



Legislation Text

File #: Res 1005-2005, **Version:** *

Res. No. 1005

Resolution supporting enactment of S.291 and A.00330, which would amend the New York State domestic relations law to establish a presumption in favor of shared parenting of minor children in matrimonial proceedings.

By Council Members Barron, Comrie, Gonzalez and Martinez

Whereas, New York courts with jurisdiction over matrimonial proceedings routinely make custody determinations that profoundly affect the lives and well-being of children and their families; and

Whereas, Currently New York State law expresses no preference for shared parenting in matrimonial proceedings; and

Whereas, Courts considering custody in New York State may award joint custody, but in practice rarely do so; and

Whereas, Children can benefit greatly from having sustained contact with both of their parents throughout their childhood; and

Whereas, Research suggests that children of all ages are better able to adjust after divorce when both parents actively participate in their lives; and

Whereas, Custody decisions in matrimonial proceedings that reflexively exclude or narrowly limit participation of either parent can have a negative impact on children; and

Whereas, Shared parenting arrangements can allow children to benefit from regular contact with both parents and relatives on both sides of their extended family; and

Whereas, A presumption in favor of shared parenting encourages positive involvement by both parents, which is an important predictor in child support compliance; and

Whereas, Senator Owen Johnson and Assembly Member Harvey Weisenberg have introduced bills in the New York State legislature that would amend the domestic relations law to establish a presumption for matrimonial proceedings in favor of shared parenting of minor children; and

Whereas, Enactment of the legislation introduced by Senator Johnson and Assembly Member Weisenberg would help to ensure that both parents are treated fairly and equitably in custody proceedings; now, therefore, be it

Resolved, That the New York City Council supports enactment of S.291 and A.00330, which would amend the New York State domestic relations law to establish a presumption in favor of shared parenting of minor children in matrimonial proceedings.