

What is the Family Matters Unit?

The Family Matters Unit helps incarcerated parents maintain family ties during their incarceration. For parents who are subject to child support orders, the Family Matters Unit helps remove one of the major barriers to successful reintegration — the accumulation of insurmountable debt as a result of child support arrears.

Who does the Family Matters Unit assist?

The Family Matters Unit assists incarcerated parents who were convicted in, or have children who currently reside in, one of the following counties:

Albany
Bronx
Erie
Kings

Nassau
Queens
Richmond



“Incarcerated men and women who maintain contact with supportive family members are more likely to succeed after their release.... Research on people returning from prison shows that family members can be valuable sources of support during incarceration and after release. For example, prison inmates who had more contact with their families and who reported positive relationships overall are less likely to be re-incarcerated.”

**Vera Institute of Justice
October 2012**

For More information, please contact:

**Mary Cipriano-Walter
Supervising Attorney
Family Matters Unit**

**Prisoners' Legal Services
of New York
41 State Street, Suite M112
Albany, New York 12207
(518) 438-8046 x1110
mwalter@plsny.org**

**PRISONERS'
LEGAL SERVICES
OF
NEW YORK**

**Family Matters
Unit**



**PLS's Family Matters Unit is
funded by a grant from the
Oversight Board for Judiciary
Civil Legal Services Funds**

Visitation Matters

The Family Matters Unit helps incarcerated parents maintain or establish relationships with their children. To accomplish this goal, we offer the following services:

- We educate incarcerated parents about their parental rights and responsibilities.
- We inform incarcerated parents about the process for petitioning the court for visitation with their children.
- We answer questions that incarcerated parents have about petitioning for visitation and requesting assigned counsel.
- We draft visitation petitions for incarcerated parents to file *pro se* in the family courts.
- We provide detailed instructions for filing the petitions that we draft.
- We protect the rights of incarcerated parents to assigned counsel in visitation proceedings that are brought in the NYS family courts.

Child Support Matters

Although a parent's earning ability is drastically reduced when he or she enters prison, child support obligations are not automatically reduced or suspended. Unless their child support orders are modified, incarcerated parents can accumulate a staggering amount of child support arrears. The Family Matters Unit offers the following services to assist incarcerated parents in the reduction and capping of their child support obligations:

- We answer questions that incarcerated parents have about petitioning for child support modifications.
- We obtain certified copies of child support orders from the family courts.
- We review child support orders to determine if there is a legal basis for modification.
- We draft child support modification petitions requesting that the parents' child support orders be modified and their child support arrears be capped at \$500, for the parents to file *pro se*.
- We provide detailed instructions for filing the petitions that we draft.

Disciplinary Matters

As a result of a finding of guilt made at a prison disciplinary hearing, an incarcerated parent's access to his or her children may be restricted for a period of time set by the hearing officer. The Family Matters Unit offers the following services to incarcerated parents whose disciplinary penalties prevent them from telephoning or visiting with their children:

- We review the administrative record of the disciplinary hearing to determine whether there is a legal basis for challenging the hearing.
- If supported by the administrative record, we submit an administrative appeal challenging the determination of guilt and/or the penalty imposed.
- If the appeal is unsuccessful we may file an Article 78 challenge to the hearing in state court.
- We also engage in administrative advocacy seeking the elimination or reduction of the penalties that affect a parent's visitation or communication with his or her children based on the adverse impact that the penalty will have on the parent-child relationship.