

David A. Hansell
Commissioner

Julie Farber, MSW
Deputy
Commissioner
Division of Family
Permanency Services

Alan Sputz
Deputy
Commissioner
Division of Family
Court
Legal Services

150 William Street
New York, NY 10038

Memorandum

To: Foster Care Agencies

From: Julie Farber, Deputy Commissioner, Family Permanency Services
Alan Sputz, Deputy Commissioner, Family Court Legal Services

Date: February 21, 2018

Re: Arrest notification procedure

This memorandum provides the arrest notification procedure for youth in foster care. Please distribute to all staff. This memorandum will be available on the ACS Policy Library at the following address: <http://www1.nyc.gov/site/acs/about/policy-library-search.page>

Whenever a youth in our care is arrested, it is critical for the youth's attorney to receive prompt notification of the arrest. A young person involved with law enforcement needs to be guided by an attorney who will advocate to protect the youth's legal interests.

The arrest notification procedure is as follows:

Any time a foster youth is arrested, foster care agency staff must notify the youth's parent and document that notification. Staff must also determine from LTS who is the attorney who represents the youth in Family Court.

If the attorney is (as most are) a lawyer from Legal Aid (also referred to in LTS as "LAS," "JRP," or "LAS/JRP"), foster care agency staff must e-mail a notification immediately to the Legal Aid mailbox at notification@legal-aid.org. If the attorney is from Lawyers for Children (also referred to in LTS as "LFC"), foster care agency staff must e-mail a notification immediately to the Lawyers for Children notifications mailbox at placementnotification@lawyersforchildren.org. Staff must cc the assigned FCLS attorney (also listed in LTS). Note: If there is no FCLS attorney listed in LTS, the notification must cc attorney Katherine Vara (katherine.vara@acs.nyc.gov) of FCLS.

If the attorney representing the youth is not from Legal Aid or Lawyers for Children, the notification must be sent immediately to the FCLS attorney only. If there is no FCLS attorney listed in LTS, the notification must be sent to Katherine Vara.

Each notification must include as much of the following information as possible. If some of the information is unavailable, the notification must be sent with whatever information is available, without delay:

1. Name of youth arrested
2. Date of birth of youth
3. Case name
4. Case number
5. Time of arrest
6. Location of arrest
7. Precinct (or community, outside of NYC) of arrest
8. Current location of youth

If you have any questions regarding this procedure, do not hesitate to contact attorney Ray Kimmelman of FCLS at ray.kimmelman@acs.nyc.gov.

Thanks so much for your dedication to following this process to help ensure the best outcomes for youth in care.