

Friday, March 24, 2000

LETTERS

To the Editor

The Frustration Of Family Court

I am an attorney with a general practice that includes matrimonial law. *The Law Journal* has reported that Governor Pataki is "awaiting a statewide needs assessment before approving Family Court judgeships." Perhaps he shouldn't wait too long. Perhaps our elected officials and judiciary should be giving and receiving fewer public service awards and instead show up unannounced in any Family Court in New York City to see the utter despair and systematic failure of the system they are required to manage.

As private counsel, I am presently representing a petitioner seeking custody and child support. While waiting in the courthouse today, for 2½ hours, no action was taken regarding either of the two petitions, which incidentally were on two calendars in two separate courtrooms! The reason is due to poor management. The court also needs more courtrooms, more judges, more court staff. Ask any legal aid lawyer or 18-B lawyer. They couldn't agree more.

Nevertheless, my client this morning had to pay for her counsel to sit and wait for nothing to happen. In essence, if one of moderate means hires a lawyer to appear in Family Court, there is a very good chance, that at a minimum, a retainer will be exhausted, not due to the actions of the litigants, but due to the intrinsic delays engendered by the court itself. At worst, the despicable, overcrowded and saddening condition of the Family Court means that hiring a private lawyer could pauperize a client.

This has been my experience in every matter that I have appeared in Family Court in the last seven years.

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