

NYA AFF

New York Attorneys for Adoption & Family Formation



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March 17, 2026

TO: Senate Judiciary Committee
Committee Chair: Luis R. Sepulveda (sepulveda@nysenate.gov)
Sponsor: Senator Luis R. Sepulveda
Sponsor: Assemblywoman Amy Paulin (paulina@nyassembly.gov)
Co-Sponsor: Assemblyman David Weprin (weprind@nyassembly.gov)

Re: S9316 & A8382A – Amending the New York State Family Court Act to incorporate gender neutral language.

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 Senate Bill S9316 and its companion Assembly Bill A8382A, to amend the Family Court Act, Domestic Relations Law, CPLR, and various other statutes, to incorporate gender neutral language regarding proceedings to determine parentage/parenthood for New York families.

The Child-Parent Security Act (“CPSA”) became law in New York in 2021, and it legalized gestational surrogacy arrangements and established a mechanism for parents who conceived children through assisted reproduction technology to legally secure their parental rights. In that legislation, our State acknowledged that families are created in a variety of ways. The CPSA appropriately used gender neutral language, including re-naming what were formally known as



“acknowledgements of paternity” to “acknowledgments of parentage.” However, the CPSA did not amend Article 5 of the Family Court Act (the section that deals with “paternity” proceedings), which leaves that portion of the statute filled with now-archaic references to “paternity” rather than more appropriate, gender-neutral, terminology.

The proposed amendment, which would substitute the more encompassing term “parentage” for the now-outdated terms “paternity” and “filiation,” would result in making this terminology consistent across all applicable statutes. For years now, our legislature and court system have recognized that parentage can be established in a variety of ways, not simply those delineated in the Family Court Act, which further underscores the importance of making this important legislative change. For instance, courts have recognized that non-biological, non-adoptive parents can be treated as legal parents in certain circumstances (*see Brooke S.B. v. Elizabeth A.C.C.*, 28 NY3d 1 [2016]), and courts have applied principles of equitable estoppel to questions of parentage/paternity (*see Shondel J. v. Mark D.*, 7 NY3d 320 [2006]).

As the drafters of this legislation so artfully pointed out in their 2025 OCA Report: “Modernizing the terminology in the Family Court Act...is not simply a matter of semantics...It is time for New York State statutes to catch up with evolving definitions of parenthood, as well as advancing science.” Our organization could not agree more.

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

