.

The purposes of the Attorneys for Children Program are to ensure the highest quality of representation of children and to administer the Program in a manner sensitive to local needs. The AFCIV Manual and Reimbursement Guidelines is intended to provide thorough instructions on all AFCIV features and provide instructions on issues such as expense reimbursement, payment of experts, payment for transcripts, etc. The Attorneys for Children Program continues to seek new ways to help you serve your clients. Your suggestions are welcome. If I can assist you in any aspect of your service as an attorney for children, please do not hesitate to contact me.

We wish you the greatest success in your work as an attorney for children and in every other aspect of your legal career.

#### COMPENSATION AND REIMBURSEMENT GUIDELINES

#### Attorneys for Children (AFC) Program Payment Policies

#### A. Compensation for legal services

#### 1. Panel Membership Required

- An attorney must be a member of a county AFC panel to be compensated by the AFC Program for representing a child in Family, Supreme or Surrogate's Court.
- b. Panel members must comply with the attorney registration requirements of Judiciary Law § 468-a, and are expected to notify both the OCA Attorney Registration Unit and the AFC Program with any change of contact information.

#### 2. Time Records

- a. AFC must maintain sufficient real-time records and documentation to ensure that vouchers submitted reasonably and accurately reflect services provided to attorney for the child clients. AFCIV requires a start time and time spent in hours/minutes for in-court and out-of-court activities.
- b. All AFC vouchers are subject to audit both before and after payment. You are required to keep sufficient documentation in your records to ensure you can justify charges on vouchers. Should you be audited, your records will be expected to have been created reasonably close to the time you performed the activity.

#### 3. Billing Practices that May Trigger Audit

- a. Standard Charges/Minimum Billing e.g., there are 25 instances of "review documents" on one voucher, all of them billed at .5 [in real-time all billed as 30 minutes]; there are 100 instances of telephone conversations, spread over 5 vouchers, all of them billed at .2 [in real-time all billed as 12 minutes]. Not only is this improper, in real-time, it is impossible.
- b. Charging Staff Time You cannot charge for your secretarial/paralegal staff time or for time spent by other attorneys in your office.
- c. Overcharging for Review or Preparation of Form Letters e.g., ordinarily it does not take 30 minutes to review or prepare a form letter.
- d. Charging Overhead/Administrative Costs This includes charging for sending a fax, map-questing, filing, copying, calendaring, preparing a voucher, etc. The statutory rate of \$75.00 per hour is for legal work only.
- e. Excessive Charges for "Review File" or "Open File" If you are charging significant time to review or open file, be sure you have documentation in the file that would justify the time spent.
- f. Excessive Charges for "Research" Charges for legal research matters about which attorneys are presumed to know, e.g., basic Family Law issues.

#### 4. Compensation Rate

a. The compensation rate for in-court and out-of-court time is \$75.00 per hour.

#### 5. Client Contact

- a. One of the primary responsibilities of an AFC is to contact, interview, regularly meet and remain accessible to your client. Every voucher should contain information indicating that the attorney has met with his/her client.
- b. In the event the AFC has not met with his/her client(s), e.g., there is no time billed under activity code "B-Client Contact" on the voucher, the attorney must attach to the voucher an affirmation setting forth the reason(s) for not meeting with the client. The voucher will be returned if the affirmation is required but missing.
- c. The AFC Program reserves the right to disallow or to request additional documentation to support any claim for compensation that fails to include client contact.

#### 6. In-Court and Out-of-Court Time

- a. In-Court time is time spent at court facilities in conjunction with an appearance before a judge. In-Court time includes:
  - i. Time spent in the presence of the judge either in the courtroom or in chambers.
  - ii. Time spent in a court-ordered conference at court facilities in conjunction with an appearance.
  - iii. If in-court time is "off the record," e.g., not recorded in UCMS, you must document in your file why the time is incourt time, e.g., pre-trial conference in chambers.
- b. All other time expended in representing an AFC client, including time spent at court facilities for purposes other than an appearance before a judge, e.g., reviewing files, meeting with the client, waiting for the case to be called, is out-of-court time.
- c. The maximum claim for in-court and out-of-court services for one day is eight hours, unless the voucher is accompanied by a brief statement setting forth the reasons why greater time was required.

#### 7. Representation in Collateral Matters

- a. An AFC may be compensated for representation of a client in a legal or administrative matter collateral to the court proceeding for which the AFC was assigned when:
  - i. The collateral matter arises from the same circumstances as the assigned court proceeding; and
  - ii. Representation by the AFC in the collateral matter is required to assure the most favorable outcome for the client in the assigned court proceeding.

#### 8. Voucher Preparation

a. AFC may not charge for time spent preparing vouchers or affirmations for the voucher.

#### 9. Double Billing

a. Double billing is the practice of rendering legal services on multiple cases in a given period, and then requesting payment for the entire period on the voucher for each case. For example, waiting at court one hour for two cases to be called and then requesting payment for one hour for each case. Another example is charging travel time to court for each case when the AFC appears in court on more than one case.

#### B. Expenses of Representation

#### 1. In General

- a. The AFC Program will pay reasonable expenses connected to the representation of the client. Charges for expenses such as buying the client lunch are not reimbursable.
- b. Expenses for in office computer-assisted legal research, e.g., Westlaw or Lexis, and facsimile transmission (fax) are considered office overhead costs and will not be reimbursed.
- c. Expenses must by broken down, e.g., number of stamps, number of copies, etc.

#### 2. Travel/Mileage

- a. Travel includes drive time only. Parking or walking to the courthouse is not reimbursable.
- b. Reimbursement for travel and mileage will be as reflected on the shortest time on MapQuest.
- c. Travel and mileage reimbursement must be from the address listed in your AFC Profile. If the address listed in your AFC Profile is a P.O. Box you must provide the AFC Program your physical office or home office address.
- d. The AFC Program will not reimburse for round trip travel and mileage under 5 miles. This limitation applies to all activities, in-court and out-of-court.
- e. The 35/35 Rule: Beginning with activities dated October 1, 2012, the maximum reimbursement for travel to and from court is 35 miles/35 minutes each way. This limitation does not apply to out-of-court activities, such as meeting with clients and attending service plan reviews. The limitation does not apply to attending oral argument on appeal.
- f. You may charge a maximum of two round trips per day to the courthouse if there is at least one-half hour you could be in your office between trips.
- g. You must obtain approval from the AFC Program for any out-of-state travel.
- h. Mileage is reimbursable at the statutory rate.

- i. Tolls are reimburseable with receipts.
- j. Parking fees are reimbursable up to \$5.00 without receipts.
- k. Other travel expenses, including food and lodging, generally are not reimbursable.

#### 3. Transcripts

a. Transcript charges greater than \$300.00 must be approved by the AFC Program Director or Deputy Director. This limitation does not apply when the child client is the appellant on an appeal. Do not pay for transcripts. The AFC Program pays the transcriber directly. Please see page 10 for information on obtaining trial transcripts.

#### 4. Miscellaneous Expenses

- a. Printing and photocopying expenses will be reimbursed at the rate of \$ .15 per page. Please specify the number of copies and provide a description of what is being copied, e.g., 4 copies at \$ .15 - copies of Order Appointing AFC.
- b. Other itemized out of pocket expenses, such as postage, are reimbursable without additional documentation to a maximum of \$15.00.
- c. Reimbursement claims for more than \$15.00 must be documented by receipt or some other proof of payment.
- d. If the AFC Program is responsible for the service of process and subpoena and witness fees, we will reimburse the AFC on the voucher. If the cost of service of process or subpoena and witness fees will be over \$100.00, you must contact the AFC Program Director for prior approval.
- e. There will be NO reimbursement for printing of records and briefs (they should be copied), filing and service of records and briefs, or for professional preparation of records and briefs.
- f. The AFC Program is generally not responsible for the cost of medical records. If the AFC Program is responsible for the cost of medical records, we will reimburse the AFC on the voucher with a copy of the invoice and a copy of the proof of payment. If the cost of the medical records will exceed \$50.00, you must contact the AFC Program Director for prior approval.

#### C. Preparation of Attorney for Children Vouchers

#### 1. Submission of voucher required

a. To receive compensation for legal services, the AFC must use the Attorneys for Children Internet Voucher System (AFCIV). In order to attain access to AFCIV you must have a user name and password. If you do not have a user name and password, please call the AFC Program to register your online account.

#### 2. When to submit vouchers

a. AFC vouchers should be submitted to the court as soon as possible after the proceeding has concluded.

- b. Voucher must be billed by File #, not by Docket #. For example, if a File # has three Dockets, do not bill each Docket # separately.
- c. Submission within 90 days:
  - i. If the voucher is submitted on AFCIV more than 90 days from the last activity date a "Warning Requiring Affirmation," will appear with the exact number of days the voucher is overdue. In such cases, you must complete an affirmation explaining the reason for the delay in submission.
  - ii. The Appellate Division may reject any AFC voucher submitted more than 90 days after disposition. While we afford you great latitude with this rule, no voucher payment will be considered if the voucher is submitted more than three years after the last valid activity date on the voucher. Vouchers submitted one to two years after the disposition will be considered on a case-by-case basis, but the excuse that the AFC did not have time to bill will not be acceptable.

#### 3. Interim Vouchers

- a. With prior approval of the AFC Program, an interim voucher must be submitted during the pendency of a proceeding if any of the following circumstances exist:
  - i. Extraordinary Circumstances The voucher exceeds \$4400.00 in services or over 18 months of consecutive work without reaching disposition.
  - ii. At the disposition phase of a case where permanency hearings are mandatory.
  - iii. An AFC is removed from a pending case.
- b. Make your request for an interim voucher to the AFC Program. Be sure to indicate your AFCIV Document ID Number and the reason for the request. The Document ID Number can be found on the Open Voucher screen on AFCIV.
- c. The AFC Program cannot approve interim vouchers on appellate matters.

#### 4. Integrated Domestic Violence (IDV) Court Vouchers

- Cases that start in Family Court and are subsequently transferred to IDV
   Court are regarded as separate proceedings requiring preparation and
   submission of separate vouchers.
- b. The first voucher should contain all the activities completed in Family Court up to the date of transfer. The second voucher should be created by selecting the appropriate Supreme Court with activities from the date of transfer to the completion of the case.

#### 5. Raise the Age Vouchers

a. Time spent in the Youth Part will be paid by the County 18B program.

- b. For cases sent to Probation Adjustment, the AFC will complete a voucher on AFCIV. The AFC will select the county Supreme Court and use the Proceeding Code "RTA Probation Adjustment" and enter the Felony Youth Complaint (FYC) Docket #.
- c. For cases removed directly to Family Court without going to Probation Adjustment, the AFC will bill under the county Family Court as they would for a routine Juvenile Delinquency (JD) Proceeding.

