



## Legislation Text

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### Res. No. 783

Resolution calling upon the New York State Legislature to pass legislation to increase the number of Family Court judges in New York City.

By Council Members The Public Advocate (Ms. Gotbaum), Brewer, Fidler, Gentile, Gonzalez, James, Palma, Recchia Jr., Seabrook, Vann, Weprin, DeBlasio and Gerson

Whereas, Since the tragic death of seven-year-old Nixzmary Brown in January 2006, reports to the State Central Register of suspected child abuse and neglect in New York City have increased by approximately 30 percent; and

Whereas, The high numbers of additional abuse and neglect reports in 2006 have translated into increased abuse and neglect filings in New York City Family Court, with neglect filings increasing by an estimated 163 percent and abuse filings increasing by an estimated 63 percent from 2005 to 2006; and

Whereas, On December 21, 2005, three weeks before the untimely death of Nixzmary Brown, New York State enacted new permanency legislation designed to facilitate better and swifter permanency outcomes for children in the foster care system; and

Whereas, The 2005 New York State permanency law changed the number of permanency hearings for children in foster care from one per year to two per year, effectively doubling the number of hearings for all parties to child protective cases, including judges, attorneys, foster care caseworkers, and families; and

Whereas, The combined impact of the additional child protective filings and the 2005 permanency law significantly increased the workload for New York City Family Court judges, whose caseloads increased from an estimated 1,406 per judge in 2005 to an estimated 2,538 per judge in 2006; and

Whereas, Each day, Family Court judges are charged with making critical decisions that have a direct

and immediate impact on the safety and stability of children and families; and

Whereas, According to child and family advocates, as well as the Mayor's Criminal Justice Coordinator, the Family Court system lacks adequate judicial resources and requires additional judgeships to sufficiently meet the needs of children and families that come before the court; and

Whereas, In her 2007 State of the Judiciary address, New York State Chief Judge Judith Kaye recently called on the Legislature to create 39 new Family Court judgeships statewide, citing both the heightened demands on the court mandated by the 2005 permanency law and the increase in court filings that followed the death of Nixzmary Brown; and

Whereas, New York State law sets the number of Family Court judges for New York City at 47, though the Court reports that 49 judges currently sit in the New York City Family Court, as some judges from civil and criminal courts are assigned to temporarily sit in the Family Court; and

Whereas, The number of judges assigned to New York City has not changed in 16 years; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass legislation to increase the number of Family Court judges in New York City.

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