

# STATE OF NEW YORK

8297

2025-2026 Regular Sessions

## IN ASSEMBLY

May 12, 2025

Introduced by M. of A. LUNSFORD -- (at request of the Unified Court System) -- read once and referred to the Committee on Judiciary

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:

1 Section 1. Section 425 of the family court act, as amended by chapter  
2 81 of the laws of 2003, is amended to read as follows:

3 § 425. Agreement to support; pilot program for use of alternative  
4 dispute resolution to obtain agreements to support. (a) If the parties  
5 reach an agreement for the support of the child and/or the petitioner  
6 [~~is brought about~~], it must be reduced to writing and submitted to the  
7 family court or a support magistrate appointed pursuant to section four  
8 hundred thirty-nine of this act for approval in accordance with para-  
9 graph (h) of subdivision one of section four hundred thirteen of this  
10 article. If the court or support magistrate approves it, the court with-  
11 out further hearing may thereupon enter an order and findings of fact  
12 for the support of the child and/or the petitioner [~~by~~] or the respond-  
13 ent in accordance with the agreement, which shall be binding upon the  
14 [~~respondent~~] parties and shall in all respects be a valid order and  
15 findings of fact as though made after process had been issued out of the  
16 court. The court record shall show that such order [~~was~~] and findings  
17 were made upon agreement.

18 (b) The chief administrator of the courts shall promulgate rules to  
19 establish and implement a pilot program for the provision of alternative  
20 dispute resolution and navigation services to litigants in child support  
21 matters in the family court. The cost of the pilot program shall be paid  
22 for with state funds appropriated for that purpose and may include  
23 federal funds received by the state under title IV-D of the social secu-  
24 urity act.

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

LBD08941-01-5

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

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

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

24 (iv) Prior to referral pursuant to paragraph (iii) of this subdivi-  
25 sion, the court shall also issue an order directing the parties to  
26 provide financial disclosures in accordance with section four hundred  
27 twenty-four-a of this part and to bring or transmit the required docu-  
28 ments to the program.

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

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

45 (vii) If the parties reach an agreement, the program shall refer them  
46 back to the family court in which their case is pending for the court to  
47 allocute the parties and to approve the agreement in accordance with  
48 subdivision (a) of this section and paragraph (h) of subdivision one of  
49 section four hundred thirteen of this article. If the program deems the  
50 referral inappropriate due to its own screening for domestic violence or  
51 for other reasons, or if parties do not reach an agreement or reach only  
52 a partial agreement, the program shall refer them back to the family  
53 court in which their case is pending for the court to proceed with a  
54 hearing under this article. In all cases, the program shall transmit to  
55 the court all financial disclosure documents that have been provided in  
56 accordance with section four hundred twenty-four-a of this part.

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

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

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

28 (d) it provides that during or at the conclusion of the dispute resol-  
 29 ution process there shall be a written agreement or decision setting  
 30 forth the settlement of the issues and future responsibilities of each  
 31 party and that such agreement or decision shall be available to a court  
 32 which has adjourned a pending action pursuant to section 170.55 of the  
 33 criminal procedure law or, in the case of written agreements reached  
 34 pursuant to the pilot program established pursuant to subdivision (b) of  
 35 section four hundred twenty-five of the family court act, that such  
 36 agreement shall be submitted to the family court for approval in accord-  
 37 ance with such section;

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

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

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