



2015 REPORT TO THE GOVERNOR AND THE
LEGISLATURE, PURSUANT TO SECTION 112-A (3)
OF THE DOMESTIC RELATIONS LAW, CONCERNING EXPEDITED
CALENDARING OF ADOPTION PROCEEDINGS

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Chief Administrative Judge

January, 2016

INTRODUCTION

This report is submitted by the Chief Administrative Judge pursuant to chapter 294 of the Laws of 1993, which added Section 112-a to the Domestic Relations Law. Chapter 294, effective September 19, 1993, required the Chief Administrator of the Courts to promulgate court rules to expedite the calendaring and disposition of authorized agency adoptions in Family and Surrogate's Courts and to submit annual reports to the Governor and Legislature regarding the implementation and impact of the rules. This report documents implementation of the rules in the Family and Surrogate's Courts for the calendar year 2015.¹

SUMMARY OF THE PROVISIONS OF SECTION 112-A OF THE DOMESTIC RELATIONS LAW AND IMPLEMENTING COURT RULES

In an effort to expedite adoptions filed by authorized agencies, the Legislature, in Chapter 294 of the Laws of 1993, added a new Section 112-a to the Domestic Relations Law. That section provides that an adoption proceeding is deemed "filed" upon receipt by the Clerk of the Surrogate's or Family Court of the documents required by statute and court rule,² as well as an "affidavit of readiness" from the petitioning agency's attorney. D.R.L. §112-a(1).

Once these documents are filed, the Surrogate's or Family Court is required to schedule the proceeding for a "review...to determine if there is adequate basis for approving the adoption." D.R.L. §112-a(2). If an adequate basis is found, the Court is required to direct the appearance of

¹ Data covers the 13 terms of 2015, starting on January 3, 2015 and ending on January 2, 2016.

² Domestic Relations Law §§112(2), (3), (5) and (7), as implemented in Section 207.55 of the *Uniform Rules of the Surrogate's Court* and Section 205.53 of the *Uniform Rules for the Family Court*, set forth the documents required to be submitted in an adoption proceeding, in addition to the affidavit of readiness required by Domestic Relations Law §112-a(1).

the adoptive parents and child for approval of the adoption; if not, the Court "shall direct such further hearings, submissions or appearances as may be required, and the proceedings shall be adjourned as required for such purposes." D.R.L. §§112-a(2)(a),(b). The review, appearances for approval of the adoption and any adjournments for further hearings, submissions or reviews are required to take place within time frames established by court rules. D.R.L. §112-a(3). The Chief Administrator is required to report annually to the Governor and Legislature "on the implementation of such rules and their impact upon adoptions from authorized agencies." *Id.*

This legislation was part of a broader initiative to encourage and expedite the adoption of children by foster parents with whom they have formed bonds. Chapter 294 of the Laws of 1993 also amended Sections 383-c and 384-b of the Social Service Law to require attorneys for authorized agencies to notify prospective adoptive parents promptly of their rights to commence adoption proceedings upon court approval of voluntary surrenders of children and transfers of guardianship and custody through termination of parental rights, respectively. S.S.L. §§383-c(8), 384-b(10). The agencies are directed to advise prospective adoptive parents of the procedures for adoption and cooperate "in the provision of necessary documentation." *Id.* The vast majority of prospective adoptive parents approved by authorized agencies for the adoption of children -- generally more than 90% -- are caring for such children as foster parents.

The Chief Administrative Judge promulgated rules for the Family and Surrogate's Court to implement Chapter 294, effective September 22, 1993, which generally establish a 90-day time frame for completion of authorized agency adoptions, absent adjournments for extenuating circumstances. Section 205.59 of the *Uniform Rules for the Family Court* and Section 207.62 of the

Uniform Rules for the Surrogate's Court require that the initial review by the court to determine the adequacy of the petition and required documentation, including the affidavit of readiness, shall occur within 60 days of the filing of the documents. If the documentation is deemed adequate and the petition is deemed ready for approval, the court is directed to schedule the appearance of the adoptive parent(s) and child within 30 days of the review. If the petition is not ready for finalization, the court must specify what further hearings, submissions or appearances are necessary and adjourn the proceedings "as required for such purposes." 22 N.Y.C.R.R. §§205.59, 207.62.

