



NEW YORK STATE SENATOR

John A. DeFrancisco

NEW YORK STATE SENATE PASSES SENATOR DEFRANCISCO'S BILL TO ENACT “PETER FALK’S LAW”

JOHN A. DEFRANCISCO June 14, 2016

| ISSUE: **GUARDIANSHIP**

Senator John A. DeFrancisco today announced that the New York State Senate has given final passage to his bill (S5154-C), which would enact “Peter Falk’s law,” to protect the sick and dying of isolation from their family.

There have been some recent high- profile cases in California, in which adult children from a previous marriage were denied the right to visit their incapacitated parent. One of these contentious cases involving the late Peter Falk highlighted the need for changes to the current law. In this situation, the adult children of Peter Falk were blocked from seeing their ill father by his spouse, and they were not notified about funeral arrangements after his death.

“Peter’s Falk’s law” would require the courts, in an initial “order of appointment” for a guardianship, to identify all of those individuals, children and other relatives, who are entitled to notice of the incapacitated person's death, funeral and burial arrangements. It would also allow the judge to identify those entitled to visit the incapacitated person in his or her order.

“For every wrong, there should be a remedy,” said Senator DeFrancisco. “This bill would help to protect the children of elderly and infirm parents, who are cut off from receiving information about their father or mother.”

The bill will now be sent to the office of Governor Cuomo for his review.

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