



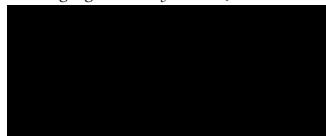
# Cornell Law School

**Heather E. Murray**

*Associate Director*

Cornell Law School First Amendment Clinic

*Managing Attorney, Local Journalism Project*



**December 15, 2025**

Diane Turo, Assistant Deputy Counsel  
FOIL Officer  
Office of Court Administration FOIL Officer  
Agency Building 4 ESP, Suite 2001, 20th Fl  
Albany, NY 12223  
foil@nycourts.gov

**VIA E-mail**

***Re: Freedom of Information Law Request – Part 36 Appointments and Compensation***

Dear Diane Turo:

Pursuant to the New York Freedom of Information Law, Public Officers Law Article 6, we respectfully request access to the following records relating to court-appointed fiduciaries under 22 NYCRR Part 36, with a particular focus on Surrogate's Courts.

1. Databases underlying the public Part 36 “appointments” and “approved compensation” searches
  - 1.1. Please provide machine-readable exports (CSV, Excel, or comparable format) of the electronic datasets, tables, or other files that populate the public “Part 36: Court-Appointed Fiduciaries” searches on the nycourts.gov website (including, at minimum, the “Appointments” and “Compensation” search interfaces).
    - 1.1.1. This request is for all fields maintained in those datasets, not only those that are exposed as search filters or columns on the public website.
    - 1.1.2. To the extent those online search tools are powered by, mirror, or draw from any of the following Office of Court Administration databases, please provide full exports of those databases for all records in which the “Court” or equivalent field reflects any Surrogate’s Court:
      - 1.1.2.1. the Fiduciary Appointments Database (also referenced as Part 36 Appointment Processing Unit record series FPU-040(b),<sup>1</sup> or any successor system);

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<sup>1</sup> See Records Retention and Disposition Schedule, Division of Administrative Services, U.C.S. Part 36 Appointment Processing Unit (Feb. 2012), available at



- 1.1.2.2. the Compensation Approval Statements database (record series FPU-030, or any successor system);
  - 1.1.2.3. the Part 36 Appointment Eligibility List database (record series FPU-010(b), or any successor system); and
  - 1.1.2.4. any database used to store law-firm-level compensation reports (including records submitted on form UCS-876 and any corresponding database, sometimes referenced as FPU-020, or any successor system).
- 1.1.3. For each dataset, please also provide any available data dictionaries, codebooks, schemas, or other records that explain the meaning, format, and permissible values of each field.

If the datasets that feed the public Part 36 website are separate from, broader than, or not identical to the APU/FPU databases listed above, this request is intended to encompass all such underlying datasets, including any staging tables, reporting tables, or extracts used to generate the website's appointment and compensation search results.

2. Digital copies of records used to track Part 36 appointments and compensation
  - 2.1. Please provide digital copies (PDF, CSV, or other electronic format) of all records created on the below forms—or their electronic equivalents—or any databases that store the same information, for matters in which the underlying appointment was made in any Surrogate's Court, from January 1, 2010 to the date this request is processed:
    - 2.1.1. UCS-872 – Notice of Appointment and Certification of Compliance (and any successor or substantially similar form, including UCS-830.1 where applicable), including all fields reflecting:
      - 2.1.1.1. appointee name and Fiduciary Identification Number;
      - 2.1.1.2. appointment category/type;
      - 2.1.1.3. court and county;
      - 2.1.1.4. index/file number and caption or title of action/proceeding;
      - 2.1.1.5. appointing judge;
      - 2.1.1.6. any indication that the appointment was made “off-list” or as a non-list appointment (e.g., “Non-List” checkbox); and
      - 2.1.1.7. any information regarding prior Part 36 appointments or compensation for that appointee.
    - 2.1.2. UCS-872.5 – Statement of Reasons for Non-List Appointment, or any equivalent records documenting reasons for appointments of individuals not drawn from the Part 36 eligible list, including all fields identifying:
      - 2.1.2.1. the appointee;
      - 2.1.2.2. the judge making the appointment;

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[https://ww2.nycourts.gov/sites/default/files/document/files/2018-04/OCA\\_FiduciaryProcessingRRDS.pdf](https://ww2.nycourts.gov/sites/default/files/document/files/2018-04/OCA_FiduciaryProcessingRRDS.pdf).