#### 6. Appeal Vouchers

- A trial court action and a subsequent appeal are regarded as separate proceedings, requiring the preparation and submission of separate vouchers.
- b. You should prepare the appeal voucher on AFCIV; however, be sure to select the Appellate Division, Fourth Department for the court and AP for the Proceeding Code. When asked for the case number, enter the CAF number.
- c. For Oral Argument, please use the N Code, In-Court All-Other. In-Court time is time spent in the presence of a judge. Any time spent waiting for Oral Argument should be billed using the H Code, Out-of-Court All-Other.
- d. If you do not attend Oral Argument, please provide an affirmation explaining why you did not attend, e.g., the parties submitted.
- e. Client Contact You must see your client, regardless of age. This rule applies to appeals as well.
- f. Make sure that you provide adequate description for all charges, in-court and out-of-court, e.g., if you charge an A Code, Review of Documents, you must specify what document(s) you are reviewing. Please see page 13 for a complete list of activity codes and required descriptions.
- g. The AFC Program does not pay for "overnight" or express mail postage fees to file a brief.
- h. The AFC Program does not pay for fees to professionally prepare and/or file and serve records and briefs.
- Once you have completed the voucher, send the original (no copy needed) to the AFC Program. Along with the voucher, please send a copy of your brief, a copy of the Appellate Division decision and any required receipts.
- j. For more information on appeal vouchers, please refer to the Appeal Voucher Q & A starting on page 61.

#### 7. Substitution of AFC in Trial Courts

- a. The AFC substituting will prepare his/her own voucher for time spent. See page 43 for instructions.
- b. Substitution is only acceptable when required by an unavoidable circumstance. The assigned AFC requesting that another AFC be substituted must receive prior approval of the court and the client (where age and maturity of the client permit); the appearance must involve only procedural or administrative issues unrelated to the substantial interests

of the client; the substitute AFC must be a panel AFC and the substitute AFC must be fully prepared for the appearance.

#### 8. Substitution of AFC on Appeal

- a. Submit a letter requesting substitution on appeal to the Deputy Director of the AFC Program.
- b. Sign the letter yourself (no secretary's signature, stamped signature, etc.).
- c. CC all counsel and any pro se parties on the letter requesting substitution.
- d. Along with the letter requesting substitution, please enclose copies of the following:
  - i. Notice(s) of Appeal
  - ii. Affidavit of Service if the AFC served a Notice of Appeal
  - iii. Order(s) appealed from
  - iv. Decision, if any
- e. A member of the AFC Appeal Panel will be substituted by the Appellate Division.
- f. The appellate AFC will prepare his or her voucher in accordance with the requirements set forth on page 7.

#### **EXPERT SERVICES**

A. The Attorneys for Children Program has the authority to pay reasonable expenses of representation, e.g., compensate non-attorney experts, such as investigators, physicians, mental health professionals and social workers, for services on behalf of attorney for the child clients that are necessary to assure effective representation. In Supreme Court cases only, if the AFC is compensated pursuant to Part 36 (private pay), any experts must also be privately paid for services on behalf of AFC clients. Please use the model order for expert services which is located on the AFC Program website under forms/AFC forms.

#### B. Authorization and Allocation

- 1. If the expert fee will be greater than \$1000.00 you must obtain authorization from the AFC Program Director or Deputy Director.
- 2. Services to the Child Only
  - a. The AFC Program is responsible for the full cost of expert services provided solely to the client.
- 3. Services to the Child and Participants Jointly
  - a. The AFC Program is responsible for a proportionate share of the cost of expert services when those services are provided jointly to a client and other participants in a proceeding.
  - b. When services are provided jointly to all participants in a proceeding, the trial court order should allocate the cost of services among the participants. If a participant is indigent, generally that part of the cost is paid by the county pursuant to Count Law § 722-c.
- 4. Services Not Reimbursable
  - a. The AFC Program is not authorized to pay for expert services to participants in a proceeding other than the client, or for services unrelated to the client's representation, such as treatment or counseling.
- 5. Compensation Guidelines
  - a. The Chief Administrator of the Court has adopted the following hourly rates, effective January 1, 2018 as guidelines for payment of non-lawyer professionals under Judiciary Law § 35 and County Law § 722-c:

i.	Psychiatrist	\$250.00
ii.	Certified Psychologist	\$150.00
iii.	Physician	\$250.00
iv.	Certified Social Worker	\$75.00
٧.	Licensed Investigator	\$55.00

#### C. Payment to the Expert Service Provider

1. The expert is compensated directly by the AFC Program after the services have been rendered. Please submit a completed JC2020 form, Order Authorizing Expert Services and a copy of the Invoice for Services to the court for the Judge's signature. The JC2020 is located on the AFC Program website under forms/AFC forms.

#### TRIAL TRANSCRIPTS

A. An Attorney for the Child can obtain transcripts for use in representing a client either at trial or on appeal by using the New York State Law Guardian Minute Order Form. The stenographer or transcriber provides the transcript directly to the AFC who incurs no out-of-pocket expense because the transcript costs are paid by the AFC Program directly to the stenographer or transcriber. Do not pay the stenographer directly. A motion for poor person relief is not required.

- B. The budget for transcripts is limited. No permission is required when obtaining an original and copy of a transcript when the child is the appellant. Where the child is the appellant, the AFC <u>must</u> make arrangements to order transcripts necessary to a determination of the appeal. The transcripts will <u>not</u> automatically be ordered for you. Clearly indicate on the paperwork that the transcripts are for an appeal.
- C. Under the statewide Practice Rules of the Appellate Division, implemented in September 2018, per NYCRR 1250.9, on concurrent appeals from a single order or judgment, or on cross appeals, the appealing parties shall file a joint record and shall share equally the cost of the record. Accordingly, if you are appealing as AFC, and another party is also appealing, please contact the other party and make arrangements to split the cost of the record, including transcripts. The AFC Program will not pay for professionally produced records.
- D. For use at the trial level, only one transcript is authorized and you must obtain permission if the cost will exceed \$300.00. An AFC can obtain a Minute Order Form from the Family Court Clerk's Office or the AFC Program website. Once you have obtained the Minute Order Form, complete the following steps:
  - 1. The AFC completes the top portion of the Minute Order Form and presents the form to the corresponding Family Court Judge for signature.
  - 2. Following the Judge's signature Family Court retains a copy of the form and returns the original form to the AFC for transmittal to the stenographer or transcriber.
  - 3. Upon receipt, the stenographer or transcriber prepares two certified copies of the transcript. One copy is to be filed with the Family Court Clerk and the other copy is delivered to the AFC.
  - 4. When the transcript is delivered, the AFC must sign the appropriate portion of the Minute Order Form.
  - 5. The stenographer or transcriber retains a copy of the form and forwards the originally signed Minute Order Form and a Claim for Payment to the AFC Program for review and payment. A copy of the Claim for Payment form is available on the AFC Program website under Forms/AFC Forms.
  - 6. At the trial level, the rate for transcript preparation is \$2.50 per page. For appeals, the rate is \$2.50 per page and \$1.00 per page for a copy.

#### **EXPENSES**

Expenses where receipts are required	Expenses paid directly to the provider	
Tolls: Receipt always required. Reimbursed on AFC Voucher.	Certified Psychologist: JC2020 Form, Order Authorizing Expert Services and copy of Invoice.	
Parking: Receipt required over \$5.00. Reimbursed on AFC Voucher.	Psychiatrist: JC2020 Form, Order Authorizing Expert Services and copy of Invoice.	
Postage: Receipt required over \$15.00. Reimbursed on AFC Voucher.	Physician: JC2020 Form, Order Authorizing Expert Services and copy of Invoice.	
Copies: Receipt required over \$15.00. Reimbursed on AFC Voucher. If copies done in-house, no receipt required. Must indicate # of pages at \$ .15. Please specify the number of copies and provide a description of what is being copied, e.g., 4 copies at \$ .15 - copies of Order Appointing AFC.	Certified Social Worker: JC2020 Form, Order Authorizing Expert Services and copy of Invoice.	
Medical Records: Receipt required. Reimbursed on AFC Voucher, see page 5 for information about prior approval.	Licensed Investigator: JC2020 Form, Order Authorizing Expert Services and copy of Invoice.	
Service of Process: Receipt required. Reimbursed on AFC Voucher, see page 5 for information about prior approval.	Interpreter: Claim for Payment. If amount exceeds \$300.00 you will need prior approval by Director or Deputy Director.	
Subpoena/Witness Fees: Receipt required. Reimbursed on AFC Voucher, see page 5 for information about prior approval.	Transcripts: Claim for Payment and Original Minute Order Form. See page 10 for information about prior approval for transcripts at trial level.	

#### **Expenses Not Reimbursable**

Filing Fees: Children are deemed poor persons. Therefore, any filing fees are waived and the AFC Program will not reimburse for filing fee costs.

Administrative Expenses: Including, but not limited to cost of computer assisted legal research, e.g., Westlaw or Lexis, facsimile charges, preparing a voucher, paralegal fees.

#### Food and Lodging

If an expense is requested that is not listed above, please call the AFC Program at (585)530-3170.

#### PROCEEDING CODES

- (A) Adoption
- (AP) Appeal
- (AS) Adoption Surrender
- (B) Commitment of Guardianship and Custody
- (C) Conciliation
- (CO) Court Reporter
- (CR) Criminal Action
- (D) Juvenile Delinquency
- (E) Designated Felony Delinquency
- (F) Support
- (G) Guardianship
- (H) Handicapped
- (HC) Habeas Corpus Write
- (I) Informal
- (J) Public Health
- (K) Foster Care Review
- (L) Approval of Foster Care
- (M) Consent to Marry
- (N) Child Protective Proceeding
- (NA) Neglect/Abuse
- (NN) Neglect
- (O) Family Offense
- (OC) Other Civil Proceeding
- (P) Paternity
- (Q) Visitation
- (R) Referred from Supreme Court
- (RTA) Probation Adjustment
- (S) PINS
- (U) Uniform Support of Dependent's Law
- (V) Custody of Minors
- (VS) Supreme Court Case
- (W) Extension of Placement
- (X) Other
- (Z) Misc.

#### **ACTIVITY CODES & DESCRIPTIONS**

#### Out-Of-Court (Do not combine activity codes)

- A. Review of Documents Describe the documents reviewed, e.g., "Reviewed petition and file."
- B. Client Contact This code should only be used for client contact. If the meeting was inperson, please include the location where you met with your client, e.g., "Meeting with client at School #123 Main St., Rochester, NY 14604."
- C. Travel Indicate where you traveled to and from, e.g., "Travel from Office to Court." For any travel other than to and from court, you must include, at minimum the street name, city or town and zip code of the destination you traveled to and from, e.g., "Travel from Office to Respondent Mother's house at Alphabet St., Rochester, NY 14604." Reimbursement for travel will be as reflected on Map Quest for the shortest travel time.
- D. Phone/Correspondence Indicate who you communicated with and how, e.g., "Call to Mother's Attorney."
- E. Legal Drafting Indicate the document type drafted and subject, e.g., "Draft Temporary Order of Custody and Visitation."
- F. Legal Research Indicate the subject of research, e.g., "Legal research, research case law on Grandparent Visitation."
- G. Investigation Indicate what is being investigated, e.g., "Meeting with witness to discuss events involving client."
- H. Out-of-Court All-Other Covers any other work you may have been doing related to representing your client, e.g., "Waiting for case to be called."

