



**2011 REPORT TO THE GOVERNOR AND THE**  
**LEGISLATURE, PURSUANT TO SECTION 112-A (3)**  
**OF THE DOMESTIC RELATIONS LAW, CONCERNING EXPEDITED**  
**CALENDARING OF ADOPTION PROCEEDINGS**

**HON. A. GAIL PRUDENTI**

**Chief Administrative Judge**

**January, 2012**

## 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 2011.<sup>1</sup>

## 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,<sup>2</sup> 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

---

<sup>1</sup> Data covers the 13 terms of 2011, starting on January 3, 2011 and ending on January 2, 2012.

<sup>2</sup> 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 2011 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 12 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,<sup>3</sup> 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, 2710 agency adoption petitions were filed and 2608 were finalized during the 13 terms of calendar year 2011 in Family and Surrogate's Courts statewide. 99 % of the adoption petitions filed were in compliance with the requirement that agency adoption filings be reviewed within 60 days; 59 % of the finalized petitions were able to be completed within 30 days of the review and only 29.3 % of the adoptions finalized had been pending in excess of 90 days prior to finalization.

---

<sup>3</sup> The Unified Court System has attempted to minimize these delays by posting the adoption forms on the Internet ([www.nycourts.gov](http://www.nycourts.gov)) and, through its Court Improvement Project in conjunction with Chief Judge Kaye's "Permanency Now" project, by publishing and conducting training regarding the newly revised *Lawyers' Guide to Adoption* (2009).

**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)**  
**SUMMARY: ALL DISTRICTS**

<b>DISTRICT</b>	<b>#Agency Adoptions Filed</b>	<b>#Agency Adoptions Finalized</b>	<b># Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing</b>	<b># Agency Adoptions Finalized Within 30 Days of Staff Review</b>	<b># Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation</b>
<b>NYC: 1, 2, 11, 12 AND 13</b>	<b>1352</b>	<b>1273</b>	<b>1341</b>	<b>717</b>	<b>557</b>
<b>THIRD</b>	<b>107</b>	<b>122</b>	<b>107</b>	<b>74</b>	<b>14</b>
<b>FOURTH</b>	<b>151</b>	<b>160</b>	<b>151</b>	<b>94</b>	<b>33</b>
<b>FIFTH</b>	<b>144</b>	<b>145</b>	<b>144</b>	<b>137</b>	<b>6</b>
<b>SIXTH</b>	<b>168</b>	<b>153</b>	<b>151</b>	<b>104</b>	<b>22</b>
<b>SEVENTH</b>	<b>160</b>	<b>158</b>	<b>160</b>	<b>59</b>	<b>36</b>
<b>EIGHTH</b>	<b>297</b>	<b>254</b>	<b>297</b>	<b>132</b>	<b>33</b>
<b>NINTH</b>	<b>201</b>	<b>195</b>	<b>201</b>	<b>92</b>	<b>44</b>
<b>TENTH</b>	<b>130</b>	<b>148</b>	<b>130</b>	<b>127</b>	<b>20</b>
<b><u>TOTAL</u></b>	<b>2710</b>	<b>2608</b>	<b>2682</b>	<b>1536</b>	<b>765</b>

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

**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)  
Judicial District: New York City (1<sup>st</sup>, 2<sup>nd</sup>, 11<sup>th</sup>, 12<sup>th</sup>+ 13<sup>th</sup> Jud. Districts)**

<b>COUNTY</b>	<b>#Agency Adoptions Filed</b>	<b>#Agency Adoptions Finalized</b>	<b># Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing</b>	<b># Agency Adoptions Finalized Within 30 Days of Staff Review</b>	<b># Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation*</b>
<b><u>Bronx County</u> Family Surrogate's</b>	<b>332 0</b>	<b>321 0</b>	<b>332 0</b>	<b>155 0</b>	<b>166 0</b>
<b><u>Kings Co.</u> Family Surrogate's</b>	<b>324 1</b>	<b>273 1</b>	<b>324 0</b>	<b>206 0</b>	<b>67 1</b>
<b><u>NY County</u> Family Surrogate's</b>	<b>264 13</b>	<b>250 8</b>	<b>264 3</b>	<b>111 0</b>	<b>139 10</b>
<b><u>Queens Co.</u> Family Surrogate's</b>	<b>380 1</b>	<b>370 1</b>	<b>380 1</b>	<b>230 1</b>	<b>140 0</b>
<b><u>Richmond Co.</u> Family Surrogate's</b>	<b>37 0</b>	<b>49 0</b>	<b>37 0</b>	<b>14 0</b>	<b>35 0</b>
<b>TOTAL: NYC</b>	<b>1352</b>	<b>1293</b>	<b>1341</b>	<b>717</b>	<b>557</b>

