

# ADJUDICATORY REPORTS

---

## Office of Children and Family Services

Division of Legal Affairs  
Bureau of Special Fair Hearings

Pursuant to Executive Order No.131 issued by Governor Mario Cuomo on December 4, 1989, and reconfirmed by Executive Order No. 2 issued by Governor Andrew M. Cuomo on January 1, 2011, each agency is required to publish a report that sets forth the steps taken by the agency to comply with the Order. The report of the former Department of Social Services, an Office of Children and Family Services' predecessor agency, detailed the steps taken to comply with the Order. Those provisions substantially continue to be in effect and applicable to the Office of Children and Family Services.

The Order requires that the report include "statistics on Article 78 proceedings brought against the agency, including the outcome of such proceedings and the reasons for any reversal or modification of an agency determination." The following statistics on Article 78 proceedings are from the period commencing January 1, 2007 to December 31, 2008:

Cases Opened: 73  
Cases Closed: 26  
Stipulations of Settlement: 10  
Decisions Favorable to OCFS: 10  
Withdrawals or abandonment by petitioner: 4  
Decisions adverse to OCFS: 2  
Reasons for adverse decisions: –  
Mistake of law as applied to facts: 0  
Record deficient (no substantial evidence): 2  
Remand due to procedural error: 0

## Office of Children and Family Services

Division of Legal Affairs  
Bureau of Special Fair Hearings

Pursuant to Executive Order No.131 issued by Governor Mario Cuomo on December 4, 1989, and reconfirmed by Executive Order No. 2 issued by Governor Andrew M. Cuomo on January 1, 2011, each agency is required to publish a report that sets forth the steps taken by the agency to comply with the Order. The report of the former Department of Social Services, an Office of Children and Family Services' predecessor agency, detailed the steps taken to comply with the Order. Those provisions substantially continue to be in effect and applicable to the Office of Children and Family Services.

The Order requires that the report include "statistics on Article 78 proceedings brought against the agency, including the outcome of such proceedings and the reasons for any reversal or modification of an agency determination." The following statistics on Article 78 proceedings are from the period commencing January 1, 2009 to December 31, 2010:

Cases Opened: 64  
Cases Closed: 37  
Stipulations of Settlement: 2

Decisions Favorable to OCFS: 28

Withdrawals or abandonment by petitioner: 2

Decisions adverse to OCFS: 5

Reasons for adverse decisions: –

Mistake of law as applied to facts: 0

Record deficient (no substantial evidence): 4

Remand due to procedural error: 1

## Office of Children and Family Services

Division of Legal Affairs  
Bureau of Special Fair Hearings

Pursuant to Executive Order No.131 issued by Governor Mario Cuomo on December 4, 1989, and reconfirmed by Executive Order No. 2 issued by Governor Andrew M. Cuomo on January 1, 2011, each agency is required to publish a report that sets forth the steps taken by the agency to comply with the Order. The report of the former Department of Social Services, an Office of Children and Family Services' predecessor agency, detailed the steps taken to comply with the Order. Those provisions substantially continue to be in effect and applicable to the Office of Children and Family Services.

The Order requires that the report include "statistics on Article 78 proceedings brought against the agency, including the outcome of such proceedings and the reasons for any reversal or modification of an agency determination." The following statistics on Article 78 proceedings are from the period commencing January 1, 2011 to December 31, 2012:

Cases Opened: 43  
Cases Closed: 30  
Stipulations of Settlement: 3  
Decisions Favorable to OCFS: 15  
Withdrawals or abandonment by petitioner: 2  
Decisions adverse to OCFS: 10  
Reasons for adverse decisions: –  
Mistake of law as applied to facts: 0  
Record deficient (no substantial evidence): 10  
Remand due to procedural error: 0

## Office of Children and Family Services

Division of Legal Affairs  
Bureau of Special Fair Hearings

Pursuant to Executive Order No.131 issued by Governor Mario Cuomo on December 4, 1989, and reconfirmed by Executive Order No. 2 issued by Governor Andrew M. Cuomo on January 1, 2011, each agency is required to publish a report that sets forth the steps taken by the agency to comply with the Order. The report of the former Department of Social Services, an Office of Children and Family Services' predecessor agency, detailed the steps taken to comply with the Order. Those provisions substantially continue to be in effect and applicable to the Office of Children and Family Services.

The Order requires that the report include “statistics on Article 78 proceedings brought against the agency, including the outcome of such proceedings and the reasons for any reversal or modification of an agency determination.” The following statistics on Article 78 proceedings are from the period commencing January 1, 2013 to December 31, 2014:

Cases Opened: 48

Cases Closed: 28

Stipulations of Settlement: 4

Decisions Favorable to OCFS: 16

Withdrawals or abandonment by petitioner: 5

Decisions adverse to OCFS: 3

Reasons for adverse decisions: –

Mistake of law as applied to facts: 0

Record deficient (no substantial evidence): 3

Remand due to procedural error: 0