- 2.1.2.3. the court and county;
  - 2.1.2.4. the underlying case or proceeding; and
  - 2.1.2.5. the written reasons for making a non-list appointment.
- 2.1.3. UCS-875 – Statement of Approval of Compensation, including all fields for:
- 2.1.3.1. appointment date;
  - 2.1.3.2. appointee name and FID number;
  - 2.1.3.3. appointment category/type;
  - 2.1.3.4. court, county, index/file number, and title of action/proceeding;
  - 2.1.3.5. case type and any “contested/uncontested” designation;
  - 2.1.3.6. appointing judge and approving judge;
  - 2.1.3.7. name of the person, estate, or property served;
  - 2.1.3.8. “gross value of the estate of the person/entity/property served or of the interest sought to be obtained, protected or preserved”;
  - 2.1.3.9. hours and minutes of services;
  - 2.1.3.10. compensation awarded;
  - 2.1.3.11. date of approval; and
  - 2.1.3.12. any narrative explanation or “reason for approval” fields (including where total approved compensation is at or above any threshold that triggers an explanatory statement).
- 2.1.4. UCS-876 – Report of Compensation Received by Law Firms (and any successor forms), including all fields relating to:
- 2.1.4.1. calendar year;
  - 2.1.4.2. law firm name and contact information;
  - 2.1.4.3. the names and FIDs of firm attorneys receiving Part 36 compensation and the total annual compensation per attorney; and
  - 2.1.4.4. annual compensation totals for the firm as a whole.
- 2.1.5. UCS-877A and UCS-877B – Reports of Approval of Compensation Received by Counsel to the Public Administrator, and any analogous forms used to track Part 36 compensation for counsel to Public Administrators, including all fields describing:
- 2.1.5.1. the counsel’s name and FID;
  - 2.1.5.2. the relevant Public Administrator’s office;
  - 2.1.5.3. court and county;
  - 2.1.5.4. compensation amounts and time periods; and
  - 2.1.5.5. any narrative explanations associated with those awards.
- 2.1.6. UCS-826 – Annual Statement of Compensation for Examiners of Accounts of Guardians, or similar forms tracking compensation for court examiners, including all fields relating to the examiner’s identity, court and county, hours worked, matters examined, and compensation approved.
- 2.2. For items (2.1.1) through (2.1.6), if OCA maintains the information in a structured electronic database rather than as discrete PDFs or scanned forms, we are happy to

receive a single consolidated data export for each database that includes all of the fields listed above (and any related fields), rather than individual images of each form.

The requested records will be used for public-interest reporting and analysis and are not sought for commercial purposes. Disclosure will help the public understand how court-appointed fiduciary work and compensation are distributed across appointees, law firms, and judges in Surrogate's Courts.

Accordingly, I request that any fees associated with searching for or producing these records be waived. Please provide the records electronically, via email, as CSV, Excel, or searchable PDF files to Oded Oren at [REDACTED] John Kaehny at [REDACTED], and Heather Murray at [REDACTED]. If any portion of the responsive material cannot reasonably be transmitted by email, please let me know what alternative methods of electronic access are available.

If some records can be located or produced more quickly than others, I am willing to accept rolling productions.

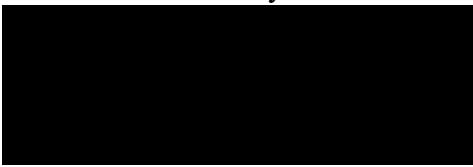
If you withhold any portion of this request, please identify the specific records withheld, the reasons for the denial, and the statutory basis for any claimed exemption. Please also provide the name, mailing address, and email address of the person or body to whom an administrative appeal may be directed.

Thank you for your attention to this request. I look forward to your response within five business days, as required by the Freedom of Information Law.

Sincerely,

**CORNELL LAW SCHOOL  
FIRST AMENDMENT CLINIC**

By: /s/ Heather E. Murray

Heather E. Murray  


*Counsel for Scrutinize and Reinvent Albany*