

What Is Family Court and How Can I Support My Patients?

A Tip Sheet for Healthcare Providers

WHAT is the New York State Family Court?

- Every county in New York has a family court.
- Family courts hear cases that involve children and their families.
- Issues include custody, guardianship, adoption, juvenile delinquency, foster care, domestic violence, persons in need of supervision (PINS), and neglect.

WHO presides over New York State Family Court?

- Family court judges determine the outcome of cases. They are democratically elected to 10-year terms in Monroe County. Make sure to vote!

HOW does Family Court work?

- Cases begin when an individual or agency files a petition. A court date is selected and a judge orders the petition served to the opposing party.
- On the court date the judge will ensure all parties know their rights and have representation. The judge can also order a summons for a witness or an arrest warrant if necessary.
- The trial is known as a Fact Finding Hearing in Family Court. The petitioner makes the case for their petition and the respondent is given an opportunity to defend themselves against the charges. The judge is the sole arbiter and there are no juries.
- If what was presented in the Fact Finding Hearing is found to be true, a dispositional hearing is held to determine the appropriate legal remedy. This can happen on the same date as the initial hearing or later on.

WHAT resources can help my patients who are involved with family court?

- Bivona Child Advocacy Center supports children who are victims of child abuse
<http://www.bivonacac.org/>
- Family Court Children's Center provides childcare and support for children whose parents are involved in the court system:
<https://www.nycourts.gov/courts/nyc/family/childservicecenters.shtml>
- Law Help NY can help NYers who cannot afford an attorney get information:
<http://www.lawhelpny.org/>
- Legal Aid of Rochester provides legal assistance for those who could not afford it. Services include family court and other issues. <http://www.lasroc.org/>
- Mt. Hope Family Center provide support for children who are victims of maltreatment.
<http://www.psych.rochester.edu/MHFC/>
- Society for the Protection & Care of Children provides resources for children who are victims of trauma and domestic violence: <http://www.spcc-roch.org/>
- Willow Court Accompaniment can support victims of domestic violence in family court:
<https://willowcenterny.org/our-services/court-advocacy/>

WHERE can I learn more?

- <https://www.nycourts.gov/courts/7jd/monroe/Family/index.shtml>
- <http://moderncourts.org/files/2013/10/familycourtguide.pdf>

Acknowledgement: Howard Laney, third year Medical Student, 2016/2017