

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
142 WASHINGTON AVENUE, ALBANY, NY 12221

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED
OCT 25 1993

County
XXXXXX
XXXXXX
XXXXXX
of Cortland

Local Law No. 3 of the year 19 92.

A local law **SETTING FEE FOR INVESTIGATIONS-CUSTODY AND VISITATION**
(Insert Title) **FAMILY COURT**

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County
XXXXXX
XXXXXX
XXXXXX
of Cortland as follows:

- SECTION 1. The Director of Probation is entitled to receive a fee for the investigation of persons and/or homes in Family Court custody and visitation cases pursuant to New York State Family Court Act Section 252-a.
- SECTION 2. This fee shall be established and the payor or payors of the same determined by the Court in every case where the Family Court orders the Department of Probation to conduct an investigation regarding the persons and/or homes of parties in custody and/or visitation cases.
- SECTION 3. Every person so determined to be responsible for a fee for said investigation shall be charged a fee ranging from not less than fifty dollars (\$50.00) to not more than five hundred dollars (\$500.00), payable to the Department of Probation of the County of Cortland to be retained and utilized for local probation services.
- SECTION 4. The Director of Probation shall report annually to the Cortland County Legislature concerning collection activities pursuant to this Local Law.
- SECTION 5. The following schedules are guidelines for the Court's use and are not intended to replace the Court's discretion in a particular case, based upon the equities of the same.

Income as used herein shall be the adjusted gross income established on the most recent federal income tax return of the payor. For Custody Investigations, the fee will be assigned to both parties according to their capacity to pay.

INCOME	FEE (MAXIMUM)
\$ 0 - \$15,000	\$ 50.00
15,000 - 20,000	100.00
20,000 - 30,000	200.00
over 30,000	250.00

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 5. (CONTINUED)

For Visitation Investigations, the fee will be assigned only to the petitioner, according to the following schedule:

INCOME		FEE (MAXIMUM)
\$ 0	- \$15,000	\$ 50.00
15,000	- 20,000	100.00
20,000	- 30,000	200.00
30,000	- 50,000	300.00
over	50,000	500.00

The Court in its discretion may withhold issuance of a final order of disposition pending payment of the fees.

SECTION 6. Said fees shall be paid to the Director of Probation who shall remit such fees to the County Treasurer who shall deposit the same into the general fund of the County of Cortland to be utilized in accordance with Section 252-a(b) of the New York State Family Court Act. Payments shall be in cash, by certified check, money order or by major credit card.

SECTION 7. The foregoing fees may, in the discretion of the Court, be waived when the parties lack sufficient means to pay the fee.

SECTION 8. This Local Law shall take effect immediately.