



NEW YORK STATE SENATOR

John A. DeFrancisco

New York State Senate Passes “Peter Falk’s Law”

JOHN A. DEFRANCISCO June 16, 2015

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Senator John A. DeFrancisco today (6/15/15) announced that the New York State Senate has passed his bill (S5154-A) that would enact “Peter Falk’s law” to safeguard against the isolation of the elderly from their family.

Recently, there have been some high- profile cases, in which adult children from a previous marriage were denied the right to visit their ill parent by the current spouse. These contentious cases in California involving the late Peter Falk and the late Casey Casem have highlighted the need for changes to the current law. In both of these situations, the adult children were blocked from seeing their ill father by their father’s respective spouse. They also were not notified of major changes in their father’s condition and of funeral arrangements.

“Peter Falk’s law” would create a proper legal process in New York State by which the adult children of an ill or dying parent could petition the court, if they feel they are unreasonably being denied visitation and contact by the conservator. It also would require guardians to notify adult children and other close relatives, if the elderly individual enters the hospital, if he or she dies, and of burial and funeral arrangements.

Senator DeFrancisco said, "For every wrong there should be a remedy. This bill gives a remedy to children of elderly and infirm parents who have been cut off from receiving information about their parents. It also gives them an avenue through the courts to obtain visitation rights with the parents."

The bill has been delivered to the State Assembly and awaits action by that body.

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