# In-Court Codes (Do not combine with Out-of-Court codes; do not use same code for all court appearances)

- J. Initial Appearance Provide a brief description of what occurred, e.g., "Initial appearance in front of Judge Smith. Adjourned to allow parties to obtain counsel."
- K. Pre-Trial Hearing Provide a brief description of what occurred, e.g., "Hearing on removal in front of Judge Smith."
- L. Fact-Finding Provide a brief description of what occurred, e.g., "Trial commences in front of Judge Smith."
- M. Disposition Provide a brief but specific description of what occurred, e.g., "Parties agreed to joint custody. Primary physical with Mom, liberal visitation to Dad."
- N. In-Court All-Other Provide a brief description of what occurred, e.g., "Appear before Judge

Smith to enter Temporary Agreement on record."

#### **Expense Codes**

P. Expense - Please indicate the type of expense, e.g., copies, postage, and the quantity. Specify the number of copies and provide a description of what is being copied, e.g., 4 copies at \$ .15 - copies of Order Appointing AFC. In the expense box, enter the total amount, excluding the \$ symbol.

Q. Mileage - In the activity description, indicate the mileage to and from, e.g., "Mileage to and from court." In the mileage box, enter the total number of miles. AFCIV calculates the mileage rate automatically based on the number of miles you enter.

Access and Use of the Attorneys for Children Internet Voucher System (AFCIV)

#### System Requirements:

- 1. The Attorneys for Children Internet Voucher System (AFCIV) requires the latest version of Adobe Reader. To obtain the latest version, please visit <a href="https://www.adobe.com">www.adobe.com</a>.
- 2. It is highly recommended that you use the latest internet browser. Below are links to the different browser website's.

Internet Explorer: http://www.google.com/toolbar/ie8 or at www.Mircosoft.com/Windows

Firefox: www.Mozilla.com/firefox

Google Chrome: <a href="https://www.google.com/chrome/browser/desktop/index.html">https://www.google.com/chrome/browser/desktop/index.html</a>

Safari: www.apple.com/safari/

- 3. Email: If you use a spam filter, please update your filter to allow email from the following address: <a href="mailto:Attorney\_For\_The\_Child\_System@courts.state.ny.us">Attorney\_For\_The\_Child\_System@courts.state.ny.us</a>
- 4. Screen Resolution must be set to 1024x768.

#### Set Screen Resolution:

#### For PC

- Go to the 'Start Button' (Lower left-hand corner)
- Click on 'Settings'
- Click on 'Control Panel'
- Select 'Display'
- Select the 'Settings Tab'
- Set to 1024x768

#### For MAC

- Double Click 'System Preferences'
- Select 'Display'
- Set Screen Resolution
- 5. AFCIV requires that your browser allow pop-ups.

#### Enabling Pop-ups:

#### To Enable Pop-ups in IE

- Click on Tools->Internet Options
- Click on the 'Security' tab
- Click on the 'Custom Level...' button
- Find the 'Use Pop-up Blocker' option and click on 'Disable'

#### You also need to:

- Click on the 'Privacy' tab in Tools->Internet Options
- Uncheck the 'Block Pop-ups' checkbox

You can also add the internet voucher system to your trusted sites:

Click on Tools->Internet Options

- Click on the 'Privacy' tab
- Leave the box next to 'Block Pop-ups' checked
- Click on the 'Settings...' button
- Enter the website address in the 'Address of web site to allow' field and click on the 'Add' button. https://apps.courtnet.org/ucslawguardian/
- Click 'Close' to save your changes

#### To Enable Pop-ups on Mozilla Firefox:

- Click on the 'click here' in the error message
- Click on 'Allow pop-ups For' to enable this site to popup windows

(Or)

- Click 'Edit Popup Blocker Options' to enable this site to popup windows
- Enter the website address in the 'Address of web site' field and click on the 'Allow' button
- Click 'Ok' to save your changes

(Or)

- Clicking on Tools->Options
- Select 'Web Features'
- Uncheck the box next to 'Block Popup Windows'

(Or) You can also enable just this site to open popup windows.

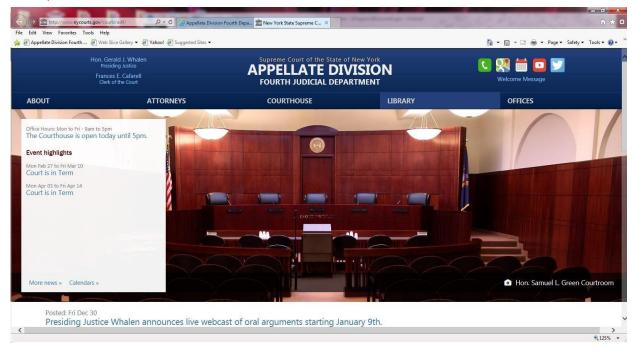
- Click on Tools->Options
- Select 'Web Features'
- Leave the box next to 'Block Popup Windows' checked
- Click on the 'Allowed Sites...' button next to the 'Block Popup Windows' option
- Enter the website address in the 'Address of web site' field and click on the 'Allow' button
- Click 'Ok' to save your changes

#### To Enable Pop-ups on Google Chrome:

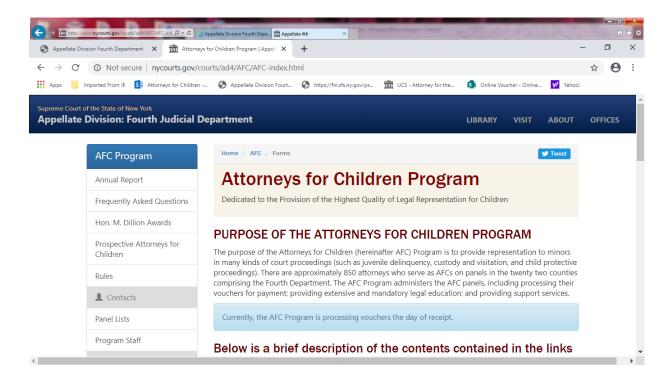
- On your computer, open Chrome.
- At the top right, click more :
- Click Settings
- At the bottom, click "Show Advanced Settings"
- Under "Privacy," click Content Settings
- Under "Pop-ups," select "allow all sites to showpop-ups"
- On your computer, open Chrome
- Go to the voucher system page that is preventing the pop up from appearing.
- In the address bar, click on Pop-ups blocked symbol
- Click the link for the pop-up window you'd like to see
- To always see pop-ups for this site, select "Always show pop-ups from...
- Click Done

#### Accessing the Attorney for the Child Internet Voucher System (AFCIV)

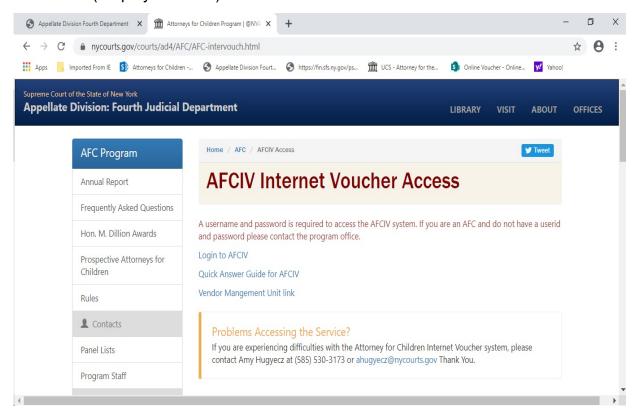
Go to the Fourth Judicial Department Homepage: <a href="http://www.nycourts.gov/courts/ad4/">http://www.nycourts.gov/courts/ad4/</a> (Pictured below)



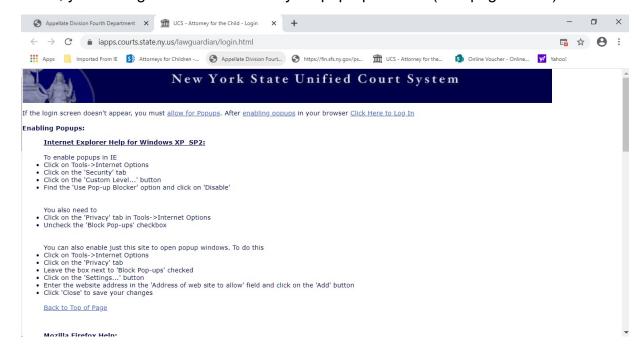
At the bottom of the webpage, click the link titled "Attorneys for Children Program" under "Programs and Auxiliary Agencies." This will bring you to the AFC Program Homepage: <a href="http://www.nycourts.gov/courts/ad4/AFC/AFC-index.html">http://www.nycourts.gov/courts/ad4/AFC/AFC-index.html</a> (Pictured below)



To access the Internet Voucher System, click the link on the left hand side under "Vouchers and Reimbursements, titled, "AFCIV Access," then click the link titled "Login to AFCIV." (Displayed below)



If the login screen does not appear, and all you see in your window is what is pictured below, you must go back and disable your pop-up blocker (See page 15-17)



## Login Screen and Password Rules

In the appropriate spaces, enter your assigned User Name and Password and click "Sign In."



#### Password Rules:

- 1. Must contain a minimum of 10 characters.
- 2. Password must contain three of the four options: Uppercase, lowercase, number or special character.
- 3. Password cannot be one you've ever used before.
- 4. Password cannot contain the AFC's last name or User ID

If you forget your password for AFCIV please use the Self-Service Password Reset site:

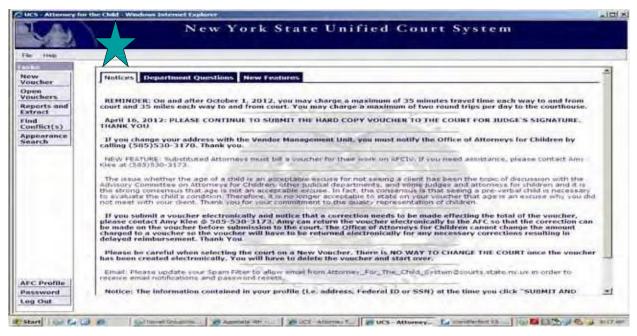
#### https://iapps.courts.state.ny.us/sspr/Forgot

Where the site asks for your "UCS Account Username" you will input your assigned User ID and click "Next."

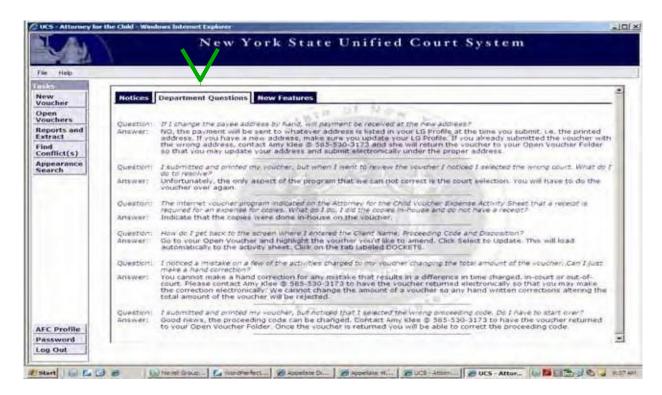
There are two ways you can reset your password. The first way is to answer the security question correctly, input a new password and hit "Reset Password." If you do not remember the answer to the security question, you can click "Reset by Email." \*Note: The reset will be sent to the email address associated with your AFC Profile so please make sure to keep your email up-to-date.

