



Office of Children and Family Services

KATHY HOCHUL
Governor

SHEILA J. POOLE
Commissioner

CERTIFICATION FOR AN EMERGENCY ADOPTED RULE OFFICE OF CHILDREN AND FAMILY SERVICES

I, Sheila J. Poole, Commissioner of the New York State Office of Children and Family Services (OCFS), hereby certify that the attached addition of Part 437 of Title 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York are duly adopted by me. These amendments are adopted pursuant to Chapter 810 of the Laws of 2021, as amended by Chapter 38 of the Laws of 2022, which require OCFS to promulgate regulations setting forth the criteria for a differential response for children under 12 whose behavior, but for their age, would bring them within the jurisdiction of the family court pursuant to article three of the family court act.

I determined that it is necessary for the preservation of the general welfare that this amendment be adopted on an emergency basis as authorized by section 202(6) of the State Administrative Procedure Act, effective immediately upon filing with the Department of State. These amendments are adopted as an emergency measure because time is of the essence. This proposed addition is necessary in order to reduce the likelihood of interaction with the juvenile justice and child welfare systems in the future for eligible children.

Dated: November 15, 2022

A handwritten signature in black ink, appearing to read "S. Poole", written over a horizontal line.

Sheila J. Poole
Commissioner