\* **Most frequent reason(s) for delay in finalizing adoption:** Delays in submission of Affidavit of No Appeal, adoptive parent and child updated medical reports, subsidized adoption approval, surrenders and judicial consents and supplemental documents requested by the Court.

**Snapshot NYC-wide [Agency Adoptions Pending as of Jan. 2, 2012]:** 410 (NYC Family Court)

**Adoption Initiatives:** The New York City Family Court convened adoption days in each borough during the week of Nov. 14, 2011, finalizing a total of 113 adoptions. The Court, and in particular, the Adoption Subcommittee of the NYC Family Court Termination of Parental Rights Advisory Committee, continue to seek ways of expediting adoption proceedings. Two initiatives are worthy of note:

- In New York County, adoptions are now required to be docketed and reviewed within 5 days of filing. Adoption clerks have been assigned to specific judges, and lists of the supporting documents required by each judge (in addition to statutorily required documents) have been filed with the adoption clerks so that adoption attorneys can be notified immediately of all requirements. In addition, time on adoption judges' calendars has been reserved each week for finalizations, simplifying the adoption clerks' ability to schedule them.

- In Bronx County, a prominent printed reminder is provided to the jurist before every freed child permanency hearing, noting how long the child has been in care and the last date the case was before a jurist. In addition, if an adoption has not been filed by the second permanency hearing after disposition, the case is referred back to the judge for review. Upon a goal change to adoption, the agency is directed to immediately begin an adoption home study and prepare adoption documents. Also, where there is an issue with the agency's planning efforts toward adoption, jurists are instructed to schedule a status appearance within 90 days.

**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)  
Third Judicial District**

<b>COUNTY</b>	<b>#Agency Adoptions Filed</b>	<b>#Agency Adoptions Finalized</b>	<b># Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing</b>	<b># Agency Adoptions Finalized Within 30 Days of Staff Review</b>	<b># Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation*</b>
<u>Albany Co.</u> Family Surrogate's	28 0	32 0	28 0	32 0	0 0
<u>Columbia Co.</u> Family Surrogate's	9 0	21 <sup>4</sup> 0	9 0	1 0	3 0
<u>Greene Co.</u> Family Surrogate's	10 0	9 0	10 0	9 0	0 0
<u>Rensselaer Co.</u> Family Surrogate's	0 22	0 23 <sup>5</sup>	0 22	0 17	0 5
<u>Schoharie Co.</u> Family Surrogate's	13 0	13 0	13 0	11 0	0 0
<u>Sullivan Co.</u> Family Surrogate's	7 0	3 0	7 0	2 0	1 0
<u>Ulster Co.</u> Family Surrogate's	18 0	21 0	18 0	2 0	5 0
<b>TOTAL</b>	<b>107</b>	<b>122</b>	<b>107</b>	<b>74</b>	<b>14</b>

\* **Most frequent reason(s) for delay in finalizing adoption:** Delays and/or need to obtain corrections in documents filed by attorneys, including cases in which agencies file documents prior to attorneys; child protective agency need to investigate child maltreatment hotline report. One adoption in Ulster County Family Court is awaiting medical report to resolve issue of special handicap subsidy. Two adoptions in Sullivan County have been placed on hold pending resolution of criminal charges against an adoptive parent.

**Snapshot District-wide [Agency Adoptions Pending as of Jan. 2, 2012]:** 3 (Sullivan Co. Fam. Ct.)

**Adoption Initiatives:** Rensselaer County Surrogate's Court calendars all cases for 30-day review and letters are sent to adoption attorneys advising them of any missing documents due to be filed either by them or by the agency. Sullivan County Family Court reviews every file at the start of every month and advises agency of any deficiencies.