## **Attorney for Children Internet Voucher System Home Screen**

**Notices:** The 4<sup>th</sup> Dept. Office of Attorneys for Children will keep you up to date on any important information regarding the internet voucher system through the "Notices" tab on your Attorney for Children Internet Voucher System Home Screen (Displayed below)



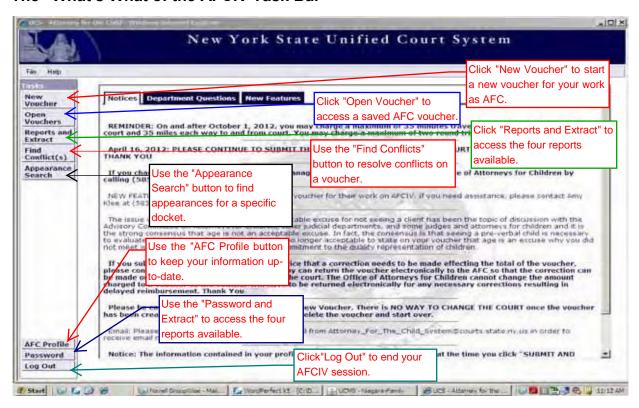
**Department Questions:** Contains a list of frequently asked questions and answers. (Displayed below) *A more extensive list of FAQ's is available on Page 56* 



**New Features:** Any new features that are added to the voucher program are explained in the new feature tab.



#### The "What's What of the AFCIV Task Bar"



#### **AFC Profile**

There are several reasons why it is *imperative* that you keep your AFC Profile as up-to-date as possible:

- 1. The address associated with your Vendor ID # is where your payment will be sent.
- 2. The Attorney Vendor ID # of the Firm Vendor ID # listed in your AFC Profile determines how the payment will be allocated for tax purposes. *Note: If you have both an Attorney Vendor ID # and a Firm Vendor ID # listed in your profile, the Firm Vendor ID # will be the default.*
- 3. The email address listed in your AFC Profile is where notifications and password resets will be sent.



Note: If you notice that the address associated with your Vendor ID # is incorrect, or the voucher system states that the remit address is invalid or inactive, please contact the AFC Program for assistance.

# AFC Profile: Add or Change Vendor #/Firm Vendor #

To add Attorney/Firm Vendor Info, hit the button titled, "Add Attorney/Firm Vendor Info."

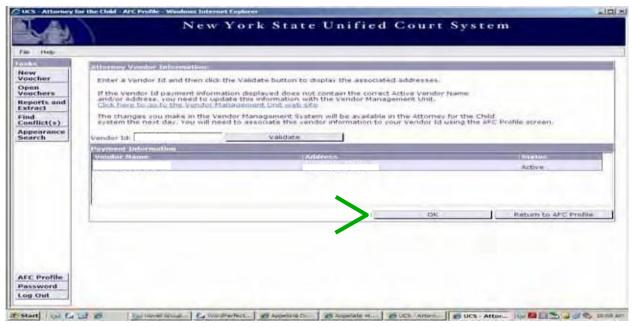


To change the Attorney/Firm Vendor Info, hit the button titled, "Change Attorney/Firm Vendor Info." To remove, hit the button titled, "Remove Attorney/Firm Vendor Info."



## **AFC Profile: Attorney Vendor Information Screen**

The add or change Attorney/Firm Vendor Info button will bring you to the "Attorney/Firm Vendor Information" Window. Input your assigned Attorney/Firm Vendor ID # in the "Vendor ID:" field and hit validate.



If the information in the "Payment Information" box is accurate, e.g. the Vendor/Firm Name and Address is correct, and the status is "active" click "OK." The Attorney/Firm Vendor Information will now be displayed in the AFC Profile. (Displayed below)



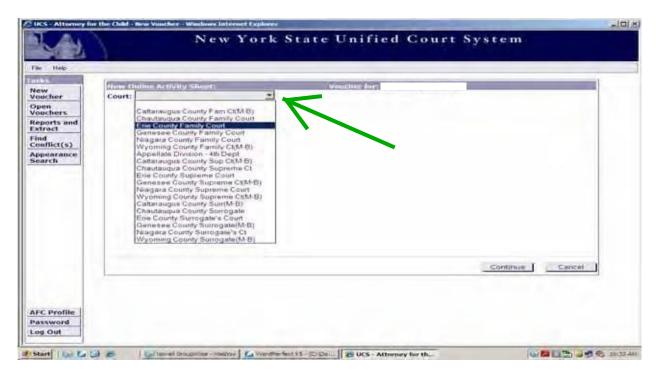
## **Creating a New Voucher**

\*Confidential information has been redacted from screen shots.

To start a new voucher, click the tab on the AFCIV task bar titled, "New Voucher."



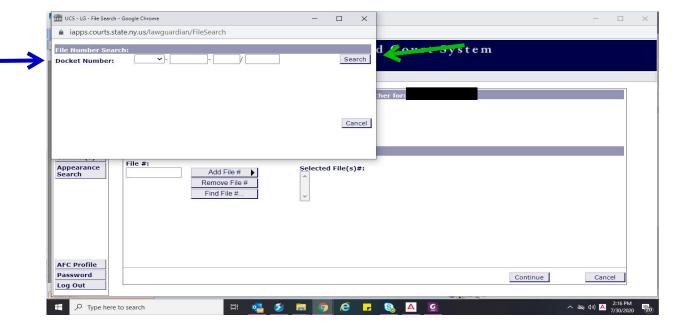
After clicking on, "New Voucher," select the Court from the pull-down menu. (Displayed Below) Be careful to select the correct court, you will not be able to change the court after the voucher is created.



Once you have selected the originating court, you will enter the Family File # in the field titled, "File #," and click "Add File #." After clicking add file #, the file will be added to the "Selected File(s) #" field. (Displayed blow) Note: If you have a matter that has more than one File #, but the proceeding was handled together, you may enter more than one File #.



If you do not remember the Family File #, you can click the "Find File #" button to search for the File # by Docket. Enter the "Docket Number" in the "File Number Search" window and click "Search." A results window will appear with "Children on Docket" information. If accurate, click "Add File #."



After you have added your File #(s), click "Continue." This will bring you to the "Dockets" tab. (Displayed Below)



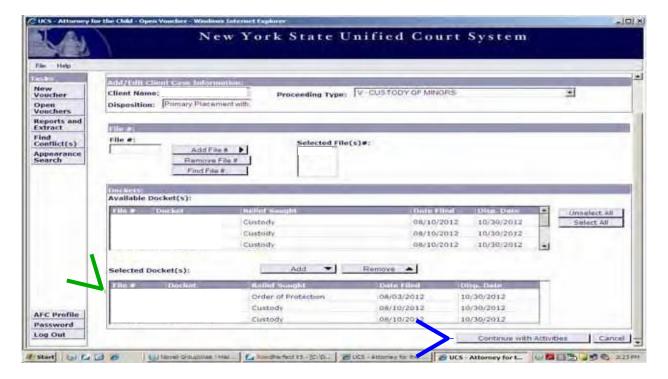
Enter your client(s) name in the field titled, "Client Name." Select a proceeding code from the "Proceeding Type" pull down menu Note: If there is more than one type of proceeding, e.g. an O docket and a V docket, select one code that represents at least one proceeding type Enter the disposition in the "Disposition" field if you have it. If the case is not yet disposed, you can leave it blank, but you must enter the disposition before submission. (Displayed Below)



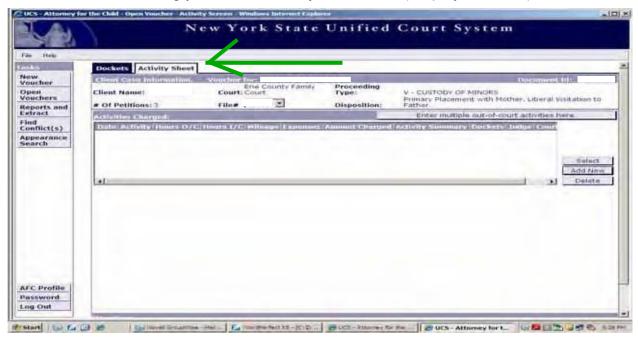
Highlight the docket(s) you would like to bill for from the "Available Docket(s)" window and click "Add." If you would like to bill for all the dockets, hit "Select All," and then "Add." (Displayed Below)



After you click "Add" the docket(s) will be moved from the "Available Docket(s)" window to the "Selected Docket(s)" window. (Displayed Below) Note: If a docket(s) is missing from the "Available Docket(s)" window, please contact the AFC Program.



After you have added the Docket(s) you would like to bill for, hit "Continue with Activities." This will bring you to the "Activity Sheet" tab. (Displayed Below)



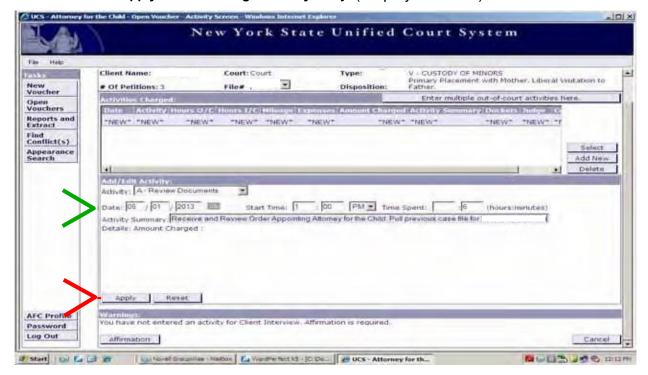
You will use the "Activity Sheet" tab to add your in-court, out-of-court, expenses and mileage related to your representation. Note: For a detailed list of activity codes, and required descriptions, please see page 13. For information about expenses and mileage, please see page 11. To add a single in-court or out-of-court activity, click "Add New." (Displayed Below)



After clicking "Add New" a "Activity" pull down menu will appear. Select the code that best applies to the activity you are billing for. (Displayed Below)



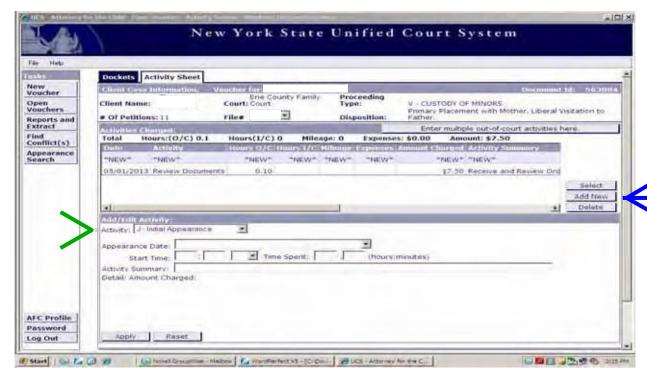
Once you have selected your activity code, enter the "Date" of the activity in MM/DD/YYYY, the "Start Time," the "Time Spent" in Hours and Minutes and the "Activity Summary." After you have entered all of the information click "Apply." Note: You must click "Add New" and "Apply" for each single activity entry. (Displayed Below)



After you hit "Apply" the activity will be moved to the "Activities Charged" window. (Displayed Below)



