

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

1252

CAF 09-02045

PRESENT: CENTRA, J.P., FAHEY, PERADOTTO, LINDLEY, AND GREEN, JJ.

IN THE MATTER OF AYODEJI W.

STEBEN COUNTY DEPARTMENT OF SOCIAL SERVICES,
PETITIONER-RESPONDENT;

MEMORANDUM AND ORDER

MONIQUE (W.)C., RESPONDENT-APPELLANT.

D.J. & J.A. CIRANDO, ESQS., SYRACUSE (ELIZABETH deV. MOELLER OF
COUNSEL), FOR RESPONDENT-APPELLANT.

FREDERICK H. AHRENS, JR., COUNTY ATTORNEY, BATH (JESSICA M. DRAKE OF
COUNSEL), FOR PETITIONER-RESPONDENT.

CAROLYN KELLOGG JONAS, ATTORNEY FOR THE CHILD, WELLSVILLE, FOR AYODEJI
W.

Appeal from an order of the Family Court, Steuben County (Joseph
W. Latham, J.), entered September 11, 2009 in a proceeding pursuant to
Social Services Law § 384-b. The order terminated the parental rights
of respondent.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs.

Memorandum: Respondent mother appeals from an order adjudicating
the child at issue to be permanently neglected and terminating her
parental rights with respect to him. Contrary to the mother's
contention, petitioner met its burden of establishing by clear and
convincing evidence that it exercised diligent efforts to encourage
and strengthen the parental relationship and to reunite the mother and
the child (*see* Social Services Law § 384-b [7] [a]; *Matter of Noemi
D.*, 43 AD3d 1303, *lv denied* 9 NY3d 814; *see generally* *Matter of Sheila
G.*, 61 NY2d 368, 373). Petitioner established that it provided mental
health and parenting services for the mother, family counseling for
the mother and the child, and supervision and transportation for
visitation when needed. We further conclude that the record supports
Family Court's determination that termination of the mother's parental
rights with respect to the child, while allowing the mother to have
post-termination contact with him, was in the best interests of the
child (*see Matter of Samantha K.*, 59 AD3d 1012).

Entered: November 12, 2010

Patricia L. Morgan
Clerk of the Court