

STATE OF NEW YORK

739--B

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. D. ROSENTHAL -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the family court act, in relation to the hours of operation for family courts; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision (a) of section 161 of the family court act is
2 amended to read as follows:

3 (a) The days and hours the court is open shall be as provided by rule
4 of court; provided, that the chief administrator of the courts shall
5 require that the court remain open until midnight at least one night a
6 week in at least two counties in the city of New York, effective January
7 first, two thousand twenty-two, and in at least three counties in such
8 city, effective January first, two thousand twenty-three. When a court
9 remains open until midnight on a day as provided herein, the chief
10 administrator shall determine the classes of cases that may be heard in
11 such court after five o'clock p.m. and such classes of cases may be
12 heard by the court until midnight on such day; except that, where such
13 classes include cases in which petitions are filed pursuant to articles
14 three, six, eight, and ten of this act, the clerk of such court shall
15 accept such petitions until eleven o'clock p.m. on such day.

16 § 2. Not later than December 1, 2023, the chief administrator of the
17 courts shall submit to the legislature, the governor, and the chief
18 judge of the state a report evaluating the use of family court in the
19 counties wherein the chief administrator, pursuant to subdivision (a) of

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

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1 section 161 of the family court act, as amended pursuant to section one
2 of this act, has required that the court remain open until midnight.
3 § 3. This act shall take effect immediately and shall expire April 1,
4 2024 when upon such date the provisions of this act shall be deemed
5 repealed.