

# STATE OF NEW YORK

2597

2025-2026 Regular Sessions

## IN SENATE

January 21, 2025

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the family court act, in relation to establishing standards for public access to family court

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

1 Section 1. The family court act is amended by adding a new section  
2 161-a to read as follows:

3 § 161-a. Access to family court proceedings. 1. The family court shall  
4 be open to the public. Members of the public, including the news media,  
5 shall have access to all courtrooms, lobbies, public waiting areas and  
6 other common areas of the family court otherwise open to individuals  
7 with business before the court.

8 2. The general public or any person shall be excluded from a courtroom  
9 only if the court determines, on a case-by-case basis that such exclu-  
10 sion is warranted. In exercising this discretion, the court may consid-  
11 er, among other factors, the following:

12 (a) whether such person is causing or likely to cause a disruption in  
13 the proceedings;

14 (b) whether such person's presence is objected to by one of the  
15 parties or the attorney for the child;

16 (c) the orderly and sound administration of justice, including the  
17 nature of such proceeding, the privacy interests of individuals before  
18 the court, and the need for protection of litigants, in particular,  
19 children, from harm; and

20 (d) whether less restrictive alternatives to exclusion are unavailable  
21 or inappropriate for the circumstances of the particular case.

22 3. Where a court exercises its discretion in excluding any person, the  
23 general public, or news media from a proceeding or a part of a proceed-  
24 ing in family court, it shall make a finding on the record prior to  
25 ordering such exclusion.

26 4. When necessary to preserve the decorum of such proceedings, the  
27 court shall instruct representatives of the news media and others  
28 regarding permissible use of such courtroom and other facilities of such

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

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1 court, the assignment of seats to representatives of such news media on  
2 an equitable basis, and any other matters that may affect the conduct of  
3 such proceedings and the well-being and safety of the parties before the  
4 court.

5 5. Nothing in this section shall limit the responsibility and authori-  
6 ty of the chief administrator of the courts, or the administrative judg-  
7 es with the approval of the chief administrator of the courts, to ensure  
8 the prevention of the release of sensitive information by any person or  
9 entity, including the press, concerning persons, including a child,  
10 having business before the court.

11 § 2. Section 341.1 of the family court act, as added by chapter 920 of  
12 the laws of 1982, is amended to read as follows:

13 § 341.1. Exclusion of general public. The general public may be  
14 excluded from any proceeding under this article, in compliance with  
15 section one hundred sixty-one-a of this act, and only such persons and  
16 the representatives of authorized agencies as have a direct interest in  
17 the case shall be admitted thereto.

18 § 3. Subdivision (a) of section 433 of the family court act, as  
19 amended by chapter 809 of the laws of 1985, is amended to read as  
20 follows:

21 [~~a~~] Hearing. (a) Upon the return of the summons or when a respondent  
22 is brought before the court pursuant to a warrant, the court shall  
23 proceed to hear and determine the case. The respondent shall be informed  
24 of the contents of the petition, advised of [~~his~~] their right to coun-  
25 sel, and shall be given opportunity to be heard and to present  
26 witnesses. The court may exclude the public from the court room in a  
27 proper case, in compliance with section one hundred sixty-one-a of this  
28 act.

29 § 4. Section 531 of the family court act, as amended by chapter 665 of  
30 the laws of 1976, is amended to read as follows:

31 § 531. Hearing. The trial shall be by the court without a jury. The  
32 mother or the alleged father shall be competent to testify but the  
33 respondent shall not be compelled to testify. If the mother is married  
34 both she and her [~~husband~~] spouse may testify to nonaccess. If the  
35 respondent shall offer testimony of access by others at or about the  
36 time charged in the complaint, such testimony shall not be competent or  
37 admissible in evidence except when corroborated by other facts and  
38 circumstances tending to prove such access. The court may exclude the  
39 general public from the room where the proceedings are heard and may  
40 admit only persons directly interested in the case, including officers  
41 of the court and witnesses. Exclusion of the public pursuant to this  
42 section shall comply with section one hundred sixty-one-a of this act.

43 § 5. Subdivision (b) of section 741 of the family court act is amended  
44 to read as follows:

45 (b) The general public may be excluded from any hearing under this  
46 article, in compliance with section one hundred sixty-one-a of this act,  
47 and only such persons and the representatives of authorized agencies  
48 admitted thereto as have a direct interest in the case.

49 § 6. Section 1043 of the family court act, as amended by chapter 682  
50 of the laws of 1975, is amended to read as follows:

51 § 1043. Hearings not open to the public. The general public may be  
52 excluded from any hearing under this article, in compliance with section  
53 one hundred sixty-one-a of this act, and only such persons and the  
54 representatives of authorized agencies admitted thereto as have an  
55 interest in the case.

56 § 7. This act shall take effect immediately.