

Panel Re-Designation ApplicationThis application must be submitted to the Office of Attorneys for Children **on or before January 2** each year in order to be eligible for panel re-designation.

Your first name and initial	Last name	Attorney Registration Number
Address (number and street)	Suite	Registration in Good Standing I am currently registered and in good standing with the Office of Court Administration as required by Section 468-a of the Judiciary Law (having paid all biennial fees as required) <input type="checkbox"/> Yes <input type="checkbox"/> No
City, town or post office, state and ZIP code.		
Phone	Fax	
E-Mail Address		

Panel Designation

Maximum THREE counties may be specified.

- 1 **Initial Designation** } as an AFC panel member in which county(ies): _____
 Annual Renewal }
- 2 I have accepted AFC assignments within the last two years. Yes No
2a. If No, Why? _____
- 3 My availability to the Court is limited. Yes No
3a. If Yes, Explain: _____
(e.g. Not available after 1:00pm or not available on Mondays)

Outside Employment

- 4 I am employed full time by a government agency. Yes No
4a. If Yes, written permission for panel membership from employer, Family Court and the Office of Attorneys for Children must be filed.
 Filed with *this* application **Filed with *prior year* application**
- 5 I am employed part time as Assistant District Attorney, Public Defender, County Attorney, Municipal Corporation counsel, Judge or Justice of a city, town or village court or law clerk to a judge or justice. Yes No
5a. If Yes, In which county? _____

Affirmations

Check ALL boxes.

- 6 I have read and understand that I am required to follow Section 7.2 of the Rules of the Chief Judge and be in compliance with the Summary of Responsibilities of the Attorneys for Children that are attached and made a part of this application.
I have read, understand and initialed the above referenced publications on Page 3 of this application.
- 7 I understand if my client is involved in an appeal, I am charged with knowledge of all information contained in the Appellate Training for AFC seminar presented on March 22, 2019 and the appeals section of Guidelines for AFC in the the Fourth Department. All videos from the seminar and Guidelines for AFC are available on the 4th Dept. AFC website.
- 8 If I represent a client on appeal as an AFC, I affirm that I will request substitution unless I am fully familiar with and in compliance with those parts of the Rules of the Appellate Division, Fourth Department and the statewide Rules of Practice which pertain to such appeal.
- 9 I understand I must have billing records sufficient to justify charges on my AFC vouchers.
- 10 I have read, am familiar with and will comply with the Compensation and Reimbursement Policies and Procedures available on the Fourth Dept. AFC website.
- 11 I understand I am under a continuing duty to promptly advise the Office of Attorneys for Children of any circumstances that would change my answers to any question in the Ethics and Conduct section any time after submitting this application.

Panel Re-Designation Application

Ethics and Conduct

Check EACH box that applies.

For each checked item attach a statement of particulars.

- 12 In the past year, I have been charged with or convicted of any crime.
12a. If Yes, Current status is:
- 13 In the past year, I have been sanctioned or held in contempt by any court.
13a. If Yes, Current status is:
- 14 In the past year, I had an order of protection issued against me.
14a. If Yes, Current status is:
- 15 In the past year, I have been suspended, removed or asked to resign from any assigned counsel plan or attorney for the child panel.
15a. If Yes, Current status is:
- 16 In the past year, I have been notified that I am the subject as a parent or person responsible for the care of a child of any indicated report to the Statewide Central Register of Child Abuse and Maltreatment.
16a. If Yes, Current status is:
- 17 In the past year, I have been notified by an attorney grievance committee that I am the subject of any complaint or disciplinary proceeding or I am the subject of any professional discipline.
17a. If Yes, state particulars and status thereof. If status is pending you must provide the Fourth Department AFC Program Office with the outcome. Current status is:

Waiver of Confidentiality

- 18 I authorize the Committee of Professional Standards of the Fourth Judicial Department, or any other judicial department or grievance committee, to share information about me as an attorney with the Office of the Attorneys for Children in the Fourth Department.

Sign Here

Keep a copy for your records.

Under penalties of perjury, I declare that I have examined this application and accompanying statements, and to the best of my knowledge and belief, they are true and correct.

Your Signature

Date



Please continue to page 3 and initial where indicated

THIS SPACE IS
INTENTIONALLY
LEFT BLANK

Panel Re-Designation Application: Acknowledgements

Acknowledgement of Intent to Adhere to Section 7.2 of the Rules of the Chief Judge:

Function of the Attorney for the Child

(a) As used in this part, "attorney for the child" means a[n attorney] appointed by family court pursuant to section 249 of the Family Court Act, or by the supreme court or a surrogate's court in a proceeding over which the family court might have exercised jurisdiction had such action or proceeding been commenced in family court or referred thereto.

(b) The attorney for the child is subject to the ethical requirements applicable to all lawyers, including but not limited to constraints on: ex-parte communication; disclosure of client confidences and attorney work product; conflicts of interest; and becoming a witness in the litigation.

(c) In juvenile delinquency and person in need of supervision proceedings, where the child is the respondent, the attorney for the child must zealously defend the child.

(d) In other types of proceedings, where the child is the subject, the attorney for the child must zealously advocate the child's position.

(1) In ascertaining the child's position, the attorney for the child 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.

(2) If the child is capable of knowing, voluntary and considered judgment, the attorney for the child should be directed by the wishes of the child, even if the attorney for the child believes that what the child wants is not in the child's best interests. The attorney should explain fully the options available to the child, and may recommend to the child a course of action that in the attorney's view would best promote the child's interests.

(3) When the attorney for the child is convinced either that the child lacks the capacity for knowing, voluntary and considered judgment, or that following the child's wishes is likely to result in a substantial risk of imminent, serious harm to the child, the attorney for the child would be justified in advocating a position that is contrary to the child's wishes. In these circumstances, the attorney for the child must inform the court of the child's articulated wishes if the child wants the attorney to do so, notwithstanding the attorney's position.

Initial Here



Acknowledgement of Intent to Adhere to Summary of Responsibilities of the Attorney for the Child

While the activities of the attorney for the child will vary with the circumstances of each client and proceeding, in general those activities will include, but not be limited to, the following:

(1) Commence representation of the child promptly upon being notified of the appointment;

(2) Contact, interview and provide initial services to the child at the earliest practical opportunity, and prior to the first court appearance when feasible;

(3) Consult with and advise the child regularly concerning the course of the proceeding, maintain contact with the child so as to be aware of and respond to the child's concerns and significant changes in the child's circumstances, and remain accessible to the child;

(4) Conduct a full factual investigation and become familiar with all information and documents relevant to representation of the child. To that end, the lawyer for the child shall retain and consult with all experts necessary to assist in the representation of the child;

(5) Evaluate the legal remedies and services available to the child and pursue appropriate strategies for achieving case objectives;

(6) Appear at and participate actively in proceedings pertaining to the child;

(7) Remain accessible to the child and other appropriate individuals and agencies to monitor implementation of the dispositional and permanency orders, and seek intervention of the court to assure compliance with those orders or otherwise protect the interests of the child, while those orders are in effect; and

(8) Evaluate and pursue appellate remedies available to the child, including the expedited relief provided by statute, and participate actively in any appellate litigation pertaining to the child that is initiated by another party, unless the Appellate Division grants the application of the attorney for the child for appointment of a different attorney to represent the child on appeal.

Initial Here