<sup>4</sup> Includes eleven petitions filed in 2010.

<sup>5</sup> Includes two filed in 2010. Additionally, one petition was withdrawn.

**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)  
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	14	9	14	9	0
Surrogate's	0	0	0	0	0
<u>Essex Co.</u>					
Family	0	3	0	0	0
Surrogate's	0	0	0	0	0
<u>Franklin Co.</u>					
Family	0	1	0	0	0
Surrogate's	3	7	7	7	1
<u>Fulton Co.</u>					
Family	4	4	4	4	0
Surrogate's	0	0	0	0	0
<u>Hamilton Co.</u>					
Family	1	0	1	0	0
Surrogate's	0	0	0	0	0
<u>Montgomery Co.</u>					
Family	4	8	4	0	8
Surrogate's	0	0	0	0	0
<u>St. Lawrence Co.</u>					
Family	29	28	29	17	1
Surrogate's	0	0	0	0	0
<u>Saratoga Co.</u>					
Family	29	34	25	34	4
Surrogate's	1	1	1	1	0
<u>Schenectady Co.</u>					
Family	45	44	45	8	12
Surrogate's	0	0	0	0	0
<u>Warren Co.</u>					
Family	10	10	10	3	7
Surrogate's	0	0	0	0	0
<u>Washington Co.</u>					
Family	11	11	11	11	0
Surrogate's	0	0	0	0	0
<b>TOTAL</b>	<b>151</b>	<b>160</b>	<b>151</b>	<b>94</b>	<b>33</b>

\* **Most frequent reason(s) for delay in finalizing adoption:** delayed and incomplete submissions of documents by agencies and attorneys, including OCA registration card, and child abuse registry and criminal history reports and subsidy approvals from NYS OCFS; pending appeals.

**Snapshot District-wide [Agency Adoptions Pending as of Jan. 2, 2012]: 13** (district-wide).



**Adoption Initiatives:** Family Courts in St. Lawrence and Schenectady Counties convened Adoption Days; Schenectady Co. Family Court monitors document submission and schedules adoptions on expedited basis once files are complete.

**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)  
Fifth Judicial District**

<b>COUNTY</b>	<b>#Agency Adoptions Filed</b>	<b>#Agency Adoptions Finalized</b>	<b># Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing</b>	<b># Agency Adoptions Finalized Within 30 Days of Staff Review</b>	<b># Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation*</b>
<u><b>Herkimer County</b></u>					
Family Court	10	8	10	8	0
Surrogates Court	0	0	0	0	0
<u><b>Jefferson County</b></u>					
Family Court	16	16	16	13	0
Surrogates Court	0	0	0	0	0
<u><b>Lewis County</b></u>					
Family Court	7	7	7	7	0
Surrogates Court	0	0	0	0	0
<u><b>Oneida County</b></u>					
Family Court	37	39	37	36	2
Surrogates Court	4	5	4	4	0
<u><b>Onondaga County</b></u>					
Family Court	69	71	69	67	4
Surrogates Court	0	0	0	0	0
<u><b>Oswego County</b></u>					
Family Court	5	4	5	2	0
Surrogates Court	0	0	0	0	0
<b>TOTAL</b>	<b>144</b>	<b>145</b>	<b>144</b>	<b>137</b>	<b>6</b>

\* Most frequent reason(s) for delay in finalizing adoption: delayed receipt of documents.

