

DUE PROCESS

Troxel v. Granville, 530 U.S. 57 (Supreme Court case)
Van Emrik 911 F.2d 863
Kia P. v. McIntyre 235 F. 3d 749
Matter of Shernise C. (Rhonda R.), 91 A.D.3d 26, 28 (2nd Dept. 2011)
Nicholson v. Scoppetta, 3 N.Y.3d 357

FAMILY COURT ACT 1034

In re Zena O., 212 A.D.2d 712
Matter of Smith Children, 26 Misc. 3d 826
Matter of L.R. (Stephanie R.), 63 Misc. 3d 467, 474
In re Issac C., 2017 NYLJ LEXIS 915
In re Marcario, 119 Misc. 2d 404

PROBABLE CAUSE

Mulvihill v. Ont. County, 2014 U.S. Dist. LEXIS 201734 (2014)
De Lourdes Torres v Jones, 26 N.Y.3d 742, 746
People v. Pacheco, 74 Misc. 2d 113, 116

QUALIFIED IMMUNITY

Supreme Court of the United States - *Anderson v. Creighton*, 483 U.S. 635, 638
Van Emrik v. Chemung County Dept. of Social Services, 911 F.2d 863, 866 (QI in a CPS case)
Wilkinson v. Russell, 182 F.3d 89, 99 (2d Cir. 1999).
Taravella v. Town of Wolcott, 599 F.3d 129, 134 (2d Cir. 2010)
Mulvihill v. Ont. County, 2014 U.S. Dist. LEXIS 201734 (QI, Corrected Affidavit Test)

COURT ORDERING CPS TO FILE A PETITION

Donald QQ. v. Stephanie RR., 198 A.D.3d 1155 (3rd Dept. 2021)
Compare to *Johnson v. Johnson*, 279 A.D.2d 814, 817 (3rd Dept. 2001)

PERSON LEGALLY RESPONSIBLE

Matter of Yolanda D., 88 NY2d 790 (1996)
Matter of Elijah A.A., 2023 NY Slip Op 02812 (3d Dept. 2023)

MINIMUM DEGREE OF CARE IN NEGLECT CASES

Nicholson v. Scoppetta, 3 N.Y.3d 357

NEGLECT CAUSES OF ACTION

Chaotic Environment

Matter of Joshua R., 2023 NY Slip Op 02357 (3d Dept 2023)

Mental Health

Matter of N.A.S., 2023 NY Slip Op 03082 (1st Dept. 2023)

Domestic Violence

mimicking behavior of respondent as impairment

Matter of Aisha R., 2023 NY Slip Op 23174 (Fam Ct Kings Cty 2023)

Finding against parent who was aware of OP against perpetrator of DV

Matter of Bronx S., 2023 NY Slip Op 03468 (2d Dept 2023)

Matter of Sage H., 204 A.D.3d 795 (2d Dept 2022)

DERIVATIVE CAUSES OF ACTION

Matter of Kimona C., 211 A.D.3d 636 (2d Dept 2022)

Matter of Serenity R., 215 A.D.3d 854 (2d Dept. 2023)

INITIAL APPEARANCE

Medical Examiner Chosen by Court/shall/may order

In re Michelle A., 140 A.D.2d 604 (2nd Dept. 1988)

In re Shanasia H., 19 A.D.3d 694 (2nd Dept. 2005)

Mandatory application of 1027 (g) was unconstitutional where evidence of abuse was already clear from other evidence.

Matter of Shernise C. (Rhonda R.), 91 A.D.3d 26

REMOVAL HEARINGS

Matter of Denim A. (Natavia A.--Rayshaun W.), 2023 N.Y. App. Div. LEXIS 3207 (1st Dept. 2023)

Matter of Luna V., 163 AD3d 689 (2nd Dept 2018)

MOTION FOR SUMMARY JUDGMENT

***Matter of Kimona C.* 211 A.D.3d 636 (1st Dept 2022)**

***Matter of Serenity R.* 215 A.D.3d 854 (2d Dept 2023)**

STATUTORY INTENT

***Matter of Shernise C. (Rhonda R.)*, 91 A.D.3d 26, 30**

EVIDENCE & PROVING YOUR CASE

Expert testimony not required for emotional impairment

***In re Lonell J.*, 242 A.D.2d 58 (1st Dept 1998)**

Excited Utterance

***People v. Davis*, 2023 NY Slip Op 01765 (1st Dept 2023), *Taveon J.* 209 A.D.3d 417 (1st Dept, 2022)**

Present Sense Impression

***People v. Deverow*, 2022 NY Slip Op 03362 (Court of Appeals 2022)**

Sealing Statute

***Matter of Krystal N.*, 193 AD3d 602 (1st Dept 2021)**

***People v. P.D.*, 2023 NY Slip Op 23005 (Sup. Ct. Kings Cty 2023)**

Medical Records/DV cases/Identify of the Perpetrator

***People v. Ortega*, *People v. Benston* 15 NY 3d 610 (Ct. of Appeals, 2010)**

DISPOSITIONAL ISSUES

***Matter of Curstin B.*, 77 Misc.3d 1236(A) (Sup. Ct. Kings Cty 2022)**

***Matter of Leenasia C.*, 154 A.D.3d 1 (1st Dept. 2017)**