REPORT ON LEGISLATION BY THE COUNCIL ON CHILDREN

A.8957-A   **M. of A. Weinstein**
S.5968-A   **Senator Sampson**

AN ACT to amend the family court act, in relation to judges of the family court.

THIS BILL IS APPROVED

The Council on Children of the New York City Bar Association, a group comprised of New York City lawyers working on behalf of children, urges the enactment of A.8957-A/S.5968-A, which would amend Family Court Act Sections 121 and 131 to increase the number of Family Court Judges in New York City and statewide (respectively).

There is a crisis in New York City's Family Courts. Overburdened judicial caseloads are leading to long adjournments, protracted trials, and unconscionably long foster care lengths of stay for both children who return home to their families and who are eventually adopted. In fact, New York recently failed the federal Child and Family Service Review, ranking almost last among states with regard to length of stay in foster care.

While there have been significant legislative changes regarding enhanced judicial oversight of children in foster care (the 1999 NY Adoption and Safe Families Act and the 2005 New York Permanency Law), legislation increasing the responsibilities of Family Court Judges and Court personnel, and a sustained increased in Family Court filings, there has not been an increase in the number of Family Court Judges in nearly three decades. New York City has not had an additional Family Court Judge since 1991.

In Chief Judge Kaye's final State of the Judiciary she said, "I arrived at the State's High Court directly from a commercial litigation practice, but I stand before you 25-plus years later convinced beyond all else that we must summon our resources and efforts to help the children in our Family Courts." On behalf of the Council on Children, we urge the enactment of this legislation - the children of New York deserve no less.

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