

NYA AFF

New York Attorneys for Adoption & Family Formation



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March 17, 2026

TO: Senate Children and Families Committee
Committee Chair: Jabari Brisport (brisport@nysenate.gov)
Sponsor: Senator Jessica Scarcella-Spanton (spanton@nysenate.gov)
Sponsor: Assemblywoman Amy Paulin (paulina@nyassembly.gov)

Re: A2425 & S5737 – Increases the time frame for payments of certain expenses by adoptive parents.

Dear Sir/Madam:

We, the undersigned, are a group of adoption and assisted reproduction law 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.

This letter is respectfully submitted in support of Assembly Bill 2425 and its companion Senate Bill S5737 to amend the New York State social services law to increase the time frames that adoptive parents are permitted to make payments for certain adoption-related expenses.

Under current law, New York adoptive parents are permitted to pay for medical expenses associated with the birth of an adoptive child and also assist the child's expectant parent with certain expenses such as housing, maternity clothing, and transportation expenses related to the pregnancy. However, New York law currently restricts the time periods when those payments can be made to only 60 days prior to the birth of the child and only 30 days following the birth of the



child. As a result, adoptive parents are only legally permitted to assist the expectant parent with these reasonable and necessary financial expenses for a very brief period of time.

While the majority of other states have similar laws permitting adoptive parents to assist with these types of expenses, New York's statute is largely out of step with the rest of the country in how short the time periods are during which these expenses may be paid. In New Jersey, for example, adoptive parents are permitted to cover "reasonable living expenses" of the expectant parent during the entire pregnancy (NJ Rev. Stat. § 9:3-39.1). In California, there is no statutory time limit at all (CA FAM § 8812).

In reality, the costs associated with pregnancy are staggering and expectant parents are frequently in need of financial assistance in order to make ends meet and support themselves during and after pregnancy, especially if their ability to work is limited due to pregnancy complications, additional medical appointments, postpartum recovery, etc. As a result, expectant parents who are making an adoption plan often look to adoptive parents to help offset some of these expenses. Due to current New York law, however, New York adoptive parents have their hands tied regarding their ability to provide this essential financial assistance. As a result, expectant parents are often forced to look to adoptive families outside of New York State, where these restrictions are less severe. For instance, if an expectant parent elected to place her child with a family in New Jersey, the adoptive parents could begin covering her reasonable living expenses much earlier in her pregnancy, as opposed to only 60 days before her due date. This inevitably results in expectant parents opting not to place their children with New York adoptive parents, which places families who are looking to adopt in New York at a significant disadvantage.

The proposed bill would allow New York adoptive parents to cover these reasonable expenses up to 180 days prior to the birth and for 45 days after birth. This would bring our State more in step with other states across the country and recognizes the tremendous financial strain that pregnancy and adoption planning places on expectant parents. The bill would benefit expectant parents in New York looking to make an adoption plan, but also benefits New York adoptive parents who are dreaming of completing their family through the adoption process.

We encourage your offices to support this important piece of legislation. Please contact the Presidents of our organization, Rebecca L. Mendel and/or Laurie B. Goldheim



(rmendel@lawrsm.com, lgoldheim@adoptionrights.com) to discuss how NYAAFF can be involved in this important conversation. Thank you for your time and attention.

Rebecca L. Mendel & Laurie B. Goldheim

New York Attorneys for Adoption & Family Formation

By: Rebecca L. Mendel, Esq.
Laurie B. Goldheim, Esq.
Co-Presidents

