



Statement of the Administrative Board on the Issuance of Guidelines for the Operations of the Chief Fiscal Officers of New York State Appointed as Administrators of Estates

Pursuant to its authority under Surrogate’s Court Procedure Act (“SCPA”) 1128, the Administrative Board for the Offices of the Public Administrators (“the Board”) hereby issues Guidelines for the Operations of the Chief Fiscal Officers of New York State Appointed as Administrators of Estates (“CFO Guidelines”). The CFO Guidelines are to be effective on January 1, 2013.

The Board’s promulgation of the CFO Guidelines follows the Board’s approval, on April 20, 2012, of Guidelines for the Operations of the Offices of the Public Administrators of New York State (“2012 PA Guidelines”).¹ In the 51 counties of New York State not served by Public Administrators, the Chief Fiscal Officer (“CFO”) of each county, usually the County Treasurer, is responsible for handling the estates of decedents who have no close relatives or named executors eligible or willing to serve as the fiduciary of their estates.² Pursuant to SCPA 1219, the CFOs are subject to the jurisdiction of the Board with respect to their “administrator’s duties.”

Like the 2012 PA Guidelines, the CFO Guidelines were the product of a process that began when the Board reconvened in January 2010. A description of this process, along with the background and history of the Board, is set out in the Board’s Report on the Issuance of Guidelines for the Operations of the Offices of the Public Administrators of New York State (“Report”).³ As noted in that Report, the Board determined that it was appropriate to promulgate a set of guidelines exclusively for the CFOs. In accomplishing this task, the Board is grateful for the support it received from the County Treasurers’ Association, whose representatives worked hand in hand with the Board to draft guidelines appropriately tailored for the estate administration operations of the CFOs. As an ongoing statutory entity, it is the Board’s intent to continually assess and review all aspects of the Guidelines, and to serve as a resource for the Chief Fiscal Officers as to their questions and concerns. The Board looks forward to working with the County Treasurers’ Association to fulfill this intent.

Dated: September 14, 2012

¹ The 2012 PA Guidelines were effective on May 1, 2012.

² The Board was established in 1993 pursuant to SCPA 1128 to “establish guidelines and uniform fee schedules” for the operations of the offices of the Public Administrators throughout New York State.

³ The Board’s Report may be found at <http://www.nycourts.gov/ip/PA/pubadminguidelines.shtml>. The approval of the CFO Guidelines follows the approval of Proposed CFO Guidelines on April 20, 2012, and a public comment period that ran from the date of that approval until July 20, 2012.