Center for Justice Innovation

SUMMARY

New York State Family Justice Initiative
Strategic Plan

This summary outlines key recommendations of the Family Justice Initiative, launched in 2024 to develop a comprehensive plan for the future of family courts across the state.

Introduction: A Vision for the Future of Family Court

The Family Justice Initiative aims to build a fair, effective, and sustainable path forward for family courts across the state to better serve all New Yorkers. Launched in May 2024 as a collaboration between the New York State Unified Court System and the Center for Justice Innovation, with funding from the Governor's Office, the Initiative brought practitioners, leaders, and impacted families together to develop a shared vision and strategic plan for the future of Family Court.

Far too often, family courts are overburdened and under-resourced, and therefore ill-equipped to address the complex needs of the families who they serve. While recent efforts have paved the way for more effective, collaborative, and person-centered approaches to promote equity, reduce system involvement and better serve families, these initiatives often lack the investment and coordination needed to drive sustainable change in such a vast and complex system. To support that change, many of the recommendations made by the Family Justice Initiative include the following components:

- **Identifying partners** to support implementation and provide ongoing programmatic support
- **Conducting a needs assessment** to identify locations to pilot new programs based on local needs
- **Developing a project plan** that includes goals, timeframes, and the roles of various partners
- **Developing structures for data collection, evaluation, and continuous quality improvement**

The goal of this initiative and the recommendations contained herein is to strengthen families by promoting cross-agency collaboration, reducing and preventing system involvement, and prioritizing holistic responses that break cycles of trauma and address families' underlying needs.

Signature Recommendations

1

Community Justice and Capacity Building

The challenges facing family courts are well-documented, but responses have too often focused on managing an overwhelmed system rather than providing support to children and families at an earlier stage, to prevent the need for court involvement in the first place. Family Justice Initiative partners recommend investing in community-based resources through the following legislation:

- **The Child and Family Well-Being Fund**: Outlined in New York State Senate Bill 6431 / Assembly Bill 63A, the Fund would increase the capacity of trusted, local community-based organizations in communities with high levels of child protective services involvement.
- **Legislation Governing Contracting Processes for Nonprofits Working with Government Agencies**: New York State Senate Bill 7001 / Assembly Bill 7616 proposes reforms to contracting practices between state agencies and nonprofit organizations that often create financial risks for smaller nonprofits.
- **The Youth Justice Innovation Fund**: New York State Senate Bill 643 would facilitate the disbursement of $50 million of funding through the New York State Division of Criminal Justice Services to support positive youth development, provide alternatives to detention, and invest in services for system-involved young people.

2

Court and Community Partnerships

While involvement in the family court system is often unwelcome, some families seek help from Family Court to address interpersonal harm, resolve parenting conflicts, and/or secure financial support for their children. Court-community partnerships provide pathways for addressing these issues outside of the system or improving the process when system involvement is unavoidable. Family Justice Initiative partners recommend the following:

- **Alternative Dispute Resolution**: Expanding access to—and awareness of—alternative dispute resolution can reduce system involvement, streamline the court process, and meet families' needs in a more holistic way. Examples include custody and visitation mediation programs, restorative justice programs for youth, and child permanency mediation.
- **Parent Peer Advocacy**: Parent peer advocates can improve service planning, provide crucial emotional support, and help parents better understand their

rights and the court process. This, in turn, contributes to enhanced communication among all parties, fewer delays caused by parents not being connected to services, and stronger parent-child relationships.

- **Legal Information and Navigation**: The Family Justice Initiative identified legal information and navigation programs staffed by non-attorneys as an effective way to reduce the need for court involvement by identifying legal issues proactively and connecting families to community resources. Legal information and court navigation programs also assist court users in understanding basic legal information and court processes, which aid in resolving cases more efficiently. Family courts, community groups, and legal service providers can work together to expand access to these services.
- **Supervised Visitation**: The Statewide Coalition for Supervised Visitation, which was convened jointly by the Initiative and the Permanent Commission on Justice for Families, supports 2025 NYS Senate-Assembly Bill S3938, A65 which needs to be incorporated into the budget with a state appropriation.[1] The Bill would provide a free, high-quality statewide program to facilitate safe contact between children and parents involved in custody and visitation cases.

3
Enhanced Court Responses

People come to family court for many reasons. When they do, the courthouse should be a safe and welcoming place for them to seek and access justice. Court environments need to account for the trauma in those being served as well as the impact of that exposure on practitioners. The Family Justice Initiative identified the following strategies as best practices in order to promote a more trauma-informed system, support better outcomes for everyone involved, and help families heal and thrive:

High-Quality and Holistic Legal Representation

Investing in high-quality representation is crucial to reducing system involvement, increasing efficiency, and ensuring a fair and equitable system of justice. Initiative partners recommend the following measures.

- Increasing statewide funding through the state budget process for attorneys representing parents, to implement caseload standards, promote interdisciplinary representation, and provide timely right to counsel, as proposed by the New York State Office of Indigent Legal Services.
- Establishing caseload standards and ensuring adequate funding to increase pay and support manageable caseloads for Attorneys for Children.
- Amending County Law 722-C and Judiciary Law 35 to provide for periodic review of pay for assigned counsel, as well as ensuring regular cost-of-living increases.
- Ensuring continuous, quality representation and peer support for youth throughout their involvement in the system, as well as a collaborative implementation

structure for representation under Raise the Age that can be adapted to meet the specific needs of individual counties.

- Addressing gaps in representation through a survey process administered by the Unified Court System to identify inconsistencies in assessing eligibility and assigning counsel (e.g., when counsel is assigned, consistency of counsel, how financial eligibility is determined, etc.).

