

NEW YORK STATE

DEPARTMENT OF SOCIAL SERVICES

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Arthur Y. Webb
Acting Commissioner



[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.: 82 INF-14
[Services]

TO: Commissioners of Social Services

SUBJECT: Jurisdiction in Adoption Proceedings

DATE: August 24, 1982

SUGGESTED DISTRIBUTION: Commissioner
All Child Welfare Staff
Social Services Attorney
Voluntary Child Caring Agency Directors
Adoption Agency Directors

CONTACT PERSON: Any questions concerning this release should be directed to
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Ext. 131-8028

I. PURPOSE

The purpose of this release is to inform local districts, social services, attorneys, and authorized agencies of the action of the Legislature in Chapter 232, Laws of 1982 to extend to September 1, 1984, the period of concurrent jurisdiction by Family Courts and Surrogate's Courts over adoption proceedings.

II. BACKGROUND

Section 641 of the Family Court Act which was originally enacted in 1962, was intended to grant exclusive original jurisdiction over adoption proceedings to the Family Court. Prior to the enactment of section 641 and to the present, the surrogate's court also possesses original jurisdiction over adoption proceedings. Since the initial enactment, the Legislature has made a number of extensions to the period of concurrent jurisdiction. Chapter 232, Laws of 1982, is the most recent of these extensions, extending to September 1, 1984, the period in which the Surrogate's Court may continue to exercise concurrent original jurisdiction over adoption proceedings with the Family Court.

FILING REFERENCES

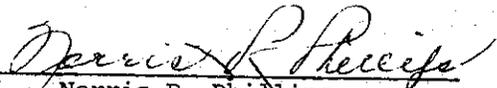
Previous INFs/ADMs	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous References
78 INF 28 81 INF 18		FCA 641 CH 188, Laws of 1980		

III. IMPLICATIONS

Adoption proceedings may continue to be brought in either Family Court or Surrogate's Court until September 1, 1984.

IV. RECOMMENDATIONS

While there is a continuing option to initiate an adoption proceeding in either Family Court or Surrogate's Court, adoption proceedings involving adoptive children whose cases already have had involvement in the Family Court should also be brought in Family Court, in order to insure continuity and to make use of the Family Court's existing familiarity with the case.



Norris P. Phillips
Deputy Commissioner
DIVISION OF SERVICES