

NEW YORK STATE

DEPARTMENT OF SOCIAL SERVICES

40 NORTH PEARL STREET, ALBANY, NEW YORK 12243

BARBARA B. BLUM
Commissioner

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[An informational letter informs local districts of potential developments in the Social Services field, or of actual or potential developments in collateral fields of interest.]

INFORMATIONAL LETTER

TRANSMITTAL NO.: 80 INF-8
[Services]

TO: Commissioners of Social Services

SUBJECT: Proceedings to Fathers of Children Born Out-of-Wedlock (Social Services Law 384-c) DATE: April 22, 1980

SUGGESTED DISTRIBUTION: Commissioner
Director of Services
All Child Welfare Staff
Social Services Attorneys
Authorized Agencies

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to State
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CONTACT PERSON: Any questions concerning this release should be directed to Hal Harkess, Senior Social Services Planning Specialist, Division of Services, by calling toll free 1-800-342-3715, extension 4-9632.

I. PURPOSE

The purpose of this letter is to inform local districts, authorized agencies and social services attorneys of a 1979 amendment to Social Services Law 384-c relating to notice in certain proceedings to fathers of children born out-of-wedlock.

II. BACKGROUND

Social Services Law 384-c provides for notice to fathers of children born out-of-wedlock in certain proceedings relating to surrender or transfer of custody, termination of parental rights, foster care and adoption. Chapter 18, Laws of 1979 amends the provisions of 384-c to specifically exclude from the notice requirements the father of a child born out-of-wedlock when the child who is the subject of the proceeding was conceived as the result of forcible rape and the father has been convicted of rape in the first degree involving forcible compulsion. The law is effective as of March 16, 1979.

FILING REFERENCES

Previous INFs / ADMs	Depr. Regs.	Social Services Law and Other Legal References 384-c	Bulletin/Chapter Reference	Miscellaneous References

III PROGRAM IMPLICATIONS

Where it can be identified that a child born out-of-wedlock is a child born of forcible rape and the father has been convicted of such rape, the notices required in 384-c will not need to be given. District and agency staff and attorneys handling these affairs should be made aware of this change.


Norris P. Phillips
Deputy Commissioner
Division of Services