

STATE OF NEW YORK

6570

2025-2026 Regular Sessions

IN ASSEMBLY

March 6, 2025

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

AN ACT to amend the domestic relations law and the family court act, in
relation to requiring that parents involved in contested divorce,
separation, visitation, or other family actions in supreme or family
courts attend a certified parent education and awareness program

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

1 Section 1. The domestic relations law is amended by adding a new
2 section 212 to read as follows:

3 § 212. Parent education and awareness program. 1. For the purposes of
4 this section, the following terms shall have the following meanings:

5 (a) "Court" shall mean a justice, judge, judicial hearing officer,
6 matrimonial referee, court attorney-referee, or support magistrate in
7 any New York court who handles issues of child custody and visitation
8 and child support.

9 (b) "Guidelines" shall mean the guidelines and procedures for certifi-
10 cation of parent education and awareness programs, which shall contain
11 the minimum standards for parent education and awareness programs to be
12 certified and approved by the office of court administration to accept
13 participants referred to such programs by New York courts pursuant to
14 this section.

15 (c) "Parent education and awareness program" shall mean a New York
16 state parent education and awareness program certified by the office of
17 court administration.

18 (d) "Program administrator" shall mean an individual employed by the
19 court system to oversee the operation and administration of the parent
20 education and awareness program and interface with parent education and
21 awareness program providers.

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

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1 (e) "Provider" shall mean the entity responsible for applying for
2 certification of and facilitating a parent education and awareness
3 program.

4 2. (a) There is hereby established a mandatory education program to be
5 known as the "parent education and awareness program".

6 (b) Such program shall be designed to provide information, strategies,
7 and tools to divorced, divorcing, or separated parents and parents
8 contesting custody or visitation of their children on ways to reduce
9 conflict and assist their children through the family changes caused by
10 parental breakup. Topics shall be included but not be limited to
11 increasing parents' understanding of:

12 (i) the interaction between parent and child, the family relationship,
13 and any other areas of adjustment and concern during the process of
14 divorce or separation;

15 (ii) how children react to divorce or separation, how to spot prob-
16 lems, what to tell children about divorce or separation, how to keep
17 communication open, and how to answer questions and concerns the chil-
18 dren may have about the divorce or separation process;

19 (iii) how parents can help their children during the divorce or sepa-
20 ration, specific strategies, ideas, tools, and resources for assistance;

21 (iv) how parents can help children after the divorce or separation and
22 how to deal with new family structures and different sets of household
23 rules; and

24 (v) when cooperation may sometimes be inappropriate in cases of domes-
25 tic violence.

26 3. (a) The provisions of this section shall apply to all contested
27 actions involving custody or visitation in either the supreme or family
28 courts:

29 (i) that affects the interests of children under eighteen years of
30 age; and

31 (ii) that is brought:

32 (A) to annul a marriage or declare the nullity of a void marriage;

33 (B) for separation;

34 (C) for divorce;

35 (D) to obtain custody of or visitation with minor children;

36 (E) to obtain a modification of a prior order of custody or visitation
37 with minor children; or

38 (F) where, in the exercise of the court's discretion, a determination
39 is made that attendance by the parents at a parent education and aware-
40 ness program would provide information that would be of benefit to such
41 parents and their children.

42 (b) The court shall order both parents to attend a certified parent
43 education and awareness program unless the court finds significant
44 evidence that attendance at the program would not benefit the parents or
45 their children, provided, however, that the parents shall not attend the
46 same class session. Such court order shall be made as early in the
47 proceeding as practicable.

48 (c) (i) In determining whether the parent's attendance at a parent
49 education and awareness program would benefit either the parents or
50 their children, a court shall consider all relevant factors bearing upon
51 the parties to the underlying action or proceeding and their children,
52 including but not limited to:

53 (A) any history, specific allegations, or pleadings of domestic
54 violence or other abuse;

55 (B) medical or financial hardship;

56 (C) language barriers; and

1 (D) whether a parent has previously attended a parent education and
2 awareness program.

3 (ii) A court's determination that the parent's attendance at a parent
4 education and awareness program would not benefit either the parents or
5 their children and the explanation therefor shall be included in a court
6 order waiving the parents' attendance at such program.

7 (d) If a parent is ordered to attend a parent education and awareness
8 program pursuant to this section and fails to attend without good cause,
9 the court in which the matter is pending may draw an adverse inference
10 against the non-compliant parent and factor that inference into any
11 determination made by such court, including but not limited to imposing
12 cost sanctions, an award of attorneys' fees, or such other sanctions as
13 the court deems appropriate.