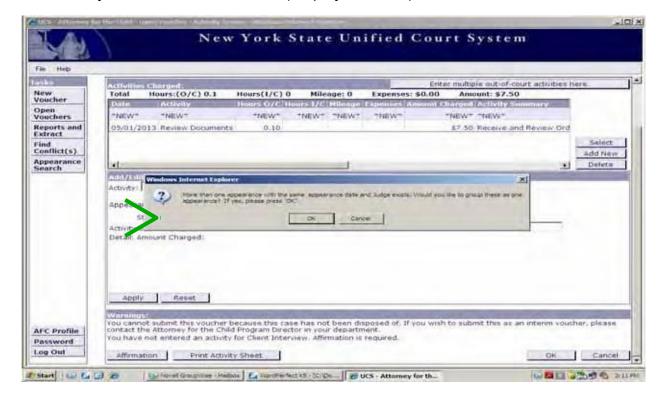
Adding in-court time to a Family Court voucher is a bit different than adding a single out-of-court activity. First, hit "Add New," and select an in-court code. (Displayed Below)



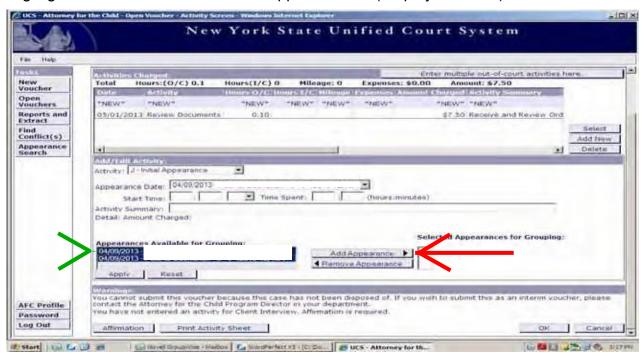
An "Appearance Date:" pull down menu will appear. Select the date of the court appearance from the pull down menu. (Displayed Below)



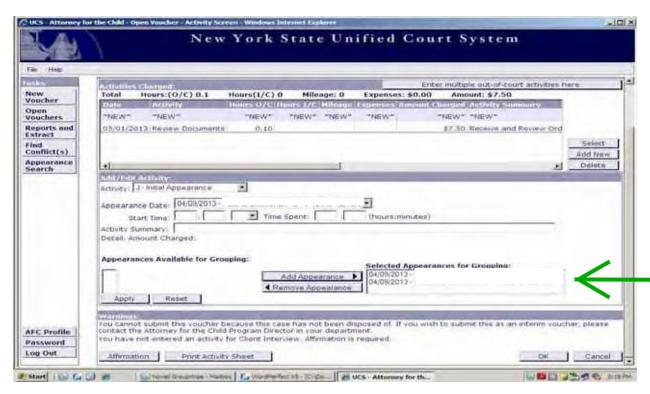
If more than one appearance with the same date is listed, AFCIV will ask if you would like to group appearances. If the appearances were handled at the same time, click "OK." If they were not, click "Cancel." (Displayed Below)



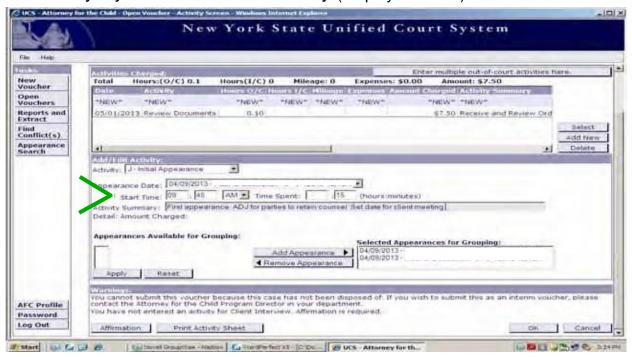
After you click "Ok," an "Appearances Available for Grouping," window will appear, highlight all available and click "Add Appearances." (Displayed Below)



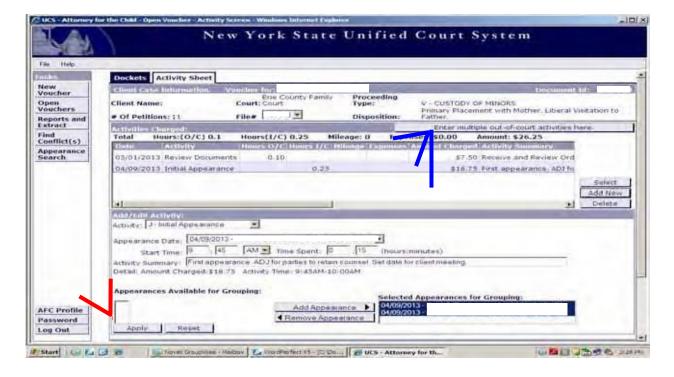
After you click "Add Appearance," the appearances will be moved to the "Selected Appearances for Grouping:" window. (Displayed Below)



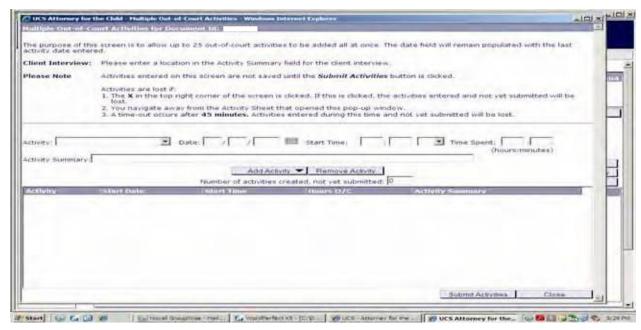
You will now enter your "Start Time," "Time Spent," and "Activity Summary." Note: Supreme Court vouchers do not have a pull down menu with appearances listed, you will enter the date manually as you would an out-of-court activity. (Displayed Below)



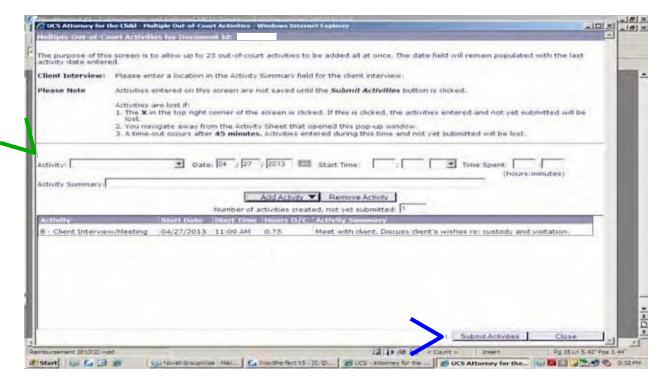
After entering your information, hit "Apply." The activity will be moved to the "Activities Charged" window. (Displayed Below)



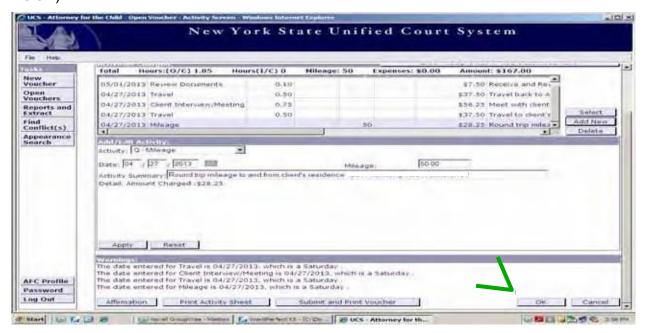
You must use the Single Activity Entry to add in-court time, expenses and mileage. However, you may use the "Enter Multiple Out-of-Court Activities Here" button to submit up to 25 out-of-court activities at a time. Once you click the button, a window will pop-up in your screen to allow you to enter up to 25 out-of-court activities. (Displayed Below)



Select the "Activity" code, enter the "Date," "Start Time," "Time Spent," and "Activity Summary" and hit "Add Activity." (Displayed Below) Once you have entered all of your out-of-court activities, or have reached 25, hit "Submit Activities." (Displayed Below)



Once you hit "Submit Activities" the activities will be added to the "Activities Charged" window and you will be brought back to the "Activity Sheet" of the voucher. (Displayed Below)



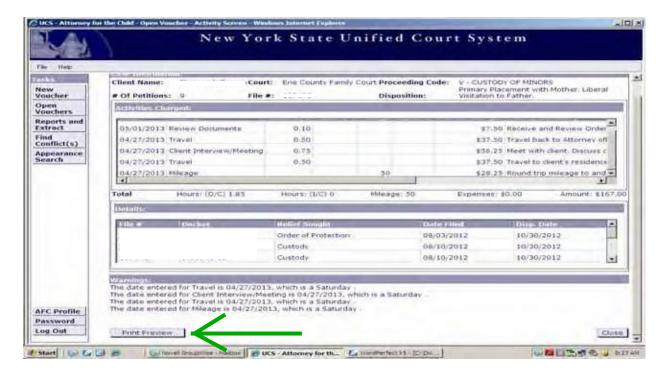
If you have entered all your activities, but are not ready to submit the voucher, hit "Ok." This will save your voucher to the Open Voucher Folder and return you to the AFCIV "Homepage." (Displayed Below)



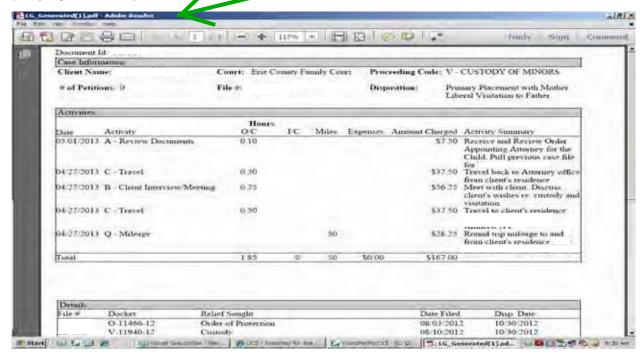
If you have entered all of your activities, and would like to print your activity sheet, hit "Print Activity Sheet." (Displayed Below)



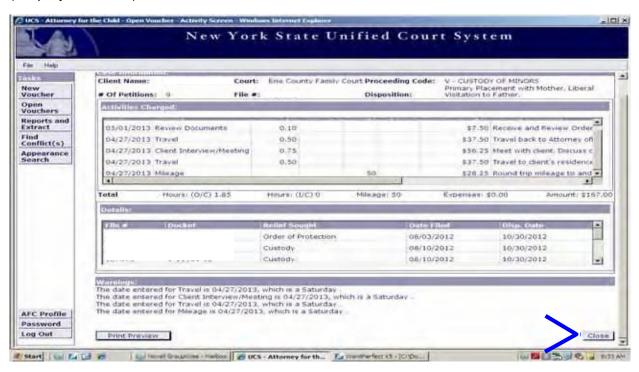
A preview screen will appear in your window where you will click "Print Preview." (Displayed Below)



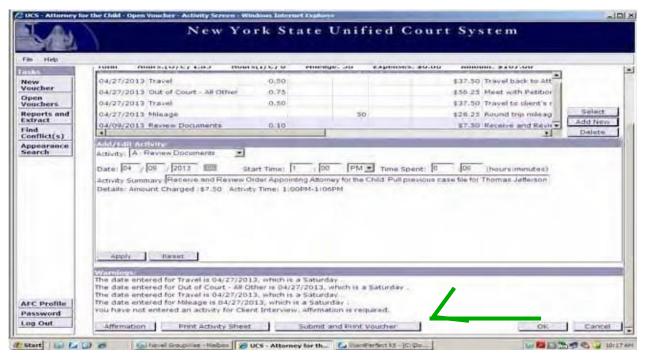
After you click "Print Preview," a PDF of your activity sheet will pop-up in your window. (Displayed Below)



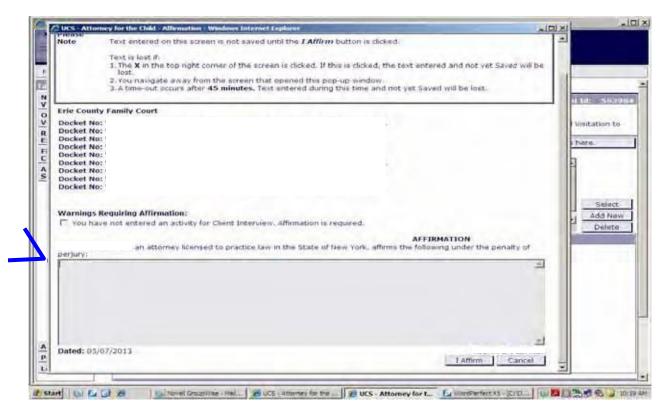
You can print or save the PDF through the Adobe tool bar. After you have previewed your activity sheet, hit "Close" to save the voucher to your Open Voucher Folder. (Displayed Below)



If you have entered all of your activities and are ready to submit the voucher hit "Submit and Print Voucher."



