

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D13788
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_____AD3d_____

Submitted - January 8, 2007

HOWARD MILLER, J.P.
ANITA R. FLORIO
MARK C. DILLON
DANIEL D. ANGIOLILLO, JJ.

2006-04122

DECISION & ORDER

In the Matter of Janyce B. (Anonymous).
Suffolk County Department of Social Services,
petitioner-appellant; Luisa W. (Anonymous), respondent.

(Index No. NN-5999-04)

Christine Malafi, County Attorney, Central Islip, N.Y. (Randall J. Ratje of counsel),
for petitioner-appellant.

Zarkadas & Schwager, P.C., Centereach, N.Y. (Paraskevi Zarkadas of counsel), for
Luisa W.

Robert C. Mitchell, Central Islip, N.Y. (Michele T. Pilo of counsel), Law Guardian
for the child.

In a proceeding pursuant to Family Court Act article 10, the Suffolk County
Department of Social Services appeals from an order of the Family Court, Suffolk County (Green,
Ct. Atty. Ref.), dated March 27, 2006, which directed it to notify Luisa W.'s employer of the results
of her drug test.

ORDERED that the order is reversed, on the law, without costs or disbursements.

The Family Court is a court of limited jurisdiction (*see Matter of Mouscardy v
Mouscardy*, 63 AD2d 973, 974-75). The court attorney referee exceeded the court's authority under
Family Court Act § 255 by ordering the Suffolk County Department of Social Services to notify Luisa

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W.'s employer of the results of her drug test (*see Matter of Lorie C.*, 49 NY2d 161; *Matter of Enrique R.*, 126 AD2d 169).

MILLER, J.P., FLORIO, DILLON and ANGIOLILLO, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court