**Snapshot District-Wide (Agency Adoptions Pending as of January 2, 2012):** 4 (Onondaga Fam. Ct.); 2 (Oneida Fam. Ct.)

**Adoption Initiatives:** In Oct., 2011, the Fifth Judicial District won the prestigious Adoption Excellence Award from the US Department of Health and Human Services for its excellent Adoption Day web-site and activities. The Adoption Day website includes local information for individuals interested in fostering children, links to each of the Family Courts in the 5<sup>th</sup> Judicial District and information about the Adoption Day event and ongoing efforts to raise public awareness of the children in Central New York waiting for a permanent home

**Onondaga Family Court:** Onondaga County led the largest and the most successful collaboration to date with the Fifth Judicial District, various local agencies and private attorneys to celebrate National Adoption Day 2011. The 2011 Adoption Day event was held at the OnCenter in Syracuse, New York. Over 650 people attended, 79 adoptions were finalized by judges drawn from counties in Central New York and the event served as an important information venue for the general public as well as foster and adoptive parents interested in adopting foster care children. More than 15 local Central New York agencies attended the event. The Heart Gallery of photographs of children seeking adoptive homes was displayed in the Onondaga County Courthouse for the month of November and transported to the OnCenter for the Adoption Day event.

**Oswego Family Court:** The Court provided a Continuing Legal Education program for attorneys for filing adoptions and the county Department of Social Services and participated in the above Fifth Judicial District's National Adoption Day celebration. At th OnCenter in Syracuse.

**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)  
Sixth Judicial District**

<b>COUNTY</b>	<b>#Agency Adoptions Filed</b>	<b>#Agency Adoptions Finalized</b>	<b># Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing</b>	<b># Agency Adoptions Finalized Within 30 Days of Staff Review</b>	<b># Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation*</b>
<b><u>Broome Co.</u></b>					
<b>Family</b>	<b>59</b>	<b>63</b>	<b>59</b>	<b>42</b>	<b>0</b>
<b>Surrogate</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b><u>Chemung Co.</u></b>					
<b>Family</b>	<b>19</b>	<b>17</b>	<b>9</b>	<b>9</b>	<b>0</b>
<b>Surrogate</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b><u>Chenango Co.</u></b>					
<b>Family</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Surrogate</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>
<b><u>Cortland Co.</u></b>					
<b>Family</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Surrogate</b>	<b>24</b>	<b>23</b>	<b>24</b>	<b>6</b>	<b>0</b>
<b><u>Delaware Co.</u></b>					
<b>Family</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Surrogate</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>8</b>	<b>0</b>
<b><u>Madison Co.</u></b>					
<b>Family</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>0</b>
<b>Surrogate</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b><u>Otsego Co.</u></b>					
<b>Family</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Surrogate</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>
<b><u>Schuyler Co.</u></b>					
<b>Family</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Surrogate</b>	<b>5</b>	<b>3</b>	<b>5</b>	<b>3</b>	<b>0</b>
<b><u>Tioga Co.</u></b>					
<b>Family</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Surrogate</b>	<b>6</b>	<b>2</b>	<b>6</b>	<b>1</b>	<b>5</b>
<b><u>Tompkins Co.</u></b>					
<b>Family</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Surrogate</b>	<b>36</b>	<b>27</b>	<b>29</b>	<b>27</b>	<b>16</b>
<b>TOTAL</b>	<b>168</b>	<b>153</b>	<b>151</b>	<b>104</b>	<b>22</b>

\* **Most frequent reason(s) for delay in finalizing adoption:** Missing documents, including child abuse registry clearances, service affidavits, updated home studies and criminal history checks.

**Snapshot District-wide [Agency Adoptions Pending as of Jan. 2, 2012]:** 23: 4 (Broome Fam.Ct.); 4 (Chemung Fam.Ct.); 1 (Cortland Surr. Ct.); 1 (Schuyler Surr.Ct.);4 (Tioga Surr.Ct.); 9 (Tompkins Surr.Ct.)

**Adoption Initiatives:** New Chief Clerk in Cortland County built relationship with local Dept. of Social Services and Adoption coordinator at Catholic Charities, which helped to expedite adoptions.

