

Caseload Standards for Parental Representation

[Caseload Standards for Parents' Attorneys in NYS Family Court Mandated Representation Cases](#) were approved by the ILS Board on June 11, 2021, contingent on state funding.

ILS Director's July 9, 2021 statement about these caseload standards:

ILS is pleased to announce that, on June 11, 2021, the Indigent Legal Services Board approved the caseload standards set forth in the attached report, *Caseload Standards for Parents' Attorneys in New York State Family Court Mandated Representation Cases*. The approval is contingent upon the availability of the State funding needed to implement the standards. These standards can also be found on our website at:

The new standards were developed in accordance with *The Commission on Parental Legal Representation – Interim Report to Chief Judge DiFiore* (February 2019), which recommended the development of appropriate caseload standards for attorneys representing parents in Family Court proceedings. The Commission's recommendation was informed in part by testimony from parents, attorneys, and judges, indicating that excessive caseloads prevent the delivery of effective parental representation.

In approving these standards, the ILS Board emphasized the thorough, data-driven process used to develop them. Our approach included a caseload study, a review of data on Family Court petitions, and extensive consultation with attorneys who provide parental representation. ILS thanks the Office of Court of Administration for consulting with us, providing Family Court petition data, and funding work by Welfare Research Inc. as our research partner for the caseload study. We are also grateful to the many attorneys who offered their valuable insights regarding the time and resources needed to provide quality parental representation.

The Family Court caseload standards build upon the criminal caseload standards ILS developed in 2016 pursuant to the *Hurrell-Harring v. New York State* settlement. State funding is available to effectuate the criminal caseload standards, but not the parental representation standards. Yet representation in both realms is mandated by law, profoundly consequential for our clients and society, and plagued by racial and economic disparity. We look forward to working with all of you to advocate for the State funding needed to implement these new standards, and we thank you for your leadership and your ongoing partnership in our quest to ensure quality representation in both criminal defense and parental representation.

Last updated on August 24, 2023.

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