

New York City Family Assessment Program

History and Overview

In New York State, status offenders are known as PINS – Persons in Need of Supervision. Before 2001, The Department of Probation was the gatekeeper for PINS in the City of New York, acting as the agency to which families would turn when they sought the government’s help dealing with young people who were chronically missing school, acting out beyond their control, or otherwise exhibiting unmanageably troubling behaviors. In 2001, however, a change in state law—which raised the age of PINS eligibility to include 17 and 18 year olds—prompted New York City to reform its PINS process to accommodate the projected increase in cases. Ultimately, in its effort to serve PINS youth more efficiently and effectively, New York City decided to shift PINS away from probation, and to make ACS—the Administration of Children’s Services—the gatekeeper for serving youth and families in crisis. Probation and ACS collaborated to create ACS’ Family Assessment Program, which was designed exclusively to serve PINS youth and their families by providing them with immediate crisis intervention and access to community-based services, and to exhaust all diversion options before a case would be eligible for the filing of a formal PINS petition. For a variety of reasons, described below, this move was a very successful one. Between 2002 and 2004, the number of PINS intakes at probation plummeted by up to 81 percent around the city, and the number of referrals to court dropped by an average of 55 percent.

In fact, the switch to using the social services-based FAP program was so successful that it inspired statewide legislative change. In 2005, New York State enacted the PINS Reform Law, which required every county to designate a “lead agency” to handle PINS diversion and to provide crisis intervention services for youth and families. Although the law left it up to each individual county to determine whether probation or the local social service agency was more appropriate for the job, it clearly grasped and expressly codified the principle that what these young people need is community-based services and support, and should not be court-involved unless all service options have been exhausted. More specifically, the statute expressly mandated that each county

“offer diversion services...to youth who are at risk of being the subject of a person in need of supervision petition. Such services shall be designed to provide an immediate response to families in crisis, to identify and utilize appropriate alternatives to detention and to divert youth from being the subject of a petition in family court.”

Family Court Act §735(a)

The law also set forth specific “diligent attempts” each county must make before a PINS petition can be filed, which “shall include documented diligent attempts to engage the youth and his or her family in appropriately targeted community-based services.”¹

Process Description

In New York City, the switch from a probation-run PINS program to a social-services run PINS program allowed the city to do a much better job serving young people and families in their communities while keeping them out of the formal court process. That improvement appears to be based on a number of factors. First, when probation was the PINS gatekeeper, it took 3 to 6 weeks for a youth to be seen for intake after the initial referral, due in part to probation’s incredibly high case loads. With that long a time lapse, family crises can often escalate. With FAP, however, PINS families are sent directly to a FAP office and seen by a specialist the same day, even if the adolescent is not present. Second, unlike probation officers, who are primarily trained and serve as law enforcement officials, the FAP specialists who conduct these intakes are experienced, master’s level ACS social workers, who are specifically trained to use a family-focused, strength-based approach. The specialist meets with the family and is able to listen to and assess their concerns, and, on the spot, take the appropriate next steps, such as referring them to community-based services or emergency mental health or health services, scheduling a more extensive assessment, arranging a follow-up meeting, or, in the case of runaways, requesting a warrant. In a setting that does not imbue families and young people with a fear of court or police involvement, but, rather, gives them a sense that they are being listened to, cared for, and treated, clients are much more likely to open up, feel empowered, and engage in their own service planning. Last, FAP is better suited to determine when a family’s needs might be better met in a different division of ACS. For example, in issues of abuse and neglect surface in the interview, the family would be steered away from PINS-related services and toward the more appropriate department. Although the transition to FAP caused some frustration and tension initially, with probation perceiving the switch as a criticism, and with ACS feeling that they were doing “probation’s work,” those sticking points eased over time through steady, patient communication and collaboration, and staff on both sides now appreciate the value of FAP. Working appropriately within their skill sets, ACS and probation can both be more effective at working toward better outcomes for young people.

Target Population

FAP serves young people at risk of becoming a “Person in Need of Supervision” and their families. A Person in Need of Supervision is defined by statute as a “person less than eighteen years of age who does not attend school in accordance with the provisions of part one of article sixty-five of the education law or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other person legally

¹ Those services “shall not be limited to: (i) providing, at the first contact, information on the availability of or a referral to services in the geographic area where the youth and her or her family are located that may be of benefit in avoiding the need to file a petition under this article; including the availability, for up to twenty-one days, of a residential respite program, if the youth and his or her parent or other person legally responsible for his or her care agree, and the availability of over nonresidential crisis intervention programs such as family crisis counseling or alternative dispute resolution programs.” Family Court Act §735(d).

responsible for such child's care, or other lawful authority, or who violates the provisions of section 221.05 of the penal law.” Any family with a child that fits this general profile can access services through FAP. Staff at FAP express that they have served families with children as young as 7 or 8 years old, but also that they are unfamiliar with a formal PINS petition being filed on a child that young.

Services Provided

Youth and families served by the Family Assessment Program can be provided/referred to a variety of services, including, but not limited to:

- Crisis intervention
- Mediation
- Family counseling
- Substance abuse services
- Domestic violence programs
- Anger management programs

Results

As mentioned above, the switch to a social services-run PINS program in New York City coincided with a drop of intakes at probation by up to 81 percent number of referrals to court dropped by an average of 55 percent. Also, in a 2007 study by the Vera Institute, positive changes for youth involved with FAP were observed in a variety of categories, including MAYSI mental health scores, stress levels, and family functioning.

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