

The logo for the New York City Bar, featuring the text "NEW YORK CITY BAR" in a bold, serif font, centered between two horizontal blue bars.

NEW YORK CITY BAR

Contact: Maria Cilenti - Director of Legislative Affairs - mcilenti@nycbar.org - (212) 382-6655

NEW YORK NEEDS MORE FAMILY COURT JUDGES

The New York City Bar Association (“City Bar”) urges the Legislature and Governor to support an increase in the number of Family Court judges in New York, adding at least 20 additional judges statewide. The City Bar supported the inclusion of a supplemental appropriation for this purpose in the proposed 2014-2015 Judiciary Budget and now urges the enactment of implementing legislation.

Family Court is stretched to the breaking point, if not beyond. Over the past 30 years, filings in Family Court have increased by 90%, yet the number of Family Court judgeships has increased by only 8.8%. There have been no new judgeships created in New York City since 1991. Families are routinely subjected to non-continuous trials, extreme delays in custody cases, protracted guardianship proceedings and rushed abuse and neglect hearings. Adjournments of cases are typically 8-10 weeks for new filings and 3 months or longer for pending cases. It is estimated that with an average caseload of 1,533 cases per year, a Family Court judge can only spend 52 minutes per case per year. Notably, New York ranks 50th out of 52 jurisdictions in the length of foster care.

As a result of the hiring freeze in effect since January 2011, the non-judicial Family Court staff has been reduced by 147 employees statewide, 100 of whom are located in New York City. The number of Family Court Judicial Hearing Officers in New York City has been reduced from 16 to 7. Because courtrooms must close at 4:30 PM, there are times courts have been unavailable when the Administration for Children’s Services (“ACS”) has sought to remove a child from his or her parents. In some of these cases, ACS conducted removals under its emergency powers, and the following day, courts determined that removal was unnecessary. Such removals can cause trauma to children and parents that can never be rectified.

Our members who work in and represent clients in Family Court report that the strain on children and families – most of whom are poor – is unjustifiable and shows no sign of abating. Adding much needed Family Court judges will help reverse this trend and get families the relief they need and have a right to expect from our court system.

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