



NEW YORK STATE SENATOR

John L. Sampson

Kids & Families Still Can't Wait

JOHN L. SAMPSON November 4, 2009

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Senate Issues Groundbreaking Report on NY Family Court System

(Albany, NY) New York's Family Court system is reaching a state of crisis, the State Senate Judiciary Committee finds in *Kids & Families Still Can't Wait: The Urgent Case for New Family Court Judgeships*.

With just 153 Family Court judges statewide to handle 728,000 cases and projected appearances exceeding 2.5 million this year alone, a system meant to protect children and families is leaving many of them without the full measure of guidance they need to navigate a complex legal process, avoid repeat appearances, and ensure family safety and stability.

And as a result of the current state of the economy, the system is at a breaking point. In a good economy, some Family Court judges can carry daunting dockets of 8,000 cases. Caseloads have since ballooned in all parts of the state -- placing the quality of justice for children and families in jeopardy.

The Senate's report -- the most comprehensive report of its kind in legislative history -- traces the development of the Family Court's docket crunch from the court's creation in the early 1960's until the present day, and makes recommendations for the Legislature to act on

immediately. These recommendations include:

- Phasing in a total of 39 new Family Court judgeships on the basis of need over the next several years;
- Establishing a process by which all three branches of government work together to objectively assess the Family Court system to ensure it remains equal to growing needs; and
- Eliminating outdated legal barriers that prohibit judges of other trial courts from presiding in Family Court when appropriate.

"Family Court cases typically involve children, and the protecting their best interests is something we must all support, especially when difficult economic conditions put already at-risk children and families in harm's way," said Senate Majority Conference Leader John L. Sampson, lead sponsor of S.5968, which would immediately establish 21 new Family Court judgeships across the state. The Senate passed this bill in September, and it awaits final action in the Assembly.

"It has been fully 20 years since even a single Family Court judgeship was created for New York City, and in many upstate counties Family Court also is reaching a breaking point," Sen. Sampson continued. "It is long past time to make this critical investment in the lives and wellbeing of children and families who often have nowhere else to turn."

Sen. Sampson added, "This report draws necessary attention to a Family Court system that is crying out for assistance. We have a duty to give at-risk New Yorkers the help they need by immediately expanding the number of Family Court judges, which would reduce caseloads and speed the resolution of time-sensitive cases. This legislation and other reforms proposed in our report are long-overdue and would provide relief to families and children in need.

Children and families simply cannot wait anymore.”

Full Report Available Online:

www.nysenate.gov/report/familycourt