

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2021**

No. 134

Introduced by Council Members Levin, Chin, Ayala, Lander, Brannan, Reynoso, Adams, Ampry-Samuel, D. Diaz, Rosenthal, Koslowitz, Kallos, Dinowitz, Louis, Barron and Gibson.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to emergency removals conducted by the administration for children's services and quarterly and annual reporting

Be it enacted by the Council as follows:

Section 1. Section 21-902 of the administrative code of the city of New York, as added by local law number 20 for the year 2006, is amended to read as follows:

§ 21-902 Quarterly Reports Regarding Child Welfare System. Beginning no later than July 31, 2006 and no later than the last day of the month following each calendar quarter thereafter, ACS will furnish to the speaker of the city council a report regarding New York City's child welfare system that includes, at a minimum, the following information:

1. Child protective services. The following information regarding child protective services shall be included in the quarterly report, disaggregated by zone:

a. number of case workers employed and number of vacancies in case work staff at the end of the reporting period;

b. experience of case workers, broken down by years of experience in New York City's child welfare system as follows: 1-3 years of experience; 3-5 years of experience; 5-7 years of experience; 7-9 years of experience; 9 or more years of experience;

- c. average caseload of case workers;
- d. number of case workers with a caseload of more than 15 cases;
- e. number of level one supervisors;
- f. experience of level one supervisors, broken down by years of experience in New York City's child welfare system as follows: number with 1-5 years of experience; 5-10 years of experience; 10-15 years of experience; 15-20 years of experience; 20 or more years of experience;
- g. number of level two supervisors;
- h. experience of level two supervisors, broken down by years of experience in New York City's child welfare system as follows: number with 1-5 years of experience; 5-10 years of experience; 10-15 years of experience; 15-20 years of experience; 20 or more years of experience;
- i. number of child protective managers;
- j. experience of child protective managers, broken down by years of experience in New York City's child welfare system as follows: number with 1-5 years of experience; 5-10 years of experience; 10-15 years of experience; 15-20 years of experience; 20 or more years of experience;
- k. number of reports of suspected child abuse or neglect referred to the zone for investigation, disaggregated by the type of case;
- l. number of reports of suspected child abuse or neglect referred to the zone for investigation that were indicated during the reporting period, disaggregated by the type of case and whether the case was referred to preventive services, court mandated services, foster care placement or closed;
- m. number of unfounded cases, disaggregated by whether or not the case was referred to preventive services;

n. number of investigations that resulted in closure without referral to preventive services, disaggregated by the type of case and whether the case was indicated or unfounded and the reason for closure;

o. number of reports of suspected child abuse or neglect referred to the zone that involved a family with respect to which ACS had received at least one prior report of suspected abuse or neglect within the past 24 months, disaggregated by the type of case;

p. number of reports of suspected child abuse or neglect referred to the zone that involved a family that had at least one child previously in the foster care system, disaggregated by the type of case;

q. number of reports of suspected child abuse or neglect referred to protective services for which protective services conducted a 72-hour case conference, disaggregated by the type of case;

r. number of reports of suspected child abuse or neglect referred to protective services for which an elevated risk conference was held, disaggregated by the type of case;

s. number of IRT investigations commenced; and

t. number of entry orders sought and number of entry orders obtained.

2. Family Reunification. The following information regarding family reunification shall be provided in the quarterly report:

a. number of families reunited from foster care during the reporting period, disaggregated by zone and by length of stay in foster care in six month intervals;

b. of all families reunited during the reporting period, the number of families receiving aftercare services, disaggregated by zone and by the type of services being received; and

c. number of children who entered foster care during the reporting period who had been in the custody of the child welfare system within the thirty-six months immediately preceding the reporting period, disaggregated by zone.

3. Emergency Removal Information. Definitions. For purposes of this subdivision, the term “emergency removal” means the removal of a child from the child’s residence or from the custody of such child’s parent or primary caretaker pursuant to section 1024 of the family court act. The following information regarding emergency removals shall be included in the quarterly report:

a. The total number of emergency removal cases in which a judge at the initial appearance following the filing of a child protective proceeding pursuant to article 10 of the family court act did each of the following:

(i) ordered that the child be remanded to the custody of the commissioner, pursuant to section 1027(b)(i)(A) of the family court act;

(ii) ordered that the child be placed with a relative or suitable person other than the child’s parent or primary caretaker, pursuant to section 1027(b)(i)(C) of the family court act;

(iii) ordered that a child be released to the care of the respondent parent with court ordered supervision pursuant to section 1027(d) of the family court act;

(iv) ordered that a child be released to a respondent parent without court ordered supervision pursuant to section 1027 of the family court act;

(v) ordered that the child be released to the care of such child’s non-respondent parent with court ordered supervision, pursuant to section 1027(d) of the family court act; or

(vi) ordered that the child be released to the care of such child’s non-respondent parent without court ordered supervision, pursuant to section 1027(d) of the family court act; or

(vii) issued no order respecting the child's custody or release status pending further proceedings;

b. In cases in which a hearing pursuant to section 1027 of the family court act or section 1028 of the family court act was completed within 7 days of the initial filing, the total number of cases in which, following completion or settlement of the hearing, the court:

(i) remanded the child to the custody of the commissioner, pursuant to section 1027(b)(i)(A) of the family court act;

(ii) placed the child with a relative or suitable person other than the child's parent or other person responsible for such child's care, pursuant to section 1027(b)(i)(C) of the family court act;

(iii) released the child to the care of the respondent parent with court ordered supervision pursuant to section 1027(d) or 1028 of the family court act;

(iv) released the child to a respondent parent without court ordered supervision pursuant to section 1027 or 1028 of the family court act;

(v) released the child to the care of such child's non-respondent parent with court ordered supervision pursuant to section 1027(d) of the family court act or section 1028 of the family court act; or

(vi) released the child to the care of such child's non-respondent parent without court ordered supervision, pursuant to section 1027(d) or section 1028 of the family court act.

[3.] 4. ACS may use preliminary data to prepare the report required by this chapter to be delivered no later than July 31, 2006 and may include an acknowledgement that any preliminary data used in the report is non-final and subject to change.

§ 3. This local law takes effect April 1, 2022.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on October 21, 2021 and returned unsigned by the Mayor on November 22, 2021.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 134 of 2021, Council Int. No. 1727-A of 2019) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.