

Gobierno de Puerto Rico
DEPARTAMENTO DE LA FAMILIA
ADMINISTRACION PARA EL SUSTENTO DE MENORES
San Juan, Puerto Rico



Oficina del Administrador

1 de marzo de 1999

Jefe de Procuradores
Procuradores Auxiliares
Representantes Legales
Directores Asociados

**COMUNICACION DE LA OFICINA DEL
REGISTRO ESTATAL DEL ESTADO DE NEW YORK**

Le incluyo, para su conocimiento, documentos en referencia.

En el mismo se indica la política pública del Estado de New York en la tramitación de casos interestatales. En casos recurridos (de otras jurisdicciones), el Estado de New York recobrará aquellos gastos incurridos por servicios de representación legal que se le presten a estos casos. Aquellos clientes que no autoricen que el Estado le preste servicios de representación legal, no se le cobrará por estos servicios y en ese caso de tramitará sin contar con éstos. Estos gastos se deducirán del pago de pensión recobrada equivalente a un 25% y hasta que dicho gastos sean sufragados.

Cualquier pregunta sobre este asunto, se podrán comunicar con el Sr. Robert Velcoff, Jefe del Registro Estatal del Estado de New York.


Lcdo. Miguel A. Verdiales
Administrador

msg

Anejos



Diane Gopstein

New York State
Office of Temporary and Disability Assistance
40 North Pearl Street - Albany, NY 12243-0001

George E. Pataki
Governor

Brian J. Wing
Commissioner

February 16, 1999

Dear Colleague:

This is a follow-up to Robert Doar's letter dated January 20, 1998, pertaining to New York State's Right to Recovery. This letter dealt with New York's recovery of costs policy as it relates to interstate applicants for child support services.

The first letter detailed that if a person applying for services in an interstate proceeding requested legal representation, they would have to sign a "Right to Recovery" agreement (attached) in the initiating state, and that they would have to pay for such services. This has caused much concern from other states, which will now be addressed.

New York State has always charged its own child support applicants for legal fees. By charging out-of-state non-TANF clients, we are merely evening the playing field. We are not charging your clients anything more than what our own applicants are paying for.

Secondly, legal services are never mandatory in New York State. If your clients do not wish to avail themselves of legal representation, the case will still be brought into court. Once there, either telephonic (or other electronic) testimony will be used, or else the pleadings will be used as evidentiary material. Either way, legal representation for your clients is strictly optional.

Lastly, some states have expressed concern over the cost for legal services. There is no set fee, as costs vary from county to county, and even vary within counties depending upon what services are rendered. Either way, there is no up front cost to your clients. Any costs incurred will be deducted from child support paid, at the rate of 25% of monies collected, until all fees are recouped.

Please disseminate this information to your Interstate Central Registry, as well as to all appropriate local offices. If you have any questions, please contact me at (518) 474-9092.

Yours truly,

Robert Velcoff

Robert Velcoff, Chief
Interstate Central Registry
Office of Child Support Enforcement

Enclosure