If you have a warning listed under the "Warnings" section indicating an "Affirmation is required" an Affirmation window will pop up in your screen. (Displayed Below)



Under the "Warnings Requiring Affirmation" heading, check the box(es) to indicate that you have written an affirmation to address the warning(s) and in the space provided enter your "Affirmation." Once you have completed the affirmation, hit the "I Affirm" button. (Displayed Below)



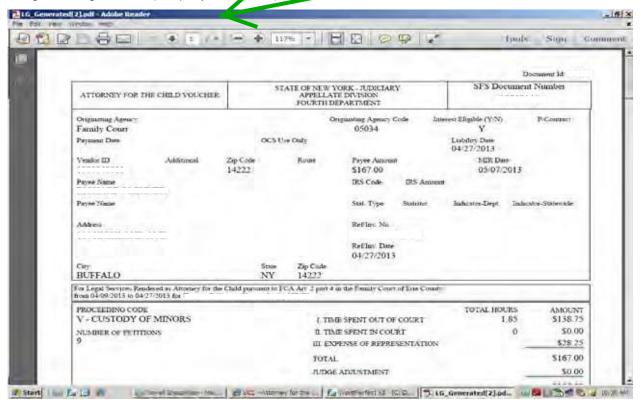
#### The "Warnings Requiring Affirmation" are:

- 1. The voucher is being submitted more than 90 days after the last activity date.
- 2. No activity for Client Interview.
- 3. Extraordinary Circumstances Voucher requesting payment in excess of the statutory limit of \$4,400.00.
- 4. Not appearing for an Oral Argument on Appeal.

### The "Warnings Not-Requiring Affirmation" are:

- 1. Date entered for an out-of-court activity is Saturday/Sunday.
- 2. Date entered for an out-of-court activity is a Holiday.

After you hit, "I Affirm" the voucher will be submitted electronically. A PDF of your voucher will pop up in your screen where you will be able to print and submit to the Judge for signature. (Displayed Below)



#### Important Information Regarding a Submitted Voucher:

- 1. You must still print, sign and send the voucher to the Family or Supreme Court Judge for Signature.
- 2. Take note of the SFS Document Number in the top right-hand corner, as this unique number will be used as the Voucher Reference on checks/direct deposits.
- 3. If the address printed on the first page of the voucher is in-correct, you must contact the AFC Program to have your address changed. The voucher will need to be returned to you electronically and held until the address change is complete.
- 4. If you notice a mistake on the voucher that effects the total amount of the voucher, please contact the AFC Program to have the voucher returned to you electronically so that the mistake may be corrected. Handwritten changes in time will not be processed and will result in delayed payment.
- 5. If you notice that you neglected to add activity to the voucher, please contact the AFC Program to have the voucher returned electronically so that you may make any additions necessary. Supplemental vouchers will not be accepted.

### **Creating a Voucher for Substitution**

**Note:** An AFC appointment is individual to the AFC, and is not an appointment of a firm with which the AFC may be associated. Under ordinary circumstances only the appointed AFC may provide services to the child client pursuant to appointment. When required by unavoidable circumstances, the appointed AFC may arrange to have another AFC appear in court on behalf of the child client. The substitute AFC is able to bill the program directly through AFCIV. For more information on substitution see page 7.

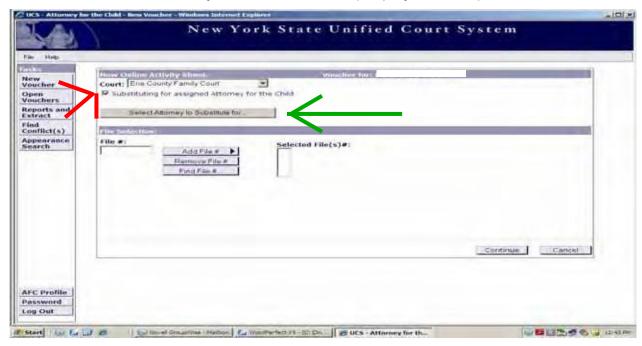
To create a voucher for substitution click, "New Voucher." (Displayed Below)



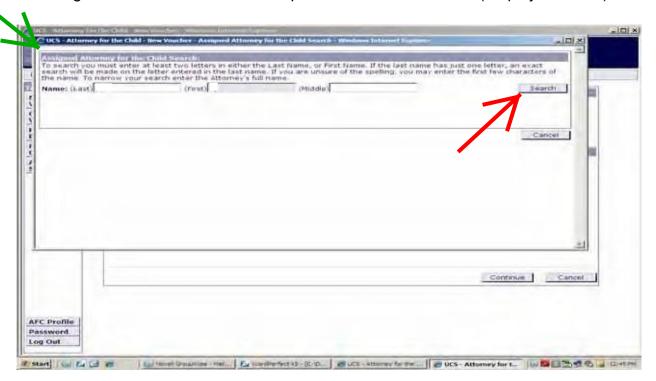
Select the "Court" from the pull down menu. (Displayed Below)



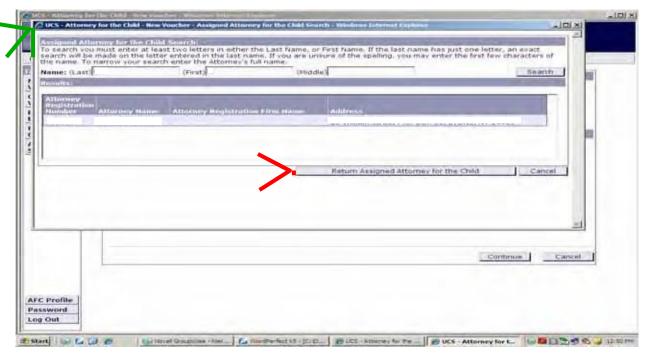
Check the box next to, "Substituting for assigned Attorney for the Child," and hit the button titled, "Select Attorney to Substitute for..." (Displayed Below)



An "Assigned Attorney for the Child Search" window will appear in your screen. Enter the Assigned AFC's name in the fields provided and hit "Search." (Displayed Below)



A "Results" window will open. Highlight the attorney's name you appeared on behalf of and hit, "Return Assigned Attorney for the Child." (Displayed Below)



A window will pop up indicating that the "Court list is being re-loaded for the selected Attorney," click "Ok." The top of the voucher will now reflect that "Voucher for: John Doe substituting for Jane Doe." (Displayed Below) Note: Proceed to bill time for substitution as you would for a Family or Supreme Court voucher.

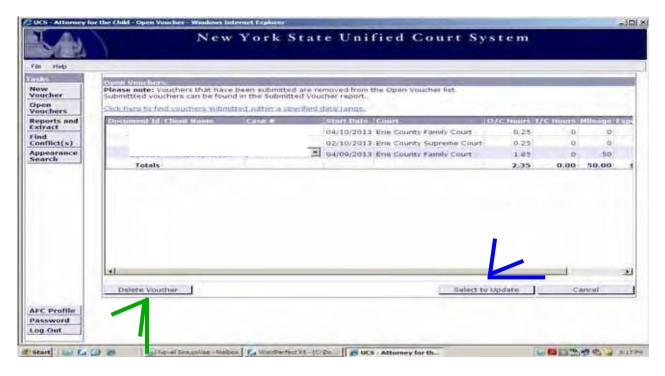


### **Open Voucher Folder**

The Open Voucher Folder is where all of your created, but not yet submitted vouchers are saved. To access the Open Voucher Folder, click "Open Vouchers" on your AFCIV tasks bar. (Displayed Below)



To add activities to a voucher, highlight the voucher and click "Select to Update." To delete a voucher, highlight the voucher and click "Delete Voucher." To exit the Open Voucher Folder, click "Cancel." (Displayed Below)

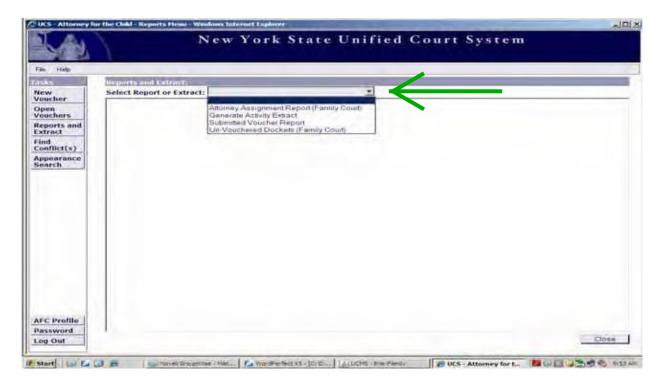


### **Reports and Extract**

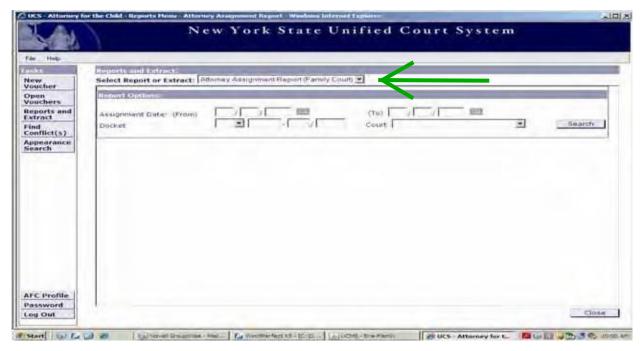
There are several reports available to you through the "Reports and Extract," button on the AFCIV task bar. To start a report, click on "Reports and Extract" button. (Displayed Below)



After you click on "Reports and Extract," a pull-down menu will appear where you can select what type of report you'd like to run.



