

# STATE OF NEW YORK

2059--A

Cal. No. 191

2017-2018 Regular Sessions

## IN SENATE

January 11, 2017

Introduced by Sens. BONACIC, CARLUCCI, GALLIVAN, KENNEDY, RITCHIE, SAVINO, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the judiciary law, in relation to the court-appointed special advocates program

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

Section 1. Subdivision 2 of section 212 of the judiciary law is amended by adding a new paragraph (w) to read as follows:

(w) Adopt rules and regulations standardizing use of court-appointed special advocate (CASA) programs in this state and governing the structure, administration and operation of such programs.

§ 2. The judiciary law is amended by adding a new article 21-C to read as follows:

### ARTICLE 21-C

#### COURT-APPOINTED SPECIAL ADVOCATES PROGRAM

##### Section 849-l. Appointment.

##### 849-m. Confidentiality.

§ 849-l. Appointment. A person employed by, or volunteering for, a court-appointed special advocate (CASA) program shall not be eligible for appointment by a family court to assist such court unless such program is in compliance with the rules and regulations of the chief administrator of the courts adopted pursuant to paragraph (w) of subdivision two of section two hundred twelve of this chapter, and such program has been approved by the chief administrator. Such person or

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

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1 volunteer so appointed shall only exercise the functions and duties  
2 specifically authorized by the court.

3 § 849-m. Confidentiality. Each CASA program shall safeguard the confi-  
4 dentiality of all information and material in accordance with applicable  
5 state and federal laws, rules and regulations and, to this end, shall  
6 ensure that all of its board members, officers, employees and volunteers  
7 are trained in, and comply with, such laws, rules and regulations.

8 § 3. This act shall take effect immediately.