14 (e) Where there is any history or there are specific allegations or
15 pleadings of domestic violence or other abuse involving the parents or
16 their children, the court shall not mandate attendance at the parent
17 education and awareness program, provided, however, that the court shall
18 permit either party to attend such program remotely.

19 (f) An order to attend a parent education and awareness program shall
20 not delay the expeditious progress of the underlying proceeding.

21 4. (a) Each provider that wishes to accept court-referred participants
22 into a parent education and awareness program shall be certified by the
23 office of court administration. In order to receive such certification,
24 potential providers shall submit a certification application and any
25 requested materials to the office of court administration and shall
26 demonstrate that such provider is in compliance with guidelines estab-
27 lished by the office of court administration prior to being eligible to
28 receive court-referred participants.

29 (b) A provider of a parent education and awareness program shall
30 advise the office of court administration of changes to such program or
31 the administration of such program, including changes in staff, contact
32 information, presenters and facilitators, locations, and class sched-
33 ules.

34 (c) The office of court administration shall promulgate guidelines
35 within one hundred eighty days of the effective date of this section.

36 5. Parent education and awareness programs certified by the office of
37 court administration under this law may require attendees to pay a fee.
38 Such fee:

39 (a) shall be reasonably related to the cost of providing the services;

40 (b) cannot exceed the maximum authorized fee as set forth in the
41 guidelines; and

42 (c) must be subject to waiver or reduction if requiring a person to
43 pay the full fee would work a hardship on such person or such person's
44 immediate family.

45 6. (a) Any communication made by a parent as part of such parent's
46 participation in a parent education and awareness program shall be a
47 confidential communication and shall not be available for evidentiary
48 use in any action or proceeding.

49 (b) The court shall obtain information regarding compliance with court
50 orders mandating parent attendance in a parent education only from a
51 provider pursuant to the guidelines established by the office of court
52 administration pursuant to this section.

53 (c) Any provider, such provider's employees, a program administrator,
54 or such provider's, employee's or administrator's designee who is
55 provided information by a parent, either in writing or orally, shall not
56 divulge such information to the attorneys representing the parties.

children, or other party, or the court or such court's chambers or administrative staff, except to confirm or verify a parent's attendance at the parent education and awareness program.

§ 2. Article 6 of the family court act is amended by adding a new part 4-A to read as follows:

PART 4-A

PARENT EDUCATION AND AWARENESS PROGRAM

Section 665. Purposes.

666. Definitions.

667. Application of program.

668. Provider certification.

669. Fees.

670. Confidentiality.

§ 665. Purposes. 1. There is hereby established a mandatory education program to be known as the "parent education and awareness program". Such program shall be designed to provide information, strategies, and tools to divorced, divorcing, or separated parents and parents contesting custody or visitation of their children on ways to reduce conflict and assist their children through the family changes caused by parental breakup.

2. Topics shall be included but not be limited to increasing parents' understanding of:

(a) the interaction between parent and child, the family relationship, and any other areas of adjustment and concern during the process of divorce or separation;

(b) how children react to divorce or separation, how to spot problems, what to tell children about divorce or separation, how to keep communication open, and how to answer questions and concerns the children may have about the divorce or separation process;

(c) how parents can help their children during the divorce or separation, specific strategies, ideas, tools, and resources for assistance;

(d) how parents can help children after the divorce or separation and how to deal with new family structures and different sets of household rules; and

(e) when cooperation may sometimes be inappropriate in cases of domestic violence.

§ 666. Definitions. For the purposes of this section, the following terms shall have the following meanings:

1. "Court" shall mean a justice, judge, judicial hearing officer, matrimonial referee, court attorney-referee, or support magistrate in any New York court who handles issues of child custody and visitation and child support.

2. "Guidelines" shall mean the guidelines and procedures for certification of parent education and awareness programs, which shall contain the minimum standards for parent education and awareness programs to be certified and approved by the office of court administration to accept participants referred to such programs by New York courts pursuant to this section.

3. "Parent education and awareness program" shall mean a New York state parent education and awareness program certified by the office of court administration.

4. "Program administrator" shall mean an individual employed by the court system to oversee the operation and administration of the parent education and awareness program and interface with parent education and awareness program providers.

1 5. "Provider" shall mean the entity responsible for applying for
2 certification of and facilitating a parent education and awareness
3 program.

