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

2305

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. V. LOPEZ, CLARK -- Multi-Sponsored by -- M. of A. GLICK, MAYERSOHN -- read once and referred to the Committee on Children and Families

AN ACT to amend the family court act, in relation to the attendance of children at hearings in family court

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

Section 1. Section 1043 of the family court act, as amended by chapter 682 of the laws of 1975, is amended to read as follows:

S 1043. Hearings not open to the public. The general public may be excluded from any hearing under this article and only such persons and the representatives of authorized agencies admitted thereto as have an interest in the case. WHERE A CHILD WHO IS THE SUBJECT OF THE PROCEEDING HAS EXPRESSED AN INTEREST IN ATTENDING, THE COURT MAY NOT EXCLUDE SUCH CHILD FROM ANY HEARING UNDER THIS ARTICLE, EXCEPT UPON A FINDING THAT, UNDER THE PARTICULAR FACTS OF THE CASE, ATTENDANCE AT THE HEARING WOULD BE DETRIMENTAL TO THE CHILD'S EMOTIONAL HEALTH.

S 2. This act shall take effect immediately.

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

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