

STATE OF NEW YORK

7649

2021-2022 Regular Sessions

IN ASSEMBLY

May 19, 2021

Introduced by M. of A. DAVILA -- (at request of the Office of Court Administration) -- read once and referred to the Committee on Children and Families

AN ACT to amend the family court act, in relation to expiration dates of orders of protection and the duration of temporary orders of protection in juvenile delinquency cases

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

1 Section 1. Subdivision 1 of section 154-c of the family court act, as
2 added by chapter 186 of the laws of 1997, is amended to read as follows:

3 1. Expiration dates. Any order of protection or temporary order of
4 protection issued under articles three, four, five, six [~~and~~], seven,
5 eight, ten and ten-A of this act shall plainly state the date that such
6 order expires.

7 § 2. Subdivision 4 of section 304.2 of the family court act, as added
8 by chapter 683 of the laws of 1984, is amended to read as follows:

9 (4) A temporary order of protection issued or extended after the
10 filing of a petition under this article shall contain an expiration date
11 and may remain in effect until an order of disposition is entered. A
12 temporary order of protection issued prior to the filing of a petition
13 under this article may remain in effect for an initial period of up to
14 twenty-one days and may be extended by the court for good cause, upon
15 notice to the juvenile, for a period of up to thirty days, or for a
16 period coinciding with the period of adjustment of the juvenile's case
17 under subdivision nine of section 308.1 of this part. Provided however,
18 if the juvenile successfully completes adjustment prior to the expira-
19 tion of the order, the probation service, presentment agency or attorney
20 for the child may move to vacate such temporary order of protection upon
21 completion.

22 § 3. 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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