4 § 667. Application of program. 1. The provisions of this section shall
5 apply to all contested actions involving custody or visitation in either
6 the supreme or family courts:

7 (a) that affects the interests of children under eighteen years of
8 age; and

9 (b) that is brought:

10 (i) to annul a marriage or declare the nullity of a void marriage;

11 (ii) for separation;

12 (iii) for divorce;

13 (iv) to obtain custody of or visitation with minor children;

14 (v) to obtain a modification of a prior order of custody or visitation
15 with minor children; or

16 (vi) where, in the exercise of the court's discretion, a determination
17 is made that attendance by the parents at a parent education and aware-
18 ness program would provide information that would be of benefit to such
19 parents and their children.

20 2. The court shall order both parents to attend a certified parent
21 education and awareness program unless the court finds significant
22 evidence that attendance at the program would not benefit the parents or
23 their children, provided, however, that the parents shall not attend the
24 same class session. Such court order shall be made as early in the
25 proceeding as practicable.

26 3. (a) In determining whether the parent's attendance at a parent
27 education and awareness program would benefit either the parents or
28 their children, a court shall consider all relevant factors bearing upon
29 the parties to the underlying action or proceeding and their children,
30 including but not limited to:

31 (i) any history, specific allegations, or pleadings of domestic
32 violence or other abuse;

33 (ii) medical or financial hardship;

34 (iii) language barriers; and

35 (iv) whether a parent has previously attended a parent education and
36 awareness program.

37 (b) A court's determination that the parent's attendance at a parent
38 education and awareness program would not benefit either the parents or
39 their children and the explanation therefor shall be included in a court
40 order waiving the parents' attendance at such program.

41 4. If a parent is ordered to attend a parent education and awareness
42 program pursuant to this section and fails to attend without good cause,
43 the court in which the matter is pending may draw an adverse inference
44 against the non-compliant parent and factor that inference into any
45 determination made by such court, including but not limited to imposing
46 cost sanctions, an award of attorneys' fees, or such other sanctions as
47 the court deems appropriate.

48 5. Where there is any history or there are specific allegations or
49 pleadings of domestic violence or other abuse involving the parents or
50 their children, the court shall not mandate attendance at the parent
51 education and awareness program, provided, however, that the court shall
52 permit either party to attend such program remotely.

53 6. An order to attend a parent education and awareness program shall
54 not delay the expeditious progress of the underlying proceeding.

55 § 668. Provider certification. 1. Each provider that wishes to accept
56 court-referred participants into a parent education and awareness

1 program shall be certified by the office of court administration. In
2 order to receive such certification, potential providers shall submit a
3 certification application and any requested materials to the office of
4 court administration and shall demonstrate that such provider is in
5 compliance with guidelines established by the office of court adminis-
6 tration prior to being eligible to receive court-referred participants.

7 2. A provider of a parent education and awareness program shall advise
8 the office of court administration of changes to such program or the
9 administration of such program, including changes in staff, contact
10 information, presenters and facilitators, locations, and class sched-
11 ules.

12 3. The office of court administration shall promulgate guidelines
13 within one hundred eighty days of the effective date of this section.

14 § 669. Fees. Parent education and awareness programs certified by the
15 office of court administration under this law may require attendees to
16 pay a fee. Such fee:

17 1. shall be reasonably related to the cost of providing the services;

18 2. cannot exceed the maximum authorized fee as set forth in the guide-
19 lines; and

20 3. must be subject to waiver or reduction if requiring a person to pay
21 the full fee would work a hardship on such person or such person's imme-
22 diate family.

23 § 670. Confidentiality. 1. Any communication made by a parent as part
24 of such parent's participation in a parent education and awareness
25 program shall be a confidential communication and shall not be available
26 for evidentiary use in any action or proceeding.

27 2. The court shall obtain information regarding compliance with court
28 orders mandating parent attendance in a parent education only from a
29 provider pursuant to the guidelines established by the office of court
30 administration pursuant to this section.

31 3. Any provider, such provider's employees, a program administrator,
32 or such provider's, employee's or administrator's designee who is
33 provided information by a parent, either in writing or orally, shall not
34 divulge such information to the attorneys representing the parties,
35 children, or other party, or the court or such court's chambers or
36 administrative staff, except to confirm or verify a parent's attendance
37 at the parent education and awareness program.

38 § 3. This act shall take effect on the one hundred eightieth day after
39 it shall have become a law.