

9713

I N A S S E M B L Y

May 16, 2014

Introduced by M. of A. HEVESI -- read once and referred to the Committee
on Children and Families

AN ACT to amend the social services law and the family court act, in
relation to the appointment of a child advocate

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

1 Section 1. Section 421 of the social services law is amended by adding
2 a new subdivision 9 to read as follows:
3 9. REPORT TO FAMILY COURT FOR THE APPOINTMENT OF A CHILD ADVOCATE
4 PURSUANT TO SECTION ONE THOUSAND EIGHTEEN OF THE FAMILY COURT ACT,
5 FOLLOWING AN INCIDENT THAT REQUIRES THE CARE OF A HEALTHCARE PROFES-
6 SIONAL, AND WHERE THE HEALTHCARE PROFESSIONAL AND CHILD PROTECTIVE
7 SERVICES DO NOT AGREE ON AN APPROPRIATE COURSE OF ACTION FOR THE CHILD.
8 S 2. Section 1018 of the family court act, as added by section 11 of
9 part A of chapter 3 of the laws of 2005, is amended to read as follows:
10 S 1018. Conferencing and mediation. 1. In any proceeding initiated
11 pursuant to this article, the court may, at its discretion, authorize
12 the use of conferencing or mediation at any point in the proceedings to
13 further a plan for the child that fosters the child's health, safety,
14 and well-being. Such conferencing or mediation may involve interested
15 relatives or other adults who are significant in the life of the child.
16 2. A CHILD ADVOCATE SHALL BE APPOINTED BY THE COURT, WHEN A REPORT
17 PURSUANT TO SUBDIVISION NINE OF SECTION FOUR HUNDRED TWENTY-ONE OF THE
18 SOCIAL SERVICES LAW, IS RECEIVED. SUCH ADVOCATE SHALL MEDIATE ANY
19 DISPUTES BETWEEN HEALTH CARE PROFESSIONALS AND CHILD PROTECTIVE SERVICES
20 WORKERS ON THE BEST COURSE OF ACTION FOR THE CHILD.
21 S 3. This act shall take effect immediately.

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

LBD14789-01-4