SURVEY OF FAMILY AND SURROGATE'S COURT PRACTICES

The experience of the Family and Surrogate's Courts in 2015 once again underscored the effectiveness of the calendaring rules in assuring timely completion of adoptions once the required documentation has been filed. As summarized below, a survey of Family and Surrogate's Courts in all 13 Judicial Districts revealed no problems in judicial compliance with the rules, although some problems persist with respect to incomplete filings by attorneys for prospective adoptive parents and agencies, as well as delays occasioned by the need to obtain up-to-date criminal history, medical and child abuse registry information. As summarized in the following chart, 2294 agency adoption petitions were filed and 2122 were finalized during the 13 terms of calendar year 2015 in Family and Surrogate's Courts statewide; 99.2% of the adoption petitions filed were in compliance with the requirement that agency adoption filings be reviewed within 60 days; 58% of the finalized petitions were able to be completed within 30 days of the review and only 28.3% of the adoptions finalized had been pending in excess of 90 days prior to finalization.

**Expedited Adoptions Report: Terms 1-13, 2015 (Jan. 3, 2015 - Jan. 2, 2016)
SUMMARY: ALL DISTRICTS**

| DISTRICT | #Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing | # Agency Adoptions Finalized Within 30 Days of Staff Review | # Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation |
|---------------------------------|--------------------------------|------------------------------------|--|--|--|
| NYC: 1, 2, 11, 12 AND 13 | 1,153 | 1,054 | 1,153 | 623 | 421 |
| THIRD | 116 | 96 | 116 | 44 | 16 |
| FOURTH | 119 | 105 | 119 | 44 | 21 |
| FIFTH | 143 | 152 | 128 | 139 | 15 |
| SIXTH | 151 | 143 | 151 | 116 | 11 |
| SEVENTH | 119 | 109 | 116 | 35 | 40 |
| EIGHTH | 223 | 209 | 223 | 78 | 16 |
| NINTH | 137 | 131 | 137 | 72 | 46 |
| TENTH | 133 | 123 | 133 | 81 | 16 |
| <u>TOTAL</u> | 2294 | 2122 | 2276 | 1232 | 602 |

The following charts provide information by county, court (Surrogate's and Family Courts) and judicial district:

**Expedited Adoptions Report: Terms 1-13, , 2015 (Jan. 3, 2015 - Jan. 2, 2016)
Judicial District: New York City (1st , 2nd , 11th, 12th+ 13th Jud. Districts)**

| COUNTY | #Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing | # Agency Adoptions Finalized Within 30 Days of Staff Review | # Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation* |
|---|--------------------------------|------------------------------------|--|--|---|
| <u>Bronx County</u> Family Surrogate's | 318 0 | 289 0 | 318 0 | 205 0 | 84 0 |
| <u>Kings Co.</u> Family Surrogate's | 315 0 | 300 0 | 315 0 | 189 0 | 111 0 |
| <u>NY County</u> Family Surrogate's | 232 15 | 218 10 | 232 15 | 143 0 | 75 0 |
| <u>Queens Co.</u> Family Surrogate's | 197 0 | 178 0 | 197 0 | 76 0 | 102 0 |
| <u>Richmond Co.</u> Family Surrogate's | 76 0 | 59 0 | 76 0 | 10 0 | 49 0 |
| TOTAL: NYC | 1,153 | 1,054 | 1,153 | 623 | 421 |

* Most frequent reason(s) for delay in finalizing adoption: Parents and child physicals; OCA Affidavit Receipt; Home Study; SCR Abuse Clearance; Updated Medical Info.

Snapshot NYC-wide [Agency Adoptions Pending as of Jan. 3, 2016]: NYC Family Court: 337; NY County Surrogate's Court: 4 (one in Jan., 2016)

Adoption Initiatives: NYC Family Court: In recognition of National Adoption Month, in November 2015, each of the New York City Family Courts held designated "Adoption Days." During the Adoption Day events, a total of approximately 168 adoptions were finalized, and ceremonies recognizing the importance of adoptions were held in each county. Additionally, NBC News 4 New York covered the Kings County event for their Wednesday's Child segment. Wednesday's Child is a weekly televised feature that helps find adoptive families for children in foster care.

NY Co. Surrogate's Court: Fingerprints and child abuse clearances are done as soon as possible. All adoptions are reviewed within five days of filing. Attorneys are notified as soon as the file is reviewed to let them know what documents, if any, are needed to complete the file.

