

2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and  
when printed to be committed to the Committee on Children and Families

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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The social services law is amended by adding a new section  
2     372-h to read as follows:  
3     S 372-H. POST-ADOPTION SERVICES. 1. EACH LOCAL SERVICES DISTRICT SHALL  
4     CREATE AND KEEP CURRENT A RESOURCE GUIDE DESCRIBING AVAILABLE LOCAL, AND  
5     TO THE EXTENT PRACTICABLE, REGIONAL POST-ADOPTION SERVICES.  
6     2. SUCH RESOURCE GUIDE SHALL INCLUDE:  
7     (A) A LIST OF SERVICES THE DISTRICT DEEMS APPROPRIATE IN ORDER TO  
8     FOSTER AND MAINTAIN PERMANENCY OF CHILDREN FOLLOWING ADOPTION INCLUDING,  
9     BUT NOT LIMITED TO:  
10    (I) RESPITE SERVICES FOR FAMILIES FOLLOWING ADOPTION;  
11    (II) COUNSELING AND MENTAL HEALTH SERVICES FOR FAMILIES FOLLOWING  
12    ADOPTION; AND  
13    (III) POST-ADOPTION SUPPORT GROUPS.  
14    (B) LOCATION AND CONTACT INFORMATION FOR SERVICE PROVIDERS LISTED IN  
15    THE RESOURCE GUIDE, IF SUCH INFORMATION IS KNOWN.  
16    (C) A NOTICE PROVIDING THAT THE DISTRICT IS NOT RESPONSIBLE TO PAY FOR  
17    COSTS OR SERVICES THAT THEY WOULD NOT OTHERWISE BE REQUIRED BY LAW TO  
18    PROVIDE OR PAY FOR.  
19    3. LOCAL SOCIAL SERVICES DISTRICTS SHALL MAKE AVAILABLE THROUGH THE  
20    DISTRICT'S WEBSITE OR BY OTHER MEANS, THE RESOURCE GUIDE AVAILABLE TO  
21    PRE-ADOPTIVE FAMILIES AND TO THE APPLICABLE FAMILY COURT, OR COURTS,  
22    LOCATED WITHIN THE SAME COUNTY OR POLITICAL SUBDIVISION AS SUCH  
23    DISTRICT.

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

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1 S 2. Section 112 of the domestic relations law is amended by adding a  
2 new subdivision 9 to read as follows:

3 9. (A) THE RULES OF THE COURT SHALL REQUIRE THAT PRIOR TO THE GRANTING  
4 OF THE ORDER OF ADOPTION, THE COURT SHALL ENSURE THAT THE ADOPTIVE  
5 PARENT OR PARENTS HAVE RECEIVED A RESOURCE GUIDE ON POST-ADOPTION  
6 SERVICES AS DESCRIBED IN SECTION THREE HUNDRED SEVENTY-TWO-H OF THE  
7 SOCIAL SERVICES LAW.

8 (B) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, FAILURE TO  
9 PROVIDE THE RESOURCE GUIDE PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION  
10 SHALL NOT DELAY ANY ADOPTION PROCEEDING, PREVENT ANY COURT FROM ISSUING  
11 AN ORDER OF ADOPTION, OR AFFECT THE VALIDITY OF ANY ORDER OF ADOPTION  
12 ISSUED BY A COURT OF COMPETENT JURISDICTION IN THIS STATE.

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

15 14. (A) THE RULES OF THE COURT SHALL REQUIRE THAT PRIOR TO THE GRANT-  
16 ING OF THE ORDER OF ADOPTION, THE COURT SHALL ENSURE THAT THE ADOPTIVE  
17 PARENT OR PARENTS HAVE RECEIVED A RESOURCE GUIDE ON POST-ADOPTION  
18 SERVICES AS DESCRIBED IN SECTION THREE HUNDRED SEVENTY-TWO-H OF THE  
19 SOCIAL SERVICES LAW.

20 (B) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, FAILURE TO  
21 PROVIDE THE RESOURCE GUIDE PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION  
22 SHALL NOT DELAY ANY ADOPTION PROCEEDING, PREVENT ANY COURT FROM ISSUING  
23 AN ORDER OF ADOPTION, OR AFFECT THE VALIDITY OF ANY ORDER OF ADOPTION  
24 ISSUED BY A COURT OF COMPETENT JURISDICTION IN THIS STATE.

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