



Expansion of Family Court Access (S6783 Winner)

S.6783 would allow access to the Family Court system for a whole new segment of the population that has previously sought resolution to their matters in criminal court. This bill offers no new protections, but rather permits concurrent jurisdiction between the family and criminal courts.

This presents a problem. Opening the Family Court system to anyone in an “intimate or dating relationship” or “unrelated persons who are continually or at regular intervals living in the same household” (such as college roommates) would only further burden and violate the original intent of an already overtaxed Family Court system.

Since the 2006 death of seven-year-old Nixzmary Brown and a change in State law requiring more frequent court proceedings, the Family Court workload has escalated. In February 2007, Chief Justice Judith Kaye described the Family Court system as “desperately short of judicial resources.”¹ It was her recommendation to add an additional 39 Family Court judges statewide before the courts could even handle the *current* caseload.

While arguing for additional Family Court judges, New York City Public Advocate Betsy Gotbaum said, “Family Court is an often overlooked, but nonetheless vitally important, element of the child welfare system... The stakes are too high and the potential for tragedy too real to continue letting the Family Court system be overwhelmed.”²

This bill is not about offering new or greater protections to New York citizens; it is an attempt to redefine the traditional view of the family by allowing same-sex partners access to the Family Court system. New York State cannot sacrifice its children, for the sake of a radical social agenda.

For these reasons, New Yorkers for Constitutional Freedoms urges the New York State Senate to vote “No” on S6783.

¹ <http://www.law.com/jsp/article.jsp?id=1172570588550>, last viewed April 4, 2008

² http://pubadvocate.nyc.gov/news/family_court_030407.html, last viewed April 4, 2008