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

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I N A S S E M B L Y

March 20, 2012

Introduced by M. of A. CLARK -- read once and referred 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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 372-b of the social services law is amended by adding a new subdivision 4 to read as follows:

4. A. EACH LOCAL SOCIAL SERVICES DISTRICT SHALL CREATE AND KEEP CURRENT A RESOURCE GUIDE DESCRIBING AVAILABLE LOCAL, AND TO THE EXTENT PRACTICABLE, REGIONAL POST-ADOPTION SERVICES, WHETHER PROVIDED DIRECTLY BY THE DISTRICT OR BY A NON-GOVERNMENTAL ENTITY, INCLUDING A DESCRIPTION OF SERVICES, LOCATION AND CONTACT INFORMATION FOR EACH APPLICABLE SERVICE PROVIDER, NOTING THAT THE DISTRICT IS NOT RESPONSIBLE FOR COSTS THAT THEY WOULD NOT OTHERWISE PROVIDE. SUCH SERVICES MAY INCLUDE, BUT SHALL NOT BE LIMITED TO, RESPITE, COUNSELING, MENTAL HEALTH, SUPPORT GROUPS AND OTHER SERVICES THE DISTRICT DEEMS APPROPRIATE IN ORDER TO FOSTER AND MAINTAIN PERMANENCY. SUCH RESOURCE GUIDE SHALL BE PROVIDED TO ADOPTIVE PARENTS IN THE APPLICABLE FAMILY COURT DURING, OR PRIOR TO, THE FINAL ADOPTION PROCEEDING.

B. THE RESOURCE GUIDE SHALL BE MADE AVAILABLE TO THE FAMILY COURT BY MEANS INCLUDING BUT NOT LIMITED TO E-MAIL, FAX, OR HARD COPY SO AS TO GUARANTEE THAT THE FAMILY COURT WILL HAVE CONTINUED ACCESS TO SUCH DOCUMENT AND THE FINALIZATION OF THE ADOPTION WILL NOT BE IMPEDED.

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

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

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

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

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

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