**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)  
Seventh Judicial District**

<b>County</b>	<b>#Agency Adoptions Filed</b>	<b>#Agency Adoptions Finalized</b>	<b># Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing</b>	<b># Agency Adoptions Finalized Within 30 Days of Review</b>	<b># Agency Adoption Finalizations Delayed Beyond 90 Days from Filing Due to Missing Documentation*</b>
<u>Cayuga</u> Family Surrogate's	0 13	0 17	0 13	0 13	0 0
<u>Livingston</u> Family Surrogate's	14 0	15 0	14 0	15 0	0 0
<u>Monroe</u> Family Surrogate's	69 24	74 12	69 24	15 0	15 10
<u>Ontario</u> Family Surrogate's	8 0	9 0	8 0	8 0	1 0
<u>Seneca</u> Family Surrogate's	1 0	1 0	1 0	1 0	0 0
<u>Steuben</u> Family Surrogate's	14 0	14 0	14 0	2 0	9 0
<u>Wayne</u> Family Surrogate's	0 16	0 15	0 16	0 5	0 1
<u>Yates</u> Family Surrogate's	1 0	1 0	1 0	0 0	0 0
<b>TOTAL</b>	<b>160</b>	<b>158</b>	<b>160</b>	<b>59</b>	<b>36</b>

\* **Most frequent reason(s) for delay in finalizing adoption: Monroe Family** - Waiting for home studies, delay in receiving verified schedule, homestudy not complete (addition info. needed); **Monroe Surr.** - Issues regarding notice and/or consent of birth father that were left unresolved by the agency; lack of complete documentation from agency and adoption attorney; **Ontario Family** - finalization was delayed 9 days to be part of Adoption Day celebration; **Steuben Family** - Delays in receiving home study+ child abuse registry check. **Snapshot District-wide [Agency Adoptions Pending as of Jan. 3, 2012]: Monroe Fam.** 4; **Monroe Surr** - 12

**Adoption Initiatives [Describe any initiatives undertaken during the past year to expedite adoptions in your district; use additional sheets, if necessary]:** **Monroe Family** - Tracking verified schedule and home study due dates, Adoption Day celebration; **Ontario Family** - Adoption Day celebration; **Steuben Family** - regular meetings with DSS adoption personnel; **Yates Family** - To improve communication meetings are held every two months

with DSS supervisor and caseworker, DSS attorney and DSS Deputy Commissioner to discuss cases, issues, and permanency planning.

**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)  
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	14	14	14	13	1
<u>Cattaraugus Co.</u>					
Family	17	17	17	17	17
Surrogate's	0	0	0	0	0
<u>Chautauqua Co.</u>					
Family	25	24	25	20	1
Surrogate's	0	0	0	0	0
<u>Erie Co.</u>					
Family	187	145 <sup>6</sup>	187	54	0
Surrogate's	19	13	19	4	6
<u>Genesee Co.</u>					
Family	5	4	5	4	0
Surrogate's	0	0	0	0	0
<u>Niagara Co.</u>					
Family	22	27	22	15	7
Surrogate's	0	0	0	0	0
<u>Orleans Co.</u>					
Family	3	5	3	0	1
Surrogate's	0	0	0	0	0
<u>Wyoming Co.</u>					
Family	0	0	0	0	0
Surrogate's	5	5	5	5	0
<b>TOTAL</b>	<b>297</b>	<b>254</b>	<b>297</b>	<b>132</b>	<b>33</b>

**Most frequent reason(s) for delay in finalizing adoptions:** Missing documents from agency; Post-adoption contract agreement approval (Erie Surrogate's); adoptive parents unaware termination of parental rights appeal pending (Chaut. Fam.Ct.); Await 3 months residency (Niagara Fam.Ct.); delay in obtaining birth certificate from NYC Dept. of Health; appeal pending, adoptive parent criminal + mental health issues + out-of-date report on back-up resource (Erie Co. Fam. Ct.).

**Adoptions pending as of Jan. 2, 2012:** 6 (Erie Surr.); 41 (Erie Fam.Ct.)

**Special Initiatives:** Bi-weekly review of documents by clerk (Orleans Fam.Ct.); periodic meetings with key

---

<sup>6</sup> An additional 15 petitions were withdrawn.

personnel and status reviews to identify barriers to timely resolution of cases (Erie Co. Fam. Ct.).

