



NEW YORK STATE SENATOR

Velmanette Montgomery

Senator Montgomery and Assemblywoman Jaffee's KinCare bill delivered to the Governor

October 23, 2019

| ISSUE: **FAMILY COURT, KINSHIP FAMILIES, FOSTER CARE, CHILDREN AND FAMILIES, YOUTH**
| COMMITTEE: **CHILDREN AND FAMILIES**

This legislation amends the Family Court Act, specifically the application process of a relative to become a foster parent in child protective proceedings and receive kinship resources. Under current law there are various restrictions on who is deemed a relative in the adoption process of Family Court proceedings.

When a relative applies to become a foster parent, the court must then hold a hearing to determine whether the subjected child should be placed in the care of said relative. These hearings only take place under specific conditions. One condition is that the relative must be within the 3rd constanguinity to either parent (great-grandparents/aunts/uncles).

This bill amends the Family Court Act by altering the criterion needed to commence a kinship hearing. By allowing for hearings to be held only if the person is related to the child through: blood, marriage or adoption; or related to a half sibling of the child, through blood, marriage or adoption and is the prospective and or appointed guardian of said half sibling; or is an adult with a positive relationship with the child, including, but not limited to a step-parent, godparent, neighbor and or family friend.

As the subsidized kinship guardianship program (KinGAP) was enacted in 2010, such expansion of the definition allows for greater permanency options for children in foster care to be placed with a relative of a half-sibling or a positive adult figure in their lives. Ultimately helping to foster more kinship care and keeping kids with family members and out of the foster care system.

For more information on the bill, click [here](#).

RELATED LEGISLATION

2019-S6405

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to an application of a relative to become a foster parent

June 07, 2019

Signed by Governor

Sponsored by **Velmanette Montgomery**

Do you support this bill?