

Parent Representation Eligibility Hearings

Executive Law section 832(3)(c) requires NYS Office of Indigent Legal Services (ILS) to establish criteria and procedures for determining whether a person is financially unable to pay for their own lawyer (“financial eligibility standards”), and thus eligible to be provided with a publicly paid lawyer. ILS’ responsibility to establish financial eligibility standards applies in both criminal court and family court proceedings. ILS convened four public hearings to inform its statutorily mandated development of standards for determining financial eligibility for assignment of counsel for adults involved in Family Court proceedings.

It is also important to note that, in its February 2019 Interim Report to Chief Judge Janet DiFiore, the Unified Court System’s Commission on Parental Legal Representation stressed the need for uniform standards of eligibility for assignment of counsel in family matters. The Commission, which was created by Chief Judge DiFiore in February 2018 as part of her Excellence Initiative, also recommended enactment of legislation establishing a rebuttable presumption of eligibility for counsel for parents involved in child welfare proceedings to ensure that parents have legal representation during in advance of their first appearance in court, including during child protective services investigations. These hearings were conducted with the assistance and support of the Office of Court Administration and ILS is deeply appreciative of the dedication demonstrated by many OCA staff members to help bring these hearings to fruition.

[Notice of Public Hearings](#) [pdf]

Public Hearings: Video Links

[New York, New York, May 31, 2019](#) [mp4]

[Albany, New York, June 19, 2019](#) [mp4]

[Brooklyn, New York, July 17, 2019](#) [mp4]

[Rochester, New York, August 14, 2019](#) [mp4]

Last updated on January 13, 2021.

[Print](#)

[Table of Contents](#)