



STATE OF NEW YORK
UNIFIED COURT SYSTEM
EMPIRE STATE PLAZA
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LAWRENCE K. MARKS
Chief Administrative Judge

VITO C. CARUSO
Deputy Chief Administrative Judge
Courts Outside New York City

June 8, 2020

Via Mail and E-mail to:

New York Attorneys for Adoption & Family Formation
Kathleen ("Casey") Copps DiPaola, Esq.
President
1 Marcus Blvd., Suite 200
Albany, New York 12205

Re: Virtual Finalizations of Adoption Proceedings

Dear Ms. DiPaola,

I am in receipt of your letter sent on behalf of the New York Attorneys for Adoption & Family Formation (NYAFF) in which you request to have adoption finalizations deemed "essential" during these unprecedented times. I am responding to you as Deputy Chief Administrative Judge for the Courts (Outside of NYC).

First and foremost, it goes without saying that adoption proceedings are one of the happiest case-types a judge can preside over in the Family and Surrogate's Courts. Adoption is important for so many reasons, but especially for the fact that children need permanent, loving homes and to become a part of a family in order to have consistency in their lives. To delay that process, would cause these adoptive children and families unnecessary pain after waiting months, if not years, to form their forever families. As such, it is of no surprise that the Administrative Judges throughout the State have whole-heartedly agreed with your position that virtual adoption finalization proceedings should be permitted.

That being said, while adoptions have not been deemed "essential" pursuant to Administrative Order, please be advised that we have also discussed your concerns with the Supervising Judges of the Family Courts (outside of NYC) and have advised them that adoptions should and can take place. Thus, we hope that, at this time, you and your colleagues are finding that more and more adoptions are being finalized throughout the State since the writing of your letter.

Finally, as the Courts resume in-person operations throughout the State in Phases I and II, allowing for new petitions and paperwork to be filed and non-essential matters to be addressed, I anticipate that more cases will be heard virtually. However, we ask that you and your colleagues remain mindful of the fact that the Courts are still operating with limited court staff and that the processing of new petitions may be slightly delayed. Please be patient as we try to address the anticipated influx of new filings coming into the court, while we try to move those already pending forward. Of course, as always, any urgent issues may be presented to the Court by motion or Order to Show Cause for immediate access.

If you have any additional concerns or questions, please do not hesitate to bring them to my attention and/or to Court Attorney Referee, Maria-Alana Recine at mrecine@nycourts.gov. We hold adoptions near and dear to our hearts and welcome any of your suggestions and comments on how we can continue to improve adoptions in NYS.

Thank you for your compassion and understanding during these difficult times. We pray that you all continue to stay safe and healthy. Assuring you of our desire to be of service, your acceptance and understanding of this response is truly appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "Vito C. Caruso". The signature is fluid and cursive, written over a light gray rectangular background.

Vito C. Caruso
Deputy Chief Administrative Judge
(Outside of NYC)

Cc: Hon. Janet DiFiore, Chief Judge
Hon. Lawrence K. Marks, Chief Administrative Judge
Hon. George J. Silver, Deputy Chief Administrative Judge (NYC)
Hon. Edwina G. Mendelson, Deputy Chief Administrative Judge for Justice Initiatives
Hon. Jeannette Ruiz, Administrative Judge (NYC Family Court)
Hon. Anne-Marie Jolly, Deputy Administrative Judge (NYC Family Court)
Hon. Thomas A. Breslin, Administrative Judge (Third Judicial District)
Hon. Felix J. Catena, Administrative Judge (Fourth Judicial District)
Hon. James P. Murphy, Administrative Judge (Fifth Judicial District)
Hon. Eugene D. Faughnan, Administrative Judge (Sixth Judicial District)
Hon. Craig J. Doran, Administrative Judge (Seventh Judicial District)
Hon. Paula L. Feroletto, Administrative Judge (Eighth Judicial District)
Hon. Kathie E. Davidson, Administrative Judge (Ninth Judicial District)
Hon. Norman St. George, Administrative Judge (Nassau County)
Hon. C. Randall Hinrichs, Administrative Judge (Suffolk County)