**Expedited Adoptions Report: Terms 1-13, , 2015 (Jan. 3, 2015 - Jan. 2, 2016)
Third Judicial District**

| COUNTY | #Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing | # Agency Adoptions Finalized Within 30 Days of Staff Review | # Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation* |
|---|--------------------------------|------------------------------------|--|--|---|
| <u>Albany Co.</u> Family Surrogate's | 29 3 | 27 1 | 29 3 | 24 1 | 3 0 |
| <u>Columbia Co.</u> Family Surrogate's | 14 0 | 4 0 | 14 0 | 0 0 | 3 0 |
| <u>Greene Co.</u> Family Surrogate's | 20 0 | 10 0 | 20 0 | 10 0 | 7 0 |
| <u>Rensselaer Co.</u> Family Surrogate's | 13 4 | 16 4 | 13 4 | 0 0 | 0 0 |
| <u>Schoharie Co.</u> Family Surrogate's | 6 0 | 6 0 | 6 0 | 6 0 | 0 0 |
| <u>Sullivan Co.</u> Family Surrogate's | 5 0 | 4 0 | 5 0 | 3 0 | 1 0 |
| <u>Ulster Co.</u> Family Surrogate's | 22 0 | 24 0 | 22 0 | 0 0 | 2 0 |
| TOTAL | 116 | 96 | 116 | 44 | 16 |

* **Most frequent reason(s) for delay in finalizing adoption:** Missing or incorrect paperwork. Delays in submitting the adoption subsidy paperwork and home studies are the most common.

Adoption Initiatives: Albany County Surrogate's Court has developed a new tracking system with control dates to expedite proceedings.

**Expedited Adoptions Report: Terms 1-13, , 2015 (Jan. 3, 2015 - Jan. 2, 2016)
Fourth Judicial District**

| COUNTY | #Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing | # Agency Adoptions Finalized Within 30 Days of Staff Review | # Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation* |
|--------------------------------|--------------------------------|------------------------------------|--|--|---|
| <u>Clinton Co.</u> | | | | | |
| Family | 25 | 25 | 25 | 25 | 0 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Essex Co.</u> | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate's | 4 | 3 | 3 | 0 | 0 |
| <u>Franklin Co.</u> | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate's | 2 | 3 | 3 | 3 | 1 |
| <u>Fulton Co.</u> | | | | | |
| Family | 1 | 1 | 1 | 1 | 0 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Hamilton Co.</u> | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Montgomery Co.</u> | | | | | |
| Family | 1 | 1 | 1 | 0 | 1 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>St. Lawrence Co.</u> | | | | | |
| Family | 22 | 17 | 22 | 3 | 6 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Saratoga Co.</u> | | | | | |
| Family | 26 | 21 | 26 | 1 | 4 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Schenectady Co.</u> | | | | | |
| Family | 26 | 21 | 26 | 6 | 9 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Warren Co.</u> | | | | | |
| Family | 5 | 5 | 5 | 0 | 0 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Washington Co.</u> | | | | | |
| Family | 7 | 8 | 7 | 5 | 1 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 119 | 105 | 119 | 44 | 21 |

* Most frequent reason(s) for delay in finalizing adoption: .appeals, delays in filing by agencies; incorrect petitions, missing documentation.

Snapshot District-wide [Agency adoptions pending s of Jan. 2, 2016]: 23

**Expedited Adoptions Report: Terms 1-13, 2015 (Jan. 3, 2015 - Jan. 2, 2016)
Fifth Judicial District**

| COUNTY | #Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing | # Agency Adoptions Finalized Within 30 Days of Staff Review | # Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation* |
|--|--------------------------------|------------------------------------|--|--|---|
| <u>Herkimer County</u> Family Court Surrogates Court | 23 0 | 23 0 | 23 0 | 23 0 | 0 0 |
| <u>Jefferson County</u> Family Court Surrogates Court | 22 0 | 26 0 | 7 0 | 19 0 | 0 0 |
| <u>Lewis County</u> Family Court Surrogates Court | 2 0 | 2 0 | 2 0 | 2 0 | 0 0 |
| <u>Oneida County</u> Family Court Surrogates Court | 11 4 | 11 4 | 11 4 | 11 4 | 0 0 |
| <u>Onondaga County</u> Family Court Surrogates Court | 72 0 | 77 0 | 72 0 | 71 0 | 6 0 |
| <u>Oswego County</u> Family Court Surrogates Court | 9 0 | 9 0 | 9 0 | 9 0 | 9 0 |
| TOTAL | 143 | 152 | 128 | 139 | 15 |

* **Most frequent reason(s) for delay in finalizing adoption:** adoptive parents' medical history, Interstate Compact and Subsidy Agreement issues (between the Department of Children and Family Services and the adoptive family) and issues centered on child abuse/ indicated reports and criminal history of adoptive parents.

