

Testimony of Alexis Warnic, Lived Expert

Presented to the New York State Senate Standing Committee on Children and Families and
Senate Standing Committee on Judiciary

**Subject: Conducting oversight of the Family Court throughout the State, including its
resources, operations, and outcomes**

November 1, 2023

Thank you for the opportunity to testify today. My name is Alexis Warnic and I am a graduate of the JMACforFamilies HEAL program. I have been impacted by the family court system as a child in the foster system and now as a parent of two children.

People justify the way that the family court system treats parents because they think that they do it to protect kids, but they don't do that either. I know that because I was a foster kid myself, and the system didn't help me then.

As a parent, I have now survived three years of family court involvement due to my CPS case. Family court is set up for you to fail. When I first went to court, my judge would cut me off everytime I spoke. She would even cut my lawyers off. Yet, CPS could say whatever they wanted. Family court should be about the family, but the family never gets a say. And families are ripped apart because of it.

Family court is a broken system. Many people will say that we need to hire more judges, give judges racial bias training, or just hire more Black judges to fix it. But we could hire all of the Black judges in the world and it wouldn't change the system. If the structure is fundamentally broken, any new judge will just fit right in with the rest of them. I have five real recommendations to share for family court to make everyone safer.

My first recommendation is that instead of spending more money on family court judges, we should just stop filing cases that don't need to be filed. So many cases, including mine, are not emergencies. When a family does not have a place to stay, that is a family problem—not a court problem. You could find that family a place to stay. Taking the family to court is a huge waste of everyone's time and money.

And for families who have to go through this system, they need legal defense teams. My attorney was the only person who shared information and resources with me. My legal defense unit has helped me keep my sanity. And it's not just my attorney, but social workers and parent advocates too. My parent advocate came with me to every meeting and has been with me through

everything. **So my second recommendation is for New York to fund family defense—and that must include holistic defense models with attorneys, social workers, and parent advocates.**

Another problem is that even if there are attorneys available, most families don't know they have the right to an attorney. **My third recommendation is to make sure that families know they have the right to an attorney in the first place, which can be done through the Family Miranda Rights Act.** I know now how important it is to speak to an attorney during family court cases, but I didn't know this when CPS first came to my door. No one told me that I had a right to an attorney. When CPS comes to your door, it feels like they are speaking a different language. You could be a doctor or a professor, and still, you would need an attorney to understand what is happening. Investigations are designed to confuse you.

My fourth recommendation is to pass bills that focus on family reunification, not separation and adoption. The court focuses a lot on adoption because they say that permanency is important to children, but what about families being together? When people are adopted, they go through so much headache as an adult. People turn 40 without a birth certificate. They don't have rights to their own stuff and their own history.

My last recommendation is for New York to focus on holding CPS accountable too. We need to be asking CPS: What is your success rate? How many children in the foster system graduate from high school? How many children in the foster system get a job and a career? How many are going through more than just emotional trauma? I guarantee you that if you asked these questions, you would shut the whole system down.

Thank you.