

Family Courts: Restoring Justice for All

In taking office as President last June, I emphasized the need to both shape the future of our legal profession and to restore public confidence in our government institutions. There may be no place where these two important objectives come together as clearly as our state's Family Court system.

Family Courts serve society's most fundamental building block – our families. They are called on to resolve pressing problems affecting the most vulnerable segment of our society – our children. From foster care to child abuse and neglect, every day our Family Courts make critical decisions that can have lasting effects on New York's children and their families.

Given the important influence that Family Courts have on the lives of our citizens, we must do all we can to ensure that members of the public have equal access to and receive fair treatment by our justice system. Too often, however, due to overcrowded dockets, too few judges, and long delays, Family Courts resemble hospital emergency rooms and our family law attorneys are forced to perform triage.

New York's Family Courts are in deep crisis. Consider these startling statistics:

- From 1991 to the present day, no new judges have been appointed to the Family Court bench in New York City. During this same period, filings in the New York City Family Court increased 23%, from 206,186 to 253,421 in 2009.
- In 2009, Family Court filings reached a record high of nearly 750,000 statewide, with filings related to family violence increasing 30% in the last two years alone.
- In the New York City Family Court, each year a typical judge

handling child protective cases hears 2,100 cases – up from 1,600 cases in 2005.

- And, our Family Court Judges now have to hold more hearings in cases where new legal requirements have been imposed – such as in the child protective area.

Last July, we formed the Task Force on Family Courts to identify and address issues that need to be resolved for the improved operation of these courts. Co-chaired by the Honorable Rita Connerton (Supervising Family Court Judge for the 6th Judicial District) and Susan B. Lindenauer (Retired General Counsel of the Legal Aid Society), the Task Force is examining key issues affecting our Family Courts across the state.

The questions that the Task Force is exploring include:

1. What additional Family Court resources are needed and in what functional areas?
2. What improvements are required in case management and utilization of Family Court staff?
3. What new technologies can judges and attorneys use to enhance efficiency of the Family Courts?
4. And, what operational improvements are needed to better serve our state's families?

In addition to focusing on these important topics, members of the Task Force are meeting with court officials both from New York and from neighboring states to learn about the best practices that states are using to ensure efficient operation of Family Courts. To date, Task Force members have met with judicial officers in New Jersey and Connecticut, and follow-up meetings are being planned for the near future.

There is no question that our Family Courts provide an immeasurable service to the public. Last fall, I had the



extraordinary opportunity, along with Task Force co-chair Susan Lindenauer, to participate in Bronx County Family Court proceedings at the Family Court Judge for a Day program sponsored by Legal Information for Families Today (LIFT). Susan and I worked side-by-side with a Family Court Judge and witnessed proceedings that strike at the heart of a family's stability, including custody, neglect, abuse, foster care, and family violence.

The Family Court Judge for a Day initiative is an excellent program that gives community leaders a bird's-eye view of the current state of New York's Family Courts. Such programs play an essential role in improving our Family Court system.

Under the leadership of Judge Rita Connerton and Susan Lindenauer, and with guidance from experts on the front lines of our Family Courts, our Task Force is tackling problems faced by this important branch of our court system. At the end of the process, we will have a road map that will chart a new course for addressing these challenging problems so we can have a Family Court system that fully protects our children and families when they most need it. ■

STEPHEN P. YOUNGER can be reached at syounger@nysba.org.