

Memorandum in Support

June 6, 2024

S. 9839
A. 10540

By: Senator Hoylman-Sigal
By: M. of A. Dais
Senate: Rules
Assembly: Judiciary
Effective Date: Immediately

AN ACT to amend the family court act and the New York City civil court act, in relation to increasing the number of judges in certain courts.

LAW AND SECTIONS REFERRED TO: Section 121 of the family court act

This legislation would increase the number of Family Court judges throughout the state as well as increase the number of judges of the Civil Court of the City of New York.

The New York State Bar Association’s Committee on Families and the Law’s 2022 Report provided a number of recommendations for improving the family court system, including increasing the number of Family Court judges.¹

Family Courts in particular are among those that continue with high volumes of cases, but fewer resources to hear those cases. Delays in processing a family court case can result in permanent damage to children, particularly when those delays impact family reunification. If a child is removed from their home before a judge rules on the agency’s petition (“makes a finding”), the family is entitled to an expedited hearing to seek the return of their child. Because of court congestion, these hearings sometimes take weeks or even months to resolve, trapping the child in foster care for the duration. If a child is removed from his or her home after the Court finds the parent guilty of neglect, the family has no recourse to an expedited hearing and hearings can take up to half a year to resolve.

Increasing the number of family court judges will allow the courts to provide more expedited and meaningful access to justice for families.

For the above reasons, and the attached report, the New York State Bar Association **SUPPORTS** S9839/A10540.

¹ [Committee-on-Families-and-the-Law-April-2022-approved.pdf \(nysba.org\)](#)