

# NYA AFF

New York Attorneys for Adoption & Family Formation

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October 21, 2019

Governor Andrew Cuomo  
Governor's Office  
State Capitol  
Albany, New York 12224

**Re: Bill Number S 2714/A 569**

Dear Governor Cuomo:


We, the undersigned, are a group of adoption attorneys and other adoption and child-welfare professionals from across New York State, who work with adoptive families, children, child welfare agencies and the court system to protect and advocate for the rights of adoptive children and their families. We submit this letter in support of Bill Number S2714/A569, which amends the New York State Social Services Law to conform to the recently expanded definition of relatives who may qualify to be foster parents and/or kinship guardians for children in foster care. It is our understanding that this bill has already passed through both the Senate and Assembly and currently awaits signature by the Governor. For the reasons more fully set forth below, we urge you to sign the bill into law.

In 2015, the New York State Office of Children and Family Services expanded the definition of a "relative" who was eligible to become a certified foster care placement for a foster child to include certain non-relatives of the child, such as a godparent, neighbor, family friend or an adult with a "positive relationship" with the child (18 NYCRR 443.7(a)(2)). The Social Services Law was thereafter amended to reflect this expanded definition as it relates to eligible

kinship guardians for a foster child under the NYS subsidized kinship guardian (kinGAP) program (SSL § 458-a(3)(c)).

Social Services Law § 392 articulates the services that local child welfare agencies are required to provide for relatives who are caring for children outside of the foster care system, including information about applying for grants and obtaining supportive services. This bill would amend the Social Services Law to make services available not only to relatives, but also to “virtual kin” and/or “suitable persons” caring for children – reflecting the expanded definition of relative discussed above. This bill also requires local social services districts to provide information to such persons about how to become kinship foster parents and to provide contact information for State and district kinship resources. These are important measures to notify caregivers of their rights and their options within the foster care system and will likely encourage potential caregivers to become foster parents and/or kinship guardians to children in foster care.

We respectfully urge you to sign this bill into law.



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