The first report available to you is the "Attorney Assignment Report (Family Court)." The Assignment Report will allow you to view AFC assignment's you've received within a given time frame, or you may search by Docket and Court. Select "Attorney Assignment Report (Family Court)" from the pull down menu. (Displayed Below)



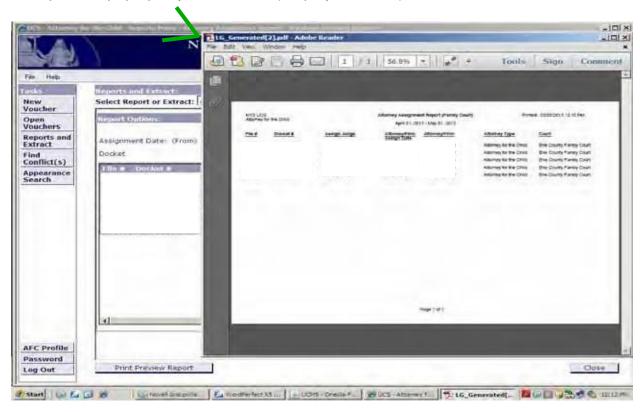
Enter the assignment date range in the fields provided, up to 31 days, and click "Search." Or, enter the Docket and Court and click search. (Displayed Below)



A window will appear showing any assignment's you've received during the time period entered. (Displayed Below)



If you would like to print the report, click "Print Preview Report," and a PDF version of the report will pop up in your window. (Displayed Below)



The second report available to you is the "Generate an Activity Extract" report. The "Generate an Activity Extract," function allows you to extract activity data for a "Activity Date or Document ID," and import it into a time keeping system, e.g. Time Slips. To run the report, enter either the Document ID, or Activity Date Range, select a Sort By option and click "Search." (Displayed Below)



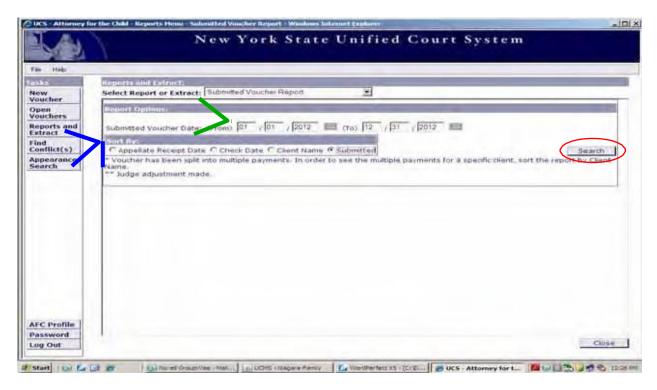
A window will open showing you the activities charged for the Date(s), or Document ID requested, you then will be given the option to "Download Extract." (Displayed Below)



The third report available to you is the "Submitted Voucher Report." The "Submitted Voucher Report," allows you to access and print any voucher you've submitted electronically during the date range requested. (Displayed Below)



Enter the date range within which you submitted the voucher electronically (up to one year) click Sort By: Submitted and hit "Search." (Displayed Below)



After you click "Search," a window will open and display all the vouchers that you've submitted electronically during the time frame requested. To print the report, click "Print Preview Report," to print a specific voucher, highlight the voucher you'd like to print and click "Print Preview Voucher." (Displayed Below)



The "Submitted Voucher Report," can be used to print a copy of a submitted voucher, confirm whether the AFC Program has received your voucher from the court, and can assist in locating the SFS Document # for tracking payment. AFCIV can not provide specific check dates; however, you may use the Vendor Self Service Portal to obtain specific payment information.

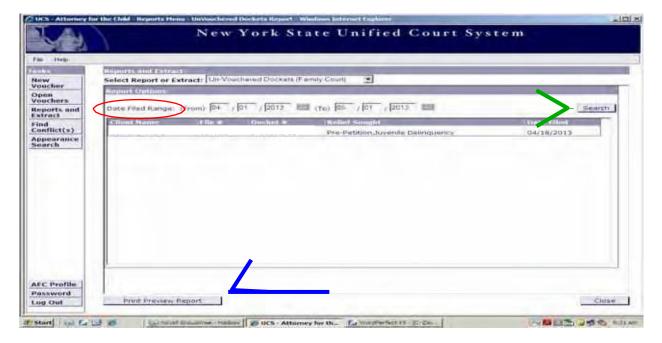
To access the Vendor Self Service Portal go to <a href="www.sfs.ny.gov">www.sfs.ny.gov</a> Click the yellow button titled, "Vendor Portal Login." Enter your User ID and Password and click "Sign In."

\*The User ID and Password are not the same as your AFCIV account. To obtain: P/C (855)233-8363 or (518)457-7717 Email: helpdesk@sfs.ny.gov

The final report available to you is the "Un-Vouchered Dockets" Report. (Displayed Below) The "Un-Vouchered Dockets" report can be used to assist you in figuring out whether you've billed a docket or not. However, it is important to note that just because a docket is listed in the "Un-Vouchered Dockets" window, it does not necessarily mean that you haven't billed time on the File.



Enter the "Date Filed Range," in the field provided (up to 31 days) and click "Search." A window will appear with any dockets that you've been assigned to as AFC during the time frame requested. You are able to print the report by click "Print Preview Report." (Displayed Below)



#### **Find Conflicts**

There are three types of conflicts that can appear in the warnings section of your voucher. All three can be resolved by using the "Find Conflicts" button on your AFCIV task bar. The AFC Program strongly suggests that you research and resolve any conflicts before submission. The three conflict warnings are:

- 1. "Document ID: 123456 contains overlapping activity dates for docket V-12345-13."
- 2. "Total # of hours for in-court and out-of-court activity(s) dated 10/24/2012 exceeds 12.00 hours."
- 3. "The start and end time for Review of Documents dated 10/24/2012 overlaps with an activity on Document ID: 654321." Note: This third warning is fatal and must be resolved prior to submission of the voucher. This warning can also be resolved by viewing the time slots for given date(s) or document id number through the "Generate an Activity Extract" Report.

After you click the "Find Conflicts," a "Find and Resolve Voucher Conflicts," window will appear. Enter the "Document ID" that contains conflict warning(s) and hit, "Search." (Displayed Below)



After you click "Search," a conflict search results window will appear showing the activities that are causing the conflict. You can then use the information provided to resolve the conflict warning on your voucher.

### **Appearance Search**

The "Appearance Search" button on the task bar can be used to find information about an in-court appearance. To start, click on "Appearance Search." (Displayed Below)



If you want to see what appearances are associated with a specific docket, enter the "Docket Number," and select the "Court" from the pull-down menu and click "Search." You may also search for appearances related to Family File #, to do so, enter the "File Number," select the "Court," and click "Search." (Displayed Below)



# Attorneys for Children Internet Voucher System (AFCIV) Frequently Asked Questions

#### I cannot remember my user ID. What is it?

Generally, your user ID is either your first initial, last name, all lower case, one word or your attorney registration number.

#### I do not remember my password for AFCIV. Can you tell me what it is?

We do not have access to password information but you can use the following link to create a new password: <a href="https://iapps.courts.state.ny.us/sspr/Forgot">https://iapps.courts.state.ny.us/sspr/Forgot</a> Please bookmark this link so that if you forget your password in the future, you'll be able to reset without delay.

#### AFCIV won't accept my password. What are the rules for the password?

- 1. Password must contain a minimum of 10 characters
- 2. Password must contain three of the four: upper case, lower case, number or special character
- 3. Password cannot be one you have ever used before
- 4. Password cannot contain your name or user ID

### I noticed some information in my AFC Profile is incorrect. Is it important to keep it up-to-date?

Yes, it is extremely important to keep your AFC Profile up-to-date. Through AFCIV you can update your phone number(s) and email address and our office will be automatically notified of the update.

### The address associated with my Vendor ID/Firm Vendor ID is wrong, but it won't let me update the address through the AFC Profile. What should I do?

Please contact the AFC Program to make sure we have the correct address in our internal database. In order to update the address associated with your Vendor ID Number you will need to log in to the Statewide Financial System (SFS) Vendor Portal.

#### How do I update my information in the SFS Vendor Portal?

First, obtain a user ID and password for the Vendor Portal by contacting the SFS Help Desk by phone: (855)233-8363 or (518)457-7717 or by email: helpdesk@sfs.ny.gov.

To access the Vendor Portal go to <a href="www.sfs.ny.gov">www.sfs.ny.gov</a>. Once you sign in go to "Supplier Change Request," click "Address," click "Edit." After editing the address, click "Submit

Icon" along the top of the screen. Select a "Reason for Change" enter comments if you have any, click the box "Confirm Changes" then click "Submit."

If you do not see the address change reflected automatically in your AFC Profile within two weeks of submitting the change request, please contact the AFC Program.

#### Can my AFC Voucher Payments be paid by Direct Deposit?

Yes, your AFC Payments can be paid by Direct Deposit. You will use the Vendor Portal to register for Direct Deposit.

First, obtain a user ID and password for the Vendor Portal by contacting the SFS Help Desk by phone: (855)233-8363 or (518)457-7717 or by email: helpdesk@sfs.ny.gov.

To access the Vendor Portal go to <a href="www.sfs.ny.gov">www.sfs.ny.gov</a>. Once you log in to the portal click "Register for ePayments," then under "Supplier Inquiry Results" click your "Supplier" Number (Vendor ID). After that enter your information, check the box by "I Hereby" and click "OK."

I was assigned to represent three siblings. The case has more than one Family File # but was handled together by the court. Do I have to prepare three separate vouchers?

So long as the case was handled together, you can bill more than one Family File # on the voucher. When you create the voucher you will just want to add each of the Family File #'s to the "Selected File #" field and then click "Continue."

I was assigned to a Family File # previously and submitted a voucher for my work. The Petitioner has since re-filed and I was re-assigned. The case was given the same Family File # but with a new petition. When I go to start a new voucher for my work, the voucher system states that a previous voucher has been billed. How do I start a new voucher for my work?

If you receive a message that "Document ID xxxxxx for Family File # xxxx with activities dated xx/xx/xxxx to xx/xx/xxxx has been sent to OSC" take note of the dates previously billed, exit out of the message and click "Continue" a second time. This will allow you to create a new voucher for any un-billed time.

When I enter the Family File # I receive a warning that the File # is invalid with the selected court or I have not been assigned to the File #. I checked my file and I was assigned as an Attorney for the Child on the matter. What do I do?

Generally, the error message means that the court has entered your assignment incorrectly in the court's database, UCMS. Please contact Amy at the AFC Program at <a href="mailto:ahugyecz@nycourts.gov">ahugyecz@nycourts.gov</a> for instruction to correct the assignment.

### I am working on a Supreme Court voucher and it is asking for a "Case Number." What number should I input?

Input the Index Number or the IDV File Number. Please remember that when submitting a voucher for divorce/matrimonial action you are required to attach the Order Appointing you as a State Pay Attorney for the Child to the AFC Voucher.

I was able to create the Supreme Court voucher, but none of my court appearances are available in the drop down menu as they are on a Family Court voucher. Should I contact the court?

No, on a Supreme Court voucher you will select an in-court code and enter the date manually as you would with an out-of-court activity.

# I have a case that originated in Family Court but was subsequently transferred to IDV Court. Do I have to prepare two separate vouchers?

Yes, you will need to complete two separate vouchers. One under the Family Court up to the date of transfer and another under Supreme Court from the date of transfer through disposition. You can submit the Family Court voucher as soon as the case is transferred.

