STATE OF NEW YORK

8374

2025-2026 Regular Sessions

IN SENATE

June 5, 2025

Introduced by Sen. PERSAUD -- (at request of the Unified Court System) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the family court act and the judiciary law, in relation to the establishment of a pilot program to provide alternative dispute resolution and navigator services in child support matters

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

Section 1. Section 425 of the family court act, as amended by chapter 81 of the laws of 2003, is amended to read as follows:

§ 425. Agreement to support**; pilot program for use of alternative dispute resolution to obtain agreements to support**. **(a)** If **the parties reach** an agreement for the support of the **child and/or the** petitioner [~~is brought about~~], it must be reduced to writing and submitted to the family court or a support magistrate appointed pursuant to section four hundred thirty-nine of this act for approval **in accordance with paragraph (h) of subdivision one of section four hundred thirteen of this article**. If the court or support magistrate approves it, the court without further hearing may thereupon enter an order **and findings of fact** for the support of the **child and/or the** petitioner [~~by~~] **or** the respondent in accordance with the agreement, which shall be binding upon the [~~respondent~~] **parties** and shall in all respects be a valid order **and findings of fact** as though made after process had been issued out of the court. The court record shall show that such order [~~was~~] **and findings were** made upon agreement.

(b) The chief administrator of the courts shall promulgate rules to establish and implement a pilot program for the provision of alternative dispute resolution and navigation services to litigants in child support matters in the family court. The cost of the pilot program shall be paid for with state funds appropriated for that purpose and may include

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

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federal funds received by the state under title IV-D of the social security act.

(i) The pilot program, which shall be conducted under the auspices of the community dispute resolution center program pursuant to article twenty-one-A of the judiciary law, shall be located in at least two counties in a city with a population of one million or more, and in at least one other county in the state, and shall be available at no charge to parties in cases under this article. The program shall be equipped to provide services that are culturally sensitive to, and in the native language of, the litigants in the community.

(ii) At the parties' initial appearance before the court, pursuant to section four hundred thirty-three or subdivision two of section four hundred fifty-one of this article, in a participating county, the court shall advise the parties of the availability of the dispute resolution program and of their right to consult with counsel during the dispute resolution process. Unless the case is deemed inappropriate for a referral to the dispute resolution program after a review of records in accordance with subdivision (e) of section six hundred fifty-one of this act, the court shall, if the parties consent to participate, refer the matter promptly to the program.

(iii) Prior to referring the parties to the program, the court shall issue a preliminary order of child support pursuant to section four hundred thirty-four of this article unless the petition is for a modification of an existing order of support pursuant to subdivision two of section four hundred fifty-one of this article.

(iv) Prior to referral pursuant to paragraph (iii) of this subdivision, the court shall also issue an order directing the parties to provide financial disclosures in accordance with section four hundred twenty-four-a of this part and to bring or transmit the required documents to the program.

(v) The mediators, neutral evaluators or other facilitators shall receive training in accordance with section eight hundred forty-nine-b of the judiciary law, as well as in the legal requirements in child support cases, including, but not limited to, the child support standards act, possible deviations, requirements regarding medical insurance and costs, educational and child care expenses, age of majority and emancipation, shared and joint custody, grounds for modifications of child support orders and the consequences of noncompliance with child support orders. In order to resolve disputes involving complex financial issues, the program may, if possible, include among its mediators, neutral evaluators or other facilitators, individuals with accounting or other financial qualifications and experience.

(vi) The program shall have the capacity to conduct proceedings electronically, where appropriate, as well as in person, for the convenience of the participants and shall provide a secure means for participants to submit and exchange relevant documents electronically.

(vii) If the parties reach an agreement, the program shall refer them back to the family court in which their case is pending for the court to allocute the parties and to approve the agreement in accordance with subdivision (a) of this section and paragraph (h) of subdivision one of section four hundred thirteen of this article. If the program deems the referral inappropriate due to its own screening for domestic violence or for other reasons, or if parties do not reach an agreement or reach only a partial agreement, the program shall refer them back to the family court in which their case is pending for the court to proceed with a hearing under this article. In all cases, the program shall transmit to

the court all financial disclosure documents that have been provided in accordance with section four hundred twenty-four-a of this part.

(viii) In addition to or in lieu of alternative dispute resolution, including in cases in which an agreement is not reached, the program shall provide navigation services to the participants, including but not limited to information regarding family court procedures, the objection process, child support enforcement services available through the local department of social services, employment-related or job training programs in the jurisdiction, and consequences of noncompliance with child support orders. The program shall also provide assistance to litigants in preparation for the court appearance including, among other services, in organizing and transmitting required financial disclosures. Additionally, staff of the pilot program providing navigation services may be located on-site at the family court in the pilot counties selected pursuant to paragraph (i) of this subdivision in order to provide assistance in arranging the initial referral appointments, including ascertaining language access or other needs, and in explaining what documents are required to be brought or transmitted to the program.

§ 2. Subdivision 1 and paragraph (d) of subdivision 4 of section 849-b of the judiciary law, as added by chapter 847 of the laws of 1981, are amended to read as follows:

1. There is hereby established the community dispute resolution center program, to be administered and supervised under the direction of the chief administrator of the courts, to provide funds pursuant to this article for the establishment and continuance of dispute resolution centers on the basis of need in neighborhoods**, and to provide funds for the establishment and implementation of a pilot program in accordance with subdivision (b) of section four hundred twenty-five of the family court act**.

(d) it provides that during or at the conclusion of the dispute resolution process there shall be a written agreement or decision setting forth the settlement of the issues and future responsibilities of each party and that such agreement or decision shall be available to a court which has adjourned a pending action pursuant to section 170.55 of the criminal procedure law **or, in the case of written agreements reached pursuant to the pilot program established pursuant to subdivision (b) of section four hundred twenty-five of the family court act, that such agreement shall be submitted to the family court for approval in accordance with such section**;

§ 3. Subdivision 2 of section 849-d of the judiciary law, as amended by chapter 451 of the laws of 2006, is amended to read as follows:

2. [~~The~~] **Except as provided in section four hundred twenty-five of the family court act, the** state share of the cost of any center approved under this section shall include a basic grant of up to forty thousand dollars for each county served by the center and may include an additional amount not exceeding fifty per centum of the difference between the approved estimated cost of the program and the basic grant.

§ 4. This act shall take effect on the two hundred seventieth day after it shall have become a law. Effective immediately, the chief administrator of the courts is authorized to promulgate any rules and/or protocols necessary for implementation of the provisions of this act on or before such effective date.