

S T A T E O F N E W Y O R K

247--A

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law and the domestic relations law, in relation to the provision of information on post-adoption services to adoptive parents

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 372-b of the social services law is amended by
2 adding a new subdivision 4 to read as follows:
3 4. A. EACH LOCAL SOCIAL SERVICES DISTRICT SHALL CREATE AND KEEP
4 CURRENT A RESOURCE GUIDE DESCRIBING AVAILABLE LOCAL, AND TO THE EXTENT
5 PRACTICABLE, REGIONAL POST-ADOPTION SERVICES, WHETHER PROVIDED DIRECTLY
6 BY THE DISTRICT OR BY A NON-GOVERNMENTAL ENTITY, INCLUDING A DESCRIPTION
7 OF SERVICES, LOCATION AND CONTACT INFORMATION FOR EACH APPLICABLE
8 SERVICE PROVIDER, NOTING THAT THE DISTRICT IS NOT RESPONSIBLE FOR COSTS
9 THAT THEY WOULD NOT OTHERWISE PROVIDE. SUCH SERVICES MAY INCLUDE, BUT
10 SHALL NOT BE LIMITED TO, RESPITE, COUNSELING, MENTAL HEALTH, SUPPORT
11 GROUPS AND OTHER SERVICES THE DISTRICT DEEMS APPROPRIATE IN ORDER TO
12 FOSTER AND MAINTAIN PERMANENCY. SUCH RESOURCE GUIDE SHALL BE PROVIDED TO
13 ADOPTIVE PARENTS IN THE APPLICABLE FAMILY COURT DURING, OR PRIOR TO, THE
14 FINAL ADOPTION PROCEEDING.
15 B. THE RESOURCE GUIDE SHALL BE MADE AVAILABLE TO THE FAMILY COURT BY
16 MEANS INCLUDED BUT NOT LIMITED TO E-MAIL, FAX, OR HARD COPY SO AS TO
17 GUARANTEE THAT THE FAMILY COURT WILL HAVE CONTINUED ACCESS TO SUCH DOCUMENT AND THE FINALIZATION OF THE ADOPTION WILL NOT BE IMPEDED.
18 S 2. Section 112 of the domestic relations law is amended by adding a
19 new subdivision 9 to read as follows:
20

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 9. THE RULES OF THE COURT SHALL REQUIRE THAT PRIOR TO THE GRANTING OF
2 THE ORDER OF ADOPTION, THE PRESIDING JUDGE OR SURROGATE SHALL ENSURE
3 THAT THE ADOPTIVE PARENT OR PARENTS HAVE RECEIVED INFORMATION ON THE
4 AVAILABILITY AND LOCATION OF POST-ADOPTION SERVICES IN ACCORDANCE WITH
5 SECTION THREE HUNDRED SEVENTY-TWO-B OF THE SOCIAL SERVICES LAW. FAILURE
6 TO PROVIDE THE RESOURCE GUIDE SHALL NOT DELAY THE PROCEEDING OR AFFECT
7 THE VALIDITY OF THE ADOPTION.

8 S 3. Section 115 of the domestic relations law is amended by adding a
9 new subdivision 14 to read as follows:

10 14. THE RULES OF THE COURT SHALL REQUIRE THAT PRIOR TO THE GRANTING OF
11 THE ORDER OF ADOPTION, THE PRESIDING JUDGE OR SURROGATE SHALL ENSURE
12 THAT THE ADOPTIVE PARENT OR PARENTS HAVE RECEIVED INFORMATION ON THE
13 AVAILABILITY AND LOCATION OF POST-ADOPTION SERVICES IN ACCORDANCE WITH
14 SECTION THREE HUNDRED SEVENTY-TWO-B OF THE SOCIAL SERVICES LAW. FAILURE
15 TO PROVIDE THE RESOURCE GUIDE SHALL NOT DELAY THE PROCEEDING OR AFFECT
16 THE VALIDITY OF THE ADOPTION.

17 S 4. This act shall take effect on the ninetieth day after it shall
18 have become a law.