STATE OF NEW YORK

8225

2023-2024 Regular Sessions

IN ASSEMBLY

November 6, 2023

Introduced by M. of A. BERGER -- read once and referred to the Committee on Judiciary

AN ACT to amend the family court act, in relation to the hours of operation for family courts; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Subdivision (a) of section 161 of the family court act is amended to read as follows:

(a) The days and hours the court is open shall be as provided by rule of court**; provided, that the chief administrator of the courts shall require that the court remain open until midnight at least one night a week in at least two counties in the city of New York, effective January first, two thousand twenty-four, and in at least three counties in such city, effective January first, two thousand twenty-five. When a court remains open until midnight on a day as provided herein, the chief administrator shall determine the classes of cases that may be heard in such court after five o'clock p.m. and such classes of cases may be heard by the court until midnight on such day; except that, where such classes include cases in which petitions are filed pursuant to articles three, six, eight, and ten of this act, the clerk of such court shall accept such petitions until eleven o'clock p.m. on such day**.

§ 2. Not later than December 1, 2025, the chief administrator of the courts shall submit to the legislature, the governor, and the chief judge of the state a report evaluating the use of family court in the counties wherein the chief administrator, pursuant to subdivision (a) of section 161 of the family court act, as amended pursuant to section one of this act, has required that the court remain open until midnight.

§ 3. This act shall take effect immediately and shall expire April 1, 2026 when upon such date the provisions of this act shall be deemed repealed.

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

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