

**FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY**

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CHAMBERS OF
W. DENNIS DUGGAN
Judge



January 4, 2010

Kenneth Brynien, President
NYS Public Employees Federation
AFL-CIO
1168-70 Troy-Schenectady Road
PO Box 12414
Albany, New York 12212-2414

Dear President Brynien:

Thank you for your letter of December 11, 2009, regarding the recent reports about the services rendered by the Office of Child and Family Services to juveniles placed from Family Court. As you know, these three recent reports (Justice Department, Citizens Committee for Children, and the Governor's Task Force Report) are quite voluminous and I have not had a chance to read them in depth. So, in this letter, I am specifically withholding any comments about the contents of those reports or the letter that was sent by Judges Coccoma, Richards and Mendelson that you mentioned. I do, however, have some general observations on the issues you raised.

I have no doubt that the employees of the Office of Children and Family Services are in the same boat as the employees of Family Court, the schools, private placement agencies and the child protective service. Virtually everyone is overworked, underpaid and tasked with the job of trying to do what two loving competent parents working 24/7/365 sometimes cannot do under the best of circumstances. In short, governments cannot replace parents, though we are expected to do so.

I am not sure what the overall answer is to the problem of helping troubled juveniles become productive adults. However, my view of the child protective workers, probation officers and people in the private and public placement facilities that work with juveniles are all making heroic efforts under battle field conditions. With this said, I believe that all agree

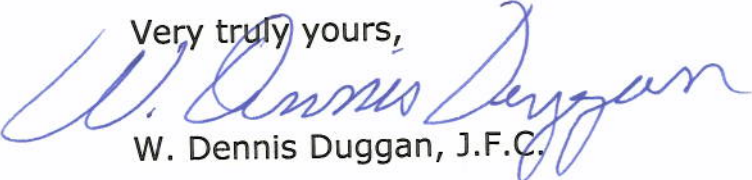
that there are many serious problems to address and many improvements that can be made.

In my 16 years as a Family Court Judge I have always found that the employees of the Office of Children and Family Services that come to my Court display the highest level of dedication and professionalism to their job. I think it is fair to say that this job is extremely difficult since OCFS receives the most difficult and challenging juveniles. In truth, you often have little to work with.

I also should note that I can recall several examples where OCFS has performed what I could only describe as miracles in turning some very troubled youths around. These are juveniles that we never gave any chance of having a successful and productive life who came out of the OCFS facility fully equipped to meet the challenges of adulthood. We usually don't hear about the success stories, only the failures.

It is my firm belief that each person involved in the juvenile justice system is only there because they are dedicated to the worthy cause that describes their job. I believe there is room enough for accommodating varying points of views and for an honest recognition of the problems we face that we can only solve by working together.

Very truly yours,



W. Dennis Duggan, J.F.C.

WDD:lm

cc: Gladys Carrión, Commissioner