**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)  
Ninth Judicial District**

<b>County</b>	<b>#Agency Adoptions Filed</b>	<b>#Agency Adoptions Finalized</b>	<b># Agency Adoptions Reviewed by Court Staff Within 60 Days of Filing</b>	<b># Agency Adoptions Finalized Within 30 Days of Review</b>	<b># Agency Adoption Finalizations Delayed Beyond 90 Days from Filing Due to Missing Documentation*</b>
<b><u>Putnam Co.</u> Family Surrogate's</b>	<b>8 0</b>	<b>8 0</b>	<b>8 0</b>	<b>4 0</b>	<b>0 0</b>
<b><u>RocklandCo.</u> Family Surrogate's</b>	<b>17 0</b>	<b>17 0</b>	<b>17 0</b>	<b>13 0</b>	<b>4 0</b>
<b><u>Orange Co.</u> Family Surrogate's</b>	<b>54 0</b>	<b>45 0</b>	<b>54 0</b>	<b>8 0</b>	<b>16 0</b>
<b><u>Dutchess Co.</u> Family Surrogate's</b>	<b>34 0</b>	<b>30<sup>7</sup> 0</b>	<b>34 0</b>	<b>26 0</b>	<b>4 0</b>
<b><u>Westchester Co.</u> Family Surrogate's</b>	<b>88 0</b>	<b>95 0</b>	<b>88 0</b>	<b>41 0</b>	<b>20 0</b>
<b>TOTAL</b>	<b>201</b>	<b>195</b>	<b>201</b>	<b>92</b>	<b>44</b>

**Snapshot of pending adoptions as of Jan. 2, 2012:** 7 (Dutchess Fam. Ct.); 3 (Rockland Fam. Ct.)

**Most frequent reason(s) for delay in finalizing adoptions:** Delays in prospective adoptive parents and agency submission of document, including criminal history reports; delays arising from appeals.

**Adoption Initiatives:** Westchester Family Court finalized 35 adoptions on a festive Adoption Day on Nov. 18, 2011, with a luncheon and entertainment for the families and an appearance by Victoria Rowell, the National Adoption Day spokesperson.

---

<sup>7</sup> Additionally, three petitions were withdrawn [Dutchess Family Court].



**Expedited Adoptions Report: Terms 1-13, 2011 (Jan. 3, 2011 - Jan. 2, 2012)  
Tenth Judicial District**

<b>COUNTY</b>	<b># Agency Adoptions Filed</b>	<b>#Agency Adoptions Finalized</b>	<b># Agency Adoptions Reviewed by Court Staff Within 60 days</b>	<b># Agency Adoptions Finalized Within 30 days of Review</b>	<b># Agency Adoption Finalizations Delayed Beyond 90 Days From Filing Due to Missing Documentation*</b>
<u>Nassau</u>					
Family	19	19	19	19	0
Surrogate's <sup>s</sup>	18	18	18	18	0
<u>Suffolk</u>					
Family	93	111 <sup>9</sup>	93	90	20
Surrogate's	0	0	0	0	0
<b>TOTAL</b>	<b>130</b>	<b>148</b>	<b>130</b>	<b>127</b>	<b>20</b>

**Most frequent reasons for delays in finalizing adoptions:** Suffolk Co. Family Court: Obtaining out-of-state documents delayed 11 cases, attorney submission of documents delayed eight cases; delays in five cases were due to pending termination of parental rights appeals and four cases were due to issues regarding service of notice fathers.

**Agency adoptions pending as of Jan. 2, 2012:** 26 (Suffolk Co. Family Court).

**Adoption initiatives:** In Suffolk Co. Family Court, the Permanency Coordinator oversees processing of agency adoptions, has regular contact with the local Dept. of Social Services to expedite timely submission of documents and sends documents promptly in order to obtain a timely response in cases involving a possible change of venue to the court that handled the termination of parental rights, surrender or permanency proceeding.

**CONCLUSION**

In 2011, in 99% 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 59 % 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

---

<sup>8</sup> Nassau County Surrogate's Court finalized 18 private adoptions in 2010 but no longer does agency adoptions in light of the enactment of "one family/one judge" legislation.

<sup>9</sup> Additionally, two petitions filed in Suffolk County Family Court were withdrawn.

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*. The legacy of Chief Judge Kaye's "Permanency Now" (formerly, "Adoption Now") initiative, inaugurated in late 2002, has been 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, 2012