Snapshot District-wide [Agency Adoptions Pending as of Jan. 3, 2016]: Family Court, Onondaga Co. : 2

Adoption Initiatives: The Fifth Judicial District, spearheaded by Onondaga County, celebrated its annual National Adoption Day celebration at the Oncenter, Syracuse, New York on November 20, 2015 with United States Congressman John Katko as their featured speaker and Hon. Michael Cocco, Deputy Chief Administrative Judge, as a distinguished guest. In collaboration with the Newhouse School of Public Communications at Syracuse University, there was a short film that was debuted on adoption awareness. The film, created by Professor Richard Breyer and a class of graduate students, will be used in training seminars and foster parent classes throughout Onondaga County.

Onondaga County will further efforts of adoption awareness by creating another edition of 'Faces of Adoption in the Fifth Judicial District'. The photo books will be distributed to agencies and courts to encourage support and awareness of the need for foster and adoptive homes.

**Expedited Adoptions Report: Terms 1-13, 2015 (Jan. 3, 2015 - Jan. 2, 2016)
Sixth Judicial District**

| COUNTY | #Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing | # Agency Adoptions Finalized Within 30 Days of Staff Review | # Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation* |
|---------------------|--------------------------------|------------------------------------|--|--|---|
| Broome Co. | | | | | |
| Family | 41 | 32 | 41 | 31 | 0 |
| Surrogate | 0 | 0 | 0 | 0 | 0 |
| Chemung Co. | | | | | |
| Family | 15 | 18 | 15 | 1 | 0 |
| Surrogate | 0 | 0 | 0 | 0 | 0 |
| Chenango Co. | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate | 2 | 2 | 2 | 2 | 0 |
| Cortland Co. | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate | 25 | 27 | 25 | 26 | 1 |
| Delaware Co. | | | | | |
| Family | 19 | 17 | 19 | 17 | 2 |
| Surrogate | 0 | 0 | 0 | 0 | 0 |
| Madison Co. | | | | | |
| Family | 6 | 6 | 6 | 6 | 0 |
| Surrogate | 0 | 0 | 0 | 0 | 0 |
| Otsego Co. | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate | 10 | 10 | 10 | 10 | 0 |
| Schuyler Co. | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate | 4 | 4 | 4 | 4 | 0 |
| Tioga Co. | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate | 4 | 4 | 4 | 2 | 2 |
| Tompkins Co. | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate | 25 | 23 | 25 | 17 | 6 |
| TOTAL | 151 | 143 | 151 | 116 | 11 |

Snapshot District-wide (Agency adoptions pending as of Jan.2, 2016): 12

**Expedited Adoptions Report: Terms 1-13,, 2015 (Jan. 3, 2015 - Jan. 2, 2016)
Seventh Judicial District**

| County | #Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing | # Agency Adoptions Finalized Within 30 Days of Review | # Agency Adoption Finalizations Delayed Beyond 90 Days from Filing Due to Missing Documentation* |
|--------------------------|--------------------------------|------------------------------------|--|--|---|
| <u>Cayuga</u> | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate's | 8 | 6 | 8 | 6 | 0 |
| <u>Livingston</u> | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate's | 7 | 8 | 7 | 8 | 0 |
| <u>Monroe</u> | | | | | |
| Family | 49 | 43 | 46 | 10 | 12 |
| Surrogate's | 18 | 12 | 18 | 0 | 18 |
| <u>Ontario</u> | | | | | |
| Family | 7 | 10 | 7 | 3 | 4 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Seneca</u> | | | | | |
| Family | 6 | 6 | 6 | 6 | 0 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Steuben</u> | | | | | |
| Family | 11 | 13 | 11 | 2 | 6 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Wayne</u> | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate's | 13 | 11 | 13 | 0 | 0 |
| <u>Yates</u> | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 119 | 109 | 116 | 35 | 40 |

Most frequent reasons for delay: Monroe Family Court: scheduling on Adoption Day; delay in receiving the verified schedules/home studies; Steuben Family Court: delay in receiving home studies

Snapshot District Wide [Agency Adoptions Pending as of Jan. 3, 2016]: Cayuga Surr. Ct.: 2; Livingston Family Ct: 2; Monroe Family Ct: 6; Ontario Family Ct.: 3; Wayne Surr. Ct.: 2.

