



Legislation Details (With Text)

File #: Int 1728-2019 **Version:** * **Name:** Provision of counsel at the first point of contact during an ACS investigation.

Type: Introduction **Status:** Filed (End of Session)

In control: Committee on General Welfare

On agenda: 9/25/2019

Enactment date: **Enactment #:**

Title: A Local Law to amend the administrative code of the city of New York, in relation to the provision of counsel at the first point of contact during an ACS investigation

Sponsors: Stephen T. Levin, Diana I. Ayala, Margaret S. Chin, Brad S. Lander, Justin L. Brannan, Public Advocate Jumaane Williams

Indexes:

Attachments: 1. Summary of Int. No. 1728, 2. Int. No. 1728, 3. September 25, 2019 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 9-25-19, 5. Minutes of the Stated Meeting - September 25, 2019, 6. Committee Report 10/31/19, 7. Hearing Testimony 10/31/19, 8. Hearing Transcript 10/31/19

Date	Ver.	Action By	Action	Result
9/25/2019	*	City Council	Introduced by Council	
9/25/2019	*	City Council	Referred to Comm by Council	
10/31/2019	*	Committee on General Welfare	Hearing Held by Committee	
10/31/2019	*	Committee on General Welfare	Laid Over by Committee	
12/31/2021	*	City Council	Filed (End of Session)	

Int. No. 1728

By Council Members Levin, Ayala, Chin, Lander, Brannan and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to the provision of counsel at the first point of contact during an ACS investigation

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-919 to read as follows:

§ 21-919 Legal services for parents. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Brief legal assistance. The term “brief legal assistance” means individualized legal assistance provided in a single consultation by a designated organization to a covered individual in connection with a covered

proceeding.

Covered individual. The term “covered individual” means a parent or other person legally responsible for the care of a child.

Covered proceeding. The term “covered proceeding” means ACS’s first point of contact with a parent or other personal legally responsible for the care of a child during an ACS child protective investigation following an indicated report in such investigation pursuant to section 424 of the New York state social services law.

Designated citywide languages. The term “designated citywide languages” has the meaning ascribed to such term in section 23-1101.

Designated organization. The term “designated organization” means a not-for-profit organization or association that has the capacity to provide legal services.

Legal services. The term “legal services” means brief legal assistance or full legal representation.

b. Provision of legal services. Subject to appropriation, ACS shall establish a program to provide access to legal services for all covered individuals in covered proceedings and shall ensure that, no later than January 31, 2021, all covered individuals receive access to such legal services from a designated organization no later than immediately after a covered proceeding.

c. ACS shall annually review the performance of designated organizations and shall require each designated organization to identify the geographic areas for which such organization will provide legal services. For each such geographic area, ACS shall maintain a list of such organizations that provide such legal services.

d. Any legal services performed by a designated organization pursuant to this chapter shall not supplant, replace, or satisfy any obligations or responsibilities of such designated organization pursuant to any other program, agreement, or contract.

e. Nothing in this chapter or the administration or application thereof shall be construed to create a private right of action on the part of any person or entity against the city or any agency, official, or employee thereof.

§ 2. This local law takes effect immediately.

ACK
LS #8788
7/25/2019