STATE OF NEW YORK

9120

2025-2026 Regular Sessions

IN ASSEMBLY

September 26, 2025

Introduced by M. of A. RAJKUMAR -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to providing free legal counsel to domestic violence survivors

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

Section 1. The executive law is amended by adding a new section 577 to read as follows:

§ 577. Civil legal services program for income-eligible domestic violence survivors. 1. Definitions. For the purposes of this section, the following terms shall have the following meanings:

(a) "Brief legal assistance" means individualized legal assistance provided in one or more single consultations by a designated organization to an income-eligible domestic violence survivor in connection with a divorce proceeding.

(b) "Designated organization" means a not-for-profit organization or association contracted to provide full legal representation or brief legal assistance pursuant to the program established by this section.

(c) "Director" means the executive director of the office for the prevention of domestic violence.

(d) "Divorce proceeding" means any action for divorce or special action as described in section one hundred seventy and one hundred seventy-a of the domestic relations law.

(e) "Full legal representation" means ongoing legal representation provided by a designated organization to an income-eligible domestic violence survivor. Such term includes all legal advice, advocacy, and assistance associated with such representation.

(f) "Income-eligible domestic violence survivor" means any individual who is covered by the term "victim of domestic violence" as such term is defined in section four hundred fifty-nine-a of the social services law, who is a resident of the state of New York aged 18 or older, and whose

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

LBD13758-01-5

annual gross household income is not in excess of two hundred fifty percent of the federal poverty guidelines as updated periodically in the Federal Register by the United States Department of Health and Human Services under the authority of 42 U.S.C. § 9902(2).

(g) "Program" means the civil legal services program for income-eligible domestic violence survivors established by this section.

2. Program. (a) Subject to appropriation, the coordinator shall implement a program to provide full legal representation and brief legal assistance for income-eligible domestic violence survivors in divorce proceedings in the state.

(b) Any full legal representation commenced pursuant to the program shall continue until the final disposition of the divorce proceeding.

(c) Full legal representation or brief legal assistance performed by a designated organization pursuant to the program shall not supplant, replace, or satisfy any obligations or responsibilities of such designated organization pursuant to any other program, contract, or agreement.

3. Training. The director shall work with relevant agencies to provide training and resources to designated organizations on topics related to domestic and gender-based violence, including training on economic abuse and trauma-informed engagement practices.

4. Outreach. The director shall create written materials that contain information about the program, any interpretation services that are available in divorce proceedings, and any other free or low-cost legal services or resources available for income-eligible domestic violence survivors in divorce proceedings. Such written materials shall be posted online and made available at relevant offices as determined by the director.

5. Report. No later than one year after the effective date of this section, and annually thereafter, the director shall submit to the governor, the temporary president of the senate and the speaker of the assembly a report on the program. Such report shall include, but need not be limited to, the following for the preceding year:

(a) the total number of income-eligible domestic violence survivors who requested to receive full legal representation or brief legal assistance through the program;

(b) the total number of income-eligible domestic violence survivors who requested to receive full legal representation or brief legal assistance through the program and did not receive such full legal representation or such brief legal assistance, and the reasons why;

(c) the total number of income-eligible domestic violence survivors who have received full legal representation through the program whose divorce proceedings have been concluded, including whether each such divorce proceeding was contested or uncontested, and the total amount of fees paid for each such full legal representation;

(d) the total number of income-eligible domestic violence survivors who have received full legal representation through the program whose divorce proceedings are ongoing, including whether each such divorce proceeding was contested or uncontested, and the total amount of fees paid for each such full legal representation;

(e) the total amount of fees paid to designated organizations;

(f) any challenges in implementing or operating the program; and

(g) the total estimated amount of funding required for the program for the upcoming year.

6. Private right of action. Nothing in this section or the administration or application thereof shall be construed to create a private

right of action on the part of any person or entity against agency, official, or employee thereof.

7. Exemption. The director shall have the authority to exempt any city, town or village from the provisions of this section if the director determines such city, town or village has a comparable program.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.