Adoption Initiatives: Monroe and Ontario County Family Courts convened Adoption Day celebrations; Monroe and Steuben County Family Courts maintain close contact and meet with the agency adoption unit staff.

Expedited Adoptions Report: Terms 1-13, 2015 (Jan. 3, 2015 - Jan. 2, 2016)
Eighth Judicial District

| COUNTY | #Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing | # Agency Adoptions Finalized Within 30 Days of Review | # Agency Adoption Finalizations Delayed Beyond 90 Days from Filing Due to Missing Documentation* |
|-------------------------------|--------------------------------|------------------------------------|--|--|---|
| <u>Allegany Co.</u> | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate's | 15 | 11 | 15 | 11 | 0 |
| <u>Cattaraugus Co.</u> | | | | | |
| Family | 5 | 5 | 5 | 1 | 2 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Chautauqua Co.</u> | | | | | |
| Family | 18 | 15 | 18 | 8 | 0 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Erie Co.</u> | | | | | |
| Family | 115 | 111 | 115 | 37 | 0 |
| Surrogate's | 19 | 15 | 19 | 2 | 7 |
| <u>Genesee Co.</u> | | | | | |
| Family | 18 | 16 | 18 | 0 | 0 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Niagara Co.</u> | | | | | |
| Family | 23 | 25 | 23 | 13 | 5 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Orleans Co.</u> | | | | | |
| Family | 3 | 4 | 3 | 0 | 1 |
| Surrogate's | 0 | 0 | 0 | 0 | 0 |
| <u>Wyoming Co.</u> | | | | | |
| Family | 0 | 0 | 0 | 0 | 0 |
| Surrogate's | 7 | 7 | 7 | 6 | 1 |
| TOTAL | 223 | 209 | 223 | 78 | 16 |

Most frequent reason(s) for delay in finalizing adoptions: Erie Co. Fam Ct.: Missing and out-of-date documents; lack of proof of service of surrender and termination of parental rights order; foster parent issues; Orleans Co. Fa., Ct.: late home studies..

Adoptions pending as of Jan. 4, 2015: 35 (Erie County Family Court)

Special Initiatives: Erie Co. Family Court: regular meetings with key personnel from Court, Dept. Of Social Services and Court Improvement Project; Erie Co. Surr. Ct. and Orleans Co. Fam. Ct.: regular calls to agencies for missing documents; Wyoming Co. Surr. Ct.: completed 4 cases within 6 weeks of filing, only 1 over 90 days.

**Expedited Adoptions Report: Terms 1-13, 2015 (Jan. 3, 2015 - Jan. 2, 2016)
Ninth Judicial District**

| County | #Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing | # Agency Adoptions Finalized Within 30 Days of Review | # Agency Adoption Finalizations Delayed Beyond 90 Days from Filing Due to Missing Documentation* |
|---|-------------------------|-----------------------------|---|---|--|
| <u>Putnam Co.</u> Family Surrogate's | 3 0 | 2 0 | 3 0 | 2 0 | 1 0 |
| <u>RocklandCo.</u> Family Surrogate's | 17 0 | 18 0 | 17 0 | 14 0 | 3 0 |
| <u>Orange Co.</u> Family Surrogate's | 30 0 | 17 0 | 30 0 | 11 0 | 1 0 |
| <u>Dutchess Co.</u> Family Surrogate's | 35 0 | 44 0 | 35 0 | 7 0 | 37 0 |
| <u>Westchester Co.</u> Family Surrogate's | 52 0 | 50 0 | 52 0 | 38 0 | 4 0 |
| TOTAL | 137 | 131 | 137 | 72 | 46 |

Snapshot of pending adoptions as of Jan. 3, 2016: Rockland Co. Fam.Ct.: 3; Dutchess Co. Fam.Ct.: 8; Westchester Family Ct.: 2.

Most frequent reason(s) for delay in finalizing adoptions: Putnam Co. Fam. Ct.: late submission of termination of parental rights order; Rockland Co. Fam.Ct.: late submission of documents; Westchester Co. Fam. Ct.: failure on the part of either or both the Agency and adoption attorney in obtaining the necessary paperwork required to complete the court file, ambivalence on the part of the adoptive parent or child, pending child protective investigations on the adoptive home; contested adoptions and an increasing number of pending appeals.

