

Family Court FAQ

The Family Court of the State of New York was established to take action in the lives of children, families and intimate partners. The court has a wide range of powers that can address certain needs of the people who come before it.

The [Family Court Act](#) gives the Family Court power to hear certain types of cases. These cases include child custody and visitation (article 6,) paternity (article 5,) child support (article 4,) adoption (article 6,) family offenses (article 8,) child abuse/neglect (article 10,) juvenile delinquency (article 3,) and persons in need of supervision (article 7.)

Each case is filed in court by a petitioner, it is assigned its own identifying number, called a docket number and is associated with a family file number to ensure that matters concerning one family are heard together and in front of the same judge whenever possible.

Most Family Court hearings (trials) are heard by judges. Support magistrates hear support and paternity cases. There are no juries in Family Court: the judge or support magistrate conducts the hearing and decides the case.

[Petitioners, Respondents](#), and children have the right to representation in most family court matters and may be assigned an attorney if they cannot afford one. Children that are the subject of a family court petition are also [assigned](#) an attorney to represent them.

After a case has been completed and a final decision has been made, each party has the right to appeal the judge's decision, asking a higher court to review the evidence and any testimony presented at the Family Court hearing. (Decisions made by support magistrates are appealed first by filing an objection to the decision; a Family Court judge reviews the support magistrates' decision and order.) An appeal may result in a decision being affirmed (left as it is), or modified (changed somewhat), or reversed (changed entirely).

The court records of Family Court proceedings are not open to public inspection. However, the court may permit access to records where appropriate. Persons directly involved with a case who wish to obtain a copy of a court order may request a copy at the courthouse where the case was heard; proof of the person's identity is required.

Albany County Family Court is open from 9am-5pm Monday through Friday, except on holidays. At lunchtime, the parts (hearing rooms) within each courthouse close for a lunch recess, but certain areas of each building remain open to the public.