Protecting children’s legacies

Ilene S. Cooper, a partner in the trusts and estates practice group of Uniondale-based Farrell Fritz, helped draft legislation now before the state Assembly that would end the ability of abusive and neglectful parents to receive inheritances from the estates of those deceased minors. The Senate approved the bill March 2 and Joe Burns, assistant counsel to bill sponsor Sen. John A. DeFrancisco, R-Syracuse, expects the Assembly to consider the matter this fall.

Cooper said when she brought the legislative shortcoming to the attention of the New York State Bar Association, “everyone was shocked that this was not already part of the law.” Two years later, the bill she helped draft was in the hands of the association’s lobbyist and on its way to Albany’s lawmakers. The proposed legislation ensures inheritances are not distributed to parents who have lost parental rights under the Social Services Law.

State law already prohibits parents who abandoned or failed to support their children from receiving a child’s inheritance, Cooper noted in an article she co-authored in the June issue of the bar journal.

— Heather Fletcher