Adoption Initiatives: Westchester Family Court: finalized 23 adoptions on a successful Adoption Day on Nov. 20, 2015, with entertainment by the character Minion, an arts and crafts table, gift packages filled with books, teddy bears, etc., display of Heart Gallery photographs and a luncheon; with the Court maintaining regular communication with the Dept. Of Social Services, 38 of the adoptions were finalized within 30 days of the review Rockland Co. Fam Ct.;; court attorney referee presides over permanency hearings, including those of children freed for adoption, in order to provide more efficient monitoring of permanency plans, including progress toward adoption; Dutchess Co. Fam. Ct. Calendars status review within 60 days of filing, has instituted new filing and permanency hearing protocol and is a participating county in the Court Improvement Project.

**Expedited Adoptions Report: Terms 1-13, 2015 (Jan. 3, 2015 - Jan. 2, 2016)
Tenth Judicial District**

| COUNTY | # Agency Adoptions Filed | #Agency Adoptions Finalized | # Agency Adoptions Reviewed by Court Staff Within 60 days | # Agency Adoptions Finalized Within 30 days of Review | # Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation* |
|--|---------------------------------|------------------------------------|--|--|---|
| <u>Nassau</u> Family Surrogate's | 24 2 | 26 1 | 24 2 | 26 1 | 0 1 |
| <u>Suffolk</u> Family Surrogate's | 107 0 | 96 0 | 107 0 | 54 0 | 15 0 |
| TOTAL | 133 | 123 | 133 | 81 | 16 |

Most frequent reasons for delays in finalizing adoptions: Suffolk Co. Family Court: delays in agency submission of documents; pending termination of parental rights appeal (8 cases); notice father issues (6 cases); attorney submission of documents (5 cases); lack of certified birth certificate (3 cases); venue change documents (4 cases).

Agency adoptions pending as of Jan. 3, 2016: Suffolk Co. Family Court: ; Nassau Fam. Ct.: 0.

Adoption initiatives: Suffolk Co. Family Court: finalized 25 adoptions on Adoption Day; Permanency Planning Coordinator oversees processing of agency adoptions, has e-mail or telephone contact every two to three days and convenes regular meetings with the local Dept. of Social Services to expedite timely submission of documents.

CONCLUSION

In 2015, in 99.2 % of its cases, the Unified Court System fully complied with the court rules requiring review of agency adoption proceedings within 60 days of filing and was able to complete 58% of the cases within 30 days after the review. Once all documents have been submitted to the courts, cases are promptly calendared for finalization. These successes reflect the judiciary's continued rigorous efforts to realize the goals of the landmark federal and state legislation. Over time, these statutes are expected to expedite the movement of children out of foster care back to their own families, to adoptive homes or to other permanent living arrangements.

The intensive inter-agency efforts to bring adoptions to finalization quickly have continued to produce impressive results. As in past years, to the extent that delays have been encountered, these have

been related to the persistent problem of failures by petitioners' attorneys and authorized agencies to submit complete documentation at the outset, as required by statute and rule, including clearances from the State Central Register of Child Abuse and Maltreatment, original documents from other states, home studies and criminal history reports from the New York State Division of Criminal Justice Services.

The prompt resolution of children's cases, whether through family reunification, adoption, guardianship or other alternative, remains a priority for the Unified Court System as it implements the Federal and State *Adoption and Safe Families Acts*, the 2005 New York State permanency legislation and the Federal *Fostering Connections to Success and Adoption Improvement Act of 2008*. Continuing the legacy of former Chief Judge Kaye's "Permanency Now" (formerly, "Adoption Now") initiative, inaugurated in late 2002, the impressive data reflects a continued willingness on both a State and local level to collaborate to expedite adoptions of children freed for adoption, the vast majority of whom have not yet had adoption petitions filed on their behalf. This important initiative produced significant results state-wide, both in the short- and long-term, in significantly reducing the pool of children for whom achievement of a permanent stable home has been an elusive goal.

The rapid phases of child development, particularly the inexorable process by which children form vital bonds and attachments with their caretakers, as well as the critical needs of children for stability in their lives, require expeditious movement of children out of the limbo of foster care into permanent homes. In handling cases involving children, the Unified Court System is cognizant of children's unique senses of time; what may appear to be modest delays are magnified in the lives of children. The successful implementation of the legislation and court rules requiring prompt calendaring and completion of adoption proceedings, as outlined in this report, has furthered the goal of expediting these important cases.

January, 2016