Proving Child Abuse

A Guide for Practice under the New York Family Court Act

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PROVING CHILD ABUSE

A Guide for Practice under
the New York Family Court Act

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PREFACE

The New York State Federation on Child Abuse and Neglect welcomes this opportunity to reprint this monograph which we believe is the most definitive treatment on how to prove child abuse written to-date.

Originally produced and published by the Family Life Development Center of Cornell University, this monograph was well received and acclaimed by scholars and practitioners alike. We believe this reprint will serve well those who are not only professionally concerned and responsible for the care and protection of children but also the growing number of community citizens who have become involved in promoting the treatment and prevention of child abuse.

The New York State Federation on Child Abuse and Neglect is a statewide non-profit advocacy organization representing community citizen task forces and organizations dedicated to improving the treatment and prevention of child abuse and neglect through advocacy, education and action. This monograph was written by an eminently qualified legal scholar and practitioner, as well as a friend of the Federation, Professor Douglas J. Besharov. He is a visiting scholar at the American Enterprise Institute for Public Policy Research, was the first Director of the National Center on Child Abuse and Neglect, and prior to that served as Executive Director of the New York State Assembly Select Committee on Child Abuse and Neglect. Professor Besharov is particularly well qualified for this task because he was one of the prime drafters of Article 10 of New York's Family Court Act and of the State's Child Protective Services Act of 1973. In addition, Professor Besharov has had extensive litigation experience in the New York Family Court, serving for three years as an Assistant Corporation Counsel of the City of New York. After handling a variety of litigation, he became the Assistant Corporation Counsel in Charge of Family Court Planning and Programming. In that position, he supervised a staff of over 30 attorneys assigned to the presentation of child protection, support, USDL, paternity, and juvenile delinquency and supervision petitions.

We are greatly indebted to the leadership taken by Professor John Doris, Director of Family Life Development Center in originally producing and publishing this monograph and acknowledge the funding support they received from the New York State Division of Criminal Justice Services. In addition, the Federation is grateful to the Gebbie Foundation for the support they have provided in assisting us with this project.

James S. Cameron
Executive Director
New York State Federation
on Child Abuse and Neglect

JSC/ma
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Finally, I want to express my appreciation to the West Publishing Company for the use of materials that originally appeared in my Practice Commentaries to McKinney’s Family Court Act.

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Douglas J. Besharov
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