

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

D36074
T/kmb

_____AD3d_____

Submitted - September 7, 2012

DANIEL D. ANGIOLILLO, J.P.
ANITA R. FLORIO
ARIEL E. BELEN
SHERI S. ROMAN, JJ.

2011-08787

DECISION & ORDER

In the Matter of W. J. (Anonymous).
Rockland County Department of Social Services,
respondent; B. J. (Anonymous), appellant.
(Proceeding No. 1)

In the Matter of A. J.(Anonymous).
Rockland County Department of Social Services,
respondent; B. J. (Anonymous), appellant.
(Proceeding No. 2)

(and two related proceedings)

(Docket Nos. B-2978-10, B-2979-10, B-2982-10,
B-2983-10)

Arleen Lewis, Blauvelt, N.Y., for appellant.

Jeffrey Fortunato, Acting County Attorney, New City, N.Y. (Radhika Nagubandi of
counsel), for petitioner-respondent.

Harvey A. Eilbaum, New City, N.Y., attorney for the children.

In related proceedings pursuant to Social Services Law § 384-b to terminate parental
rights on the ground of permanent neglect, the father appeals, as limited by his brief, from so much
of an order of fact-finding and disposition of the Family Court, Rockland County (Edwards, J.),
dated August 15, 2011, as, after fact-finding and dispositional hearings, found that he permanently
neglected the subject children, terminated his parental rights, and transferred the custody and

October 3, 2012

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guardianship of the children to the Rockland County Department of Social Services for the purpose of adoption.

ORDERED that the order is affirmed, without costs or disbursements.

Contrary to the father's contention, the Family Court properly determined that the petitioner established, by clear and convincing evidence, that it exercised diligent efforts to encourage and strengthen the parental relationship by, among other things, attempting to help him find adequate housing and referring him to parenting classes and therapy (*see* Social Services Law § 384-b[7]; *Matter of Star Leslie W.*, 63 NY2d 136, 142). Despite those efforts, the father failed to plan for the future of the children by failing to complete the necessary programs and failing to take steps to acquire appropriate housing (*see Matter of Beyonce H. [Baranaca H.]*, 85 AD3d 1168). Accordingly, the Family Court properly found that the father permanently neglected the children.

Furthermore, the Family Court properly determined that it was in the best interests of the children to terminate the father's parental rights, thus freeing the children for adoption by their foster parents (*see Matter of Anthony R. [Juliann A.]*, 90 AD3d 1055).

ANGIOLILLO, J.P., FLORIO, BELEN and ROMAN, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court