

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

D32561  
N/prt

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - September 27, 2011

REINALDO E. RIVERA, J.P.  
ANITA R. FLORIO  
LEONARD B. AUSTIN  
SANDRA L. SGROI, JJ.

2010-08474

DECISION & ORDER

In the Matter of Todd Andre' D. (Anonymous), Jr.  
Children's Village, petitioner-respondent; Kenyetta L.  
(Anonymous), appellant, et al., respondent.

(Docket No. B-7425-09)

Deana Balahtsis, New York, N.Y. (Meghan R. Buckwalter of counsel), for appellant.

Rosin Steinhagen Mendel, New York, N.Y. (Douglas H. Reiniger of counsel), for  
petitioner-respondent.

Steven Banks, New York, N.Y. (Tamara Steckler and Elana Ella Roffman of  
counsel), attorney for the child.

In a proceeding, inter alia, pursuant to Social Services Law § 384-b to terminate the  
mother's parental rights on the ground of permanent neglect, the mother appeals, as limited by her  
brief, from so much of an order of fact-finding and disposition of the Family Court, Kings County  
(Grosvenor, J.), dated June 30, 2010, as, after fact-finding and dispositional hearings, found that she  
permanently neglected the subject child, terminated her parental rights, and transferred custody and  
guardianship of the child to the Commissioner of Social Services of the City of New York and  
Children's Village for the purpose of adoption.

ORDERED that the order of fact-finding and disposition is affirmed insofar as  
appealed from, without costs or disbursements.

The Family Court properly determined that there was clear and convincing evidence

October 18, 2011

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that the mother permanently neglected the subject child by failing, for a year following the child's entrance into foster care, to plan for his return (*see Matter of Kendra D. [Amanda D.]*, 81 AD3d 644; *Matter of Wesley F.*, 190 AD2d 576; *Matter of Gregory Michael M.*, 167 AD2d 469, 470-471; *Matter of June Y.*, 128 AD2d 538). The record establishes that the petitioner made diligent efforts to help the mother comply with her service plan, which required the mother, inter alia, to complete a parenting skills class for special needs children, to complete individual and family therapy, and to maintain regular visits with the child. Moreover, the Family Court properly determined that termination of the mother's parental rights was in the child's best interest (*see Matter of Kendra D. [Amanda D.]*, 81 AD3d at 644; *Matter of Shawna DD.*, 289 AD2d 892, 894; *Matter of Kenneth A.*, 206 AD2d 602, 604).

RIVERA, J.P., FLORIO, AUSTIN and SGROI, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Matthew G. Kiernan". The signature is written in a cursive, slightly slanted style.

Matthew G. Kiernan  
Clerk of the Court