Coordinated Statewide Training

Instead of a "one and done" approach, training should be developed in order to advance the broader priorities for Family Court identified by Family Justice Initiative partners—including enhancing holistic legal representation, supporting recruitment and retention efforts, promoting specialized problem-solving approaches, creating a safer and more trauma-responsive court culture, and measuring impact for sustainable systems change. All training plans should include strategies for implementation, systems coordination, and evaluation, with specific considerations by case type.

Specialized Problem-Solving Models

The Initiative recommends a renewed commitment to serving families holistically by strengthening existing specialized court models across the state that address parents' and children's complex needs. This may include:

- Ensuring ongoing support and oversight by the Unified Court System and a designated technical assistance provider.
- Conducting outreach with local jurisdictions to assess need and capacity to implement model programs.
- Maintaining transparency in judicial selection and appointment in specialized parts with the opportunity for input from practitioners.
- Establishing a selection process for judges and staff that considers skills that are important to success in the role.
- Investing in onboarding and ongoing training for judges and staff.
- Ensuring appropriate staffing in each specialized part statewide, with consideration for competitive pay to help with recruitment and retention.

Problem-Solving Strategies Scaled Across the System

In addition to strengthening existing problem-solving court models, the Initiative also recommends increased investment to incorporate problem-solving principles into all case types across the system, including the measures below:

- **Ongoing court and community partner meetings** to identify challenges and solutions, enhance collaboration, and address resource gaps.
- **Resource coordination across case types** to help litigants access community-based support that can address underlying challenges and reduce further system involvement.
- **A Resource Coordination Hub on custody/visitation and orders of**

protection matters, developed by the Unified Court System, to enhance court-community collaboration, support access to services, and contribute to a more trauma-informed court process.

Custody, Visitation, and Orders of Protection Case Processing Strategies

Family Justice Initiative partners recommend a long-range strategy to address case processing challenges on all case types, but identified specific strategies for custody, visitation, and family offense cases. Such strategies include a needs assessment for each family to make early connections to community-based support and determine if alternative dispute resolution is appropriate. Also included are standardized screening for domestic and intimate partner violence early on in each case. Where judicial intervention is unavoidable, court staff can help litigants prepare paperwork and explain how to navigate the court process.

Problem-Solving in Child Support Matters

Centralized oversight and coordination is crucial to creating a more unified child support system. The strategies below would help streamline court processes, contribute to a more equitable allocation of resources, and ensure adequate training and support for Family Court Support Magistrates statewide.

- **Statewide Staffing Structure**: Establishing Chief Magistrate and Deputy positions to provide oversight and coordination throughout the state, including by ensuring best practices, developing shared materials to support litigants, facilitating training and onboarding of Magistrates, and overseeing implementation of pilot programs.
- **Local Administrative Positions**: Installing child support specialists in each region to help implement statewide standards, develop protocols based on local needs, and provide support for Magistrates.
- **Triage Pilots and Protocols**: Expanding and replicating the New York City Family Court's triage pilot to reduce backlogs and streamline court processes, as well as adapting for lower-volume jurisdictions.
- **Local Problem-Solving**: Establishing local court and community partner groups to address challenges and improve practice, with support from the Chief and Deputy Chief Magistrate(s) to identify local leadership, convene regular meetings, and develop protocols for raising issues up to the state level.
- **Statewide Advisory Structure**: Leveraging the Permanent Commission on Justice for Families' Child Support Action Group to support implementation of the recommendations, as well as to provide a forum for ongoing problem-solving and collaboration.
- **Alternative Dispute Resolution**: Establishing a statewide plan developed by the Unified Court System's Alternative Dispute Resolution Division for implementing pilot ADR programs that address child support and provide navigation services for families, as well as addressing the intersection between support and parenting time.

Court Access

While increasing physical and virtual court access must be part of a broader access to justice plan articulated in this report, partners from the Permanent Commission on Access to Justice and civil legal services organizations helped to develop the following specific strategies for civil and family courts.

- **Language Access**: The Office of Language Access can build on efforts to increase recruitment of qualified interpreters by publicizing interpreter job opportunities through its career services programs, recruitment platforms for the public and nonprofit sectors, and in schools via the Unified Court System's Office of Civic Engagement.
- **Children's Centers**: A statewide assessment can help determine where Children's Centers are needed most and secure adequate funding, while the Unified Court System can encourage use of underutilized centers by having staff attend court and community partner meetings, setting up times for court staff to visit, and sharing information with local organizations.
- **Virtual Court Access**: Partners recommend disseminating best practices for conducting virtual proceedings, increasing access to New York State's electronic filing system, and studying and replicating Virtual Court Access Network sites.

Conclusion

The Family Justice Initiative's strategic plan reflects the consensus of a diverse group of partners all committed to creating and implementing a vision for Family Court that strengthens families, reduces system involvement, and breaks cycles of trauma. The Permanent Commission on Justice for Families shares many of the goals identified by the Initiative and plans to explore implementation of the recommendations contained in this strategic plan that align with Commission priorities, as well as develop new ideas, and to oversee and track the overall impact that these changes will have on the families served in Family Court. The intent is that this plan serves as a living document that the Unified Court System and the Commission can use to inform its work as it continues to promote sustainable change for the State's family justice system.

FOR MORE INFORMATION

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[1] Since the drafting of this report, the legislation referenced was introduced in the Senate and passed both Houses. It is awaiting the Governor's signature and still needs to be incorporated into the state budget.