I am working on a Family Court voucher and there is a warning that states, "UCMS records indicate you were not present for Pre-Trial Hearings on 07/27/2020. Your attendance must be corrected with the court in order to bill for this appearance." I know I attended this court appearance. How can I fix it?

Please contact Amy at the AFC Program at <a href="mailto:ahugyecz@nycourts.gov">ahugyecz@nycourts.gov</a>. Amy can check UCMS, locate the Docket #(s) that the AFC is marked not present on and provide instruction so that the court can correct.

The court confirmed they marked me present on the Docket #(s) provided but the warning is still at the bottom of my voucher. What should I do?

Please delete and re-add the court appearance to refresh the data.

I have a warning on the bottom of my voucher indicating that there is a conflict between activities. How do I resolve?

The best way to resolve a time conflict is to use the "Generate an Activity Extract" report. To do so, click "Reports and Extract," select "Generate an Activity Extract," enter the date of the conflict to the same date in "MM/DD/YYYY" format, click "Sort By: Activity Date," click "Search."

A window will open that will show you all of the activities billed by the AFC on that date for all of their AFC assignments. You should be able to see the time conflict and resolve accordingly.

## I have a warning on the bottom of the voucher stating that an affirmation is required. I saved the affirmation. Why is the warning still on the voucher?

The warning that indicates an affirmation is required will always remain on the voucher. When you are ready to submit the voucher, just click "Submit and Print Voucher." A final affirmation screen will appear where you can preview what you have saved, you will check a box under "Warnings Requiring Affirmation, and click "I Affirm." A PDF of your voucher should then pop up in your window so that you can print.

# I have a warning on the bottom of the voucher stating that I cannot submit because the case is not disposed of. How do I request interim submission?

The AFC Program can approve interim vouchers under the following circumstances:

- 1. AFC has been relieved of assignment
- 2. At the disposition phase of a case where permanency hearings are mandatory
- 3. Extraordinary Circumstances The voucher exceeds \$4400.00 in services or over 18 months of consecutive work without reaching disposition

To request, please provide the Document ID Number for the voucher and an explanation of the reason.

### When I created the voucher I did not input the disposition. How do I get back to enter the disposition?

To return to the screen where you enter the disposition click, "Open Voucher," highlight the voucher, click "Select to Update," this will load automatically to the Activity Sheet, click the tab titled "Dockets" (Top/Left), enter disposition.

# I was able to submit my AFC Voucher, but the voucher did not pop up for me to print and submit. What should I do?

Disable your pop up blocker then run a "Submitted Voucher Report" to generate a copy of the PDF. To do so, click "Reports and Extract," select "Submitted Voucher Report," enter the date range within which you submitted the voucher electronically in "MM/DD/YYYY," click "Sort By: Submitted," click "Search." Highlight voucher you need a copy of and click "Print Preview Voucher."

In reviewing my submitted voucher, I noticed that some of the time was entered incorrectly. Can I manually change or do I need to prepare a whole new voucher because the voucher is no longer available in the "Open Voucher Folder?"

Contact Amy at the AFC Program at <a href="mailto:ahugyecz@nycourts.gov">ahugyecz@nycourts.gov</a>. Amy can return the voucher electronically to your "Open Voucher Folder," so that you can make corrections and re-submit and print.

## Is there a way I can tell if the AFC Program has received and processed a voucher for payment?

Yes, you can use the "Submitted Voucher Report" to see if a voucher has been received and processed for payment. Log on to AFCIV, click "Reports and Extract," select "Submitted Voucher Report," enter the date range within which you submitted the voucher electronically in "MM/DD/YYYY" (up to one year), click "Sort By: Submitted," click "Search."

If you see an "Appellate Receipt" date listed that means that the AFC Program has received and processed the voucher for payment. Generally a check is cut within a week to ten business days of that date. If the voucher has not been received by the AFC Program and it has been over a month, please re-submit the voucher to the court for judge's signature. If you see an "Appellate Receipt" date but have no record of receiving a payment, please contact Amy at the AFC Program at ahugyecz@nycourts.gov for assistance.

As you work on AFC vouchers, if you have any questions, please feel free to contact Amy at <a href="mailto:ahugyecz@nycourts.gov">ahugyecz@nycourts.gov</a> for assistance. Please provide a detailed explanation of the problem you are experiencing or question you have. Thank you!

#### Appeal Voucher Q & A

#### Q: Am I required to meet with my client on appeal?

A: Pursuant to Section 7.2 of the Rules of the Chief Judge, the AFC must consult with and advise the child to the extent and in a manner consistent with the child's capacities, and have a thorough knowledge of the child's circumstances. See Matter of Mark T. v Joyanna U., 64 AD3d 1092 (3d Dept 2009); Matter of Jennifer V.V. v Lawrence W.W., 241 AD3d 622 (3d Dept 2020). If you do not meet with your client, you are required to submit an affirmation explaining why you did not meet with your client. Encountering difficulty in scheduling a client meeting does not excuse you from this duty.

#### Q: How do I voucher for an appeal?

A: You will complete a voucher for appeal on the Attorneys for Children Internet Voucher System (AFCIV).

#### Q: Can I just combine the lower court work with the work completed on appeal?

A: No. You must complete two separate vouchers. One for the work completed at the Family Court or Supreme Court level and one for the work completed on appeal.

#### Q: Can I combine Appellate Division work with Court of Appeals work?

A: You may include time spent on a motion for leave to appeal to the Court of Appeals on your Appellate Division voucher. If you prefer, you can voucher the time spent on the Appellate Division matter when the decision is released, and then submit a supplemental voucher for time spent on the motion for leave. If the motion for leave is granted, you will need to start a new voucher for the Court of Appeals matter. Vouchers for work done on Court of Appeals matters should be submitted to the AFC Program. The Court of Appeals decision must be submitted with your voucher.

#### Q: What court should I select for the appeal voucher?

A: You will select the "4<sup>th</sup> Dept. Appellate Division" as your court on AFCIV.

### Q: The voucher system asks for a case number - what should I input for my appeal voucher?

A: For an appeal voucher, enter the CAF (or CA) Number. This is the Appellate Division's docket number.

#### Q: What proceeding code applies to appeals?

A: All appeal vouchers should have AP - Appeal for their proceeding code. If you do not select the proper proceeding code, the voucher will be returned to you (the AFC Program cannot fix it on our end), which will result in delayed payment.

### Q: The appeal isn't scheduled for Oral Argument for 6 months, can I submit an interim voucher?

A: No. You cannot submit an interim voucher on appeal. You must wait until after Oral Argument, and receipt of the Appellate Division decision.

#### Q: What if I am unable to attend Oral Argument?

A: Per Guidelines for AFC in the Fourth Department, AFC are expected to attend oral argument. If you do not attend, you will need to attach an affirmation through AFCIV explaining why you were unable to attend Oral Argument.

#### Q: How should I code my time for Oral Argument?

A: The time spent for Oral Argument should be coded as in-court time. In-court time is defined as time spent in the presence of the justices.

#### Q: How do I bill the time spent waiting for Oral Argument?

A: Time spent waiting for Oral Argument (outside the presence of the justices) should be coded as an H Code, Out-of-Court All-Other.

# Q: Can I combine activity codes? For example, can I combine the time I spent researching case law and drafting my brief?

A: No. You cannot combine activity codes. You must break down activities by proper codes. For example, the time spent researching would be coded as an F Code, Legal Research. The time spent drafting your brief would be coded as an E Code, Legal Drafting. For further clarification please refer to the AFCIV Reimbursement Guidelines, pg. 13.

#### Q: What type of activity description is required?

A: If you are billing an A Code, Review of Documents, you must specify what you are reviewing, e.g., Review Notice of Appeal. If you are billing a D Code, Phone/Correspondence you must specify who you are corresponding or speaking with or what you are composing, e.g., phone call with Petitioner Mother or draft letter to Petitioner's Attorney. Please specify your research topics when billing an F Code, Legal Research. For further clarification please refer to the AFCIV Reimbursement Guidelines, pg. 13.

#### Q: Can I bill for travel, mileage, tolls and parking on appeal?

A: Yes, you can bill for your travel and mileage costs on appeal but you must specify where you are traveling to and from. You must state the office address you are traveling from, and at a minimum, the street name, town and zip code you are traveling to. You

must submit receipts or a copy of your E-Z Pass statement for Thruway tolls. Receipts are required for parking fees over \$5.00.

### Q: There is a cap on travel/mileage to and from court. Does this apply to appeals?

A: The cap on travel/mileage does not apply to travel to and from Oral Argument.

#### Q: Can I be reimbursed for copies and postage on appeal?

A: Yes. We reimburse for copies at the rate of \$.15 per page without a receipt. You must specify in the activity description the number of copies and what document you are copying. Similarly, you must specify what you are mailing and the postage fee. Receipts must be submitted for postage over \$15.00.

#### Q: Can I be reimbursed for overnight mailing expenses?

A: As a general rule, you cannot be reimbursed for overnight mailing expenses. The exception would be if there is a very short filing deadline, e.g., on a motion for leave to appeal.

# Q: Can I be reimbursed for printing of briefs and records, and/or filing and service of briefs and records by a printing service?

A: No. The AFC Program does not pay for fees to professionally prepare and/or file and serve records and briefs. The rules of the Appellate Division expressly allow records and briefs to be reproduced by "any method that produces a permanent, legible, black image on white paper..." (e.g., simple copying). "Binding" can be stapling (see 22 NYCRR 1250.6 [b]; [c]). Filing and service can be effected by mailing with the U.S. Postal Service or by use of a delivery company such as FedEx.

### Q: A party has taken an appeal, and so has the child. Who pays for the cost of the record?

Under the statewide Practice Rules of the Appellate Division, per 22 NYCRR 1250.9, on concurrent appeals from a single order or judgment, or on cross appeals, the appealing parties shall file a joint record and shall share equally the cost of the record. Accordingly, if you are appealing as AFC, and another party is also appealing, please contact the other party and make arrangements to split the cost of the record, including transcripts. Pursuant to the AFCIV Manual and Reimbursement Guidelines, transcript costs are paid by the AFC Program directly to the stenographer or transcriber. The AFC should not pay the stenographer or transcriber. Please see page 10 of the Reimbursement Guidelines for more information, including the rate for transcript preparation. Please advise the other party that the AFC Program does not pay for fees to professionally prepare and/or file and serve records and briefs.

### Q: I have entered all of my time on AFCIV and am ready to submit my voucher. What do I indicate for disposition?

A: In the disposition section, please explain the outcome of the appeal, e.g., Family Court Order Affirmed.

#### Q: I was able to submit and print my voucher on AFCIV, where do I send it?

A: Send your voucher with receipts (e.g., postage over \$15.00, parking over \$5.00, and tolls) and any required affirmations directly to the Office of Attorneys for Children at:

Office of Attorneys for Children
Appellate Division, Fourth Department
50 East Ave.
Rochester, New York 14604
Attention: Deputy Director, Adam Oshrin

### Q: Along with the voucher, what else do I need to send to the Office of Attorneys for Children?

A: Please make sure to sign and date the voucher then send the original voucher, with a copy of **YOUR BRIEF** and a copy of the **APPELLATE DIVISION DECISION**. If you do not enclose your brief and the Appellate Division decision with your voucher, your voucher will be returned to you, which will result in a delay in processing and payment.