

A sampling of Ms. McBride's successful appeals of Family Court orders includes the following notable cases:

*Matter of Xavier XX (Godfrey YY.)*, 192 A.D.3d 1210 (3d Dept. 2021)(Family Court's termination of the Respondent/Father's parental rights reversed and the Petitioner/Department of Social Services' petition dismissed. The Department's permanency plans were inconsistent; the Department moved to terminate the father's parental rights seeking to free the child for adoption, while it's permanency plan for the mother was "return to child.").

*Matter of Paula P. v. Gerald P.*, 186 A.D.3d 934 (3d Dept. 2020)(Family Court erred by dismissing mother's custody modification petitions without holding a trial on her allegations, failed to set forth a best interests of the children analysis, and was biased against the mother. Appellate Court overturned the Family Court's award of sole legal custody of the children to the father and remitted the matter for trial before a different Family Court Judge.).

*Matter of Shawn MM. v. Jasmine LL.*, 180 A.D.3d 1186 (3d Dept. 2020)(Family Court erred by dismissing incarcerated father's visitation petition. Appellate Division reinstated father's petition and remitted to the Family Court for consideration.).

*Matter of Lionel PP. v. Sherry QQ.*, 170 A.D.3d 1460 (3d Dept. 2019)(Family Court erred by granting father's petition for modification of physical custody arrangement and allowing father to relocate the child from mother's home in Saratoga County to father's home in New York County by focusing on only one relocation factor. Appellate Division remitted for a new trial.).

*Matter of Fletcher, et.al. v. Crisell*, 165 A.D.3d 1426 (3d Dept. 2018)(Family Court erred by dismissing mother's custody modification petition due to her failure to appear for trial. Appellate Division remitted for a new trial.).

*Matter of Dillon v. Dillon*, 155 A.D.3d 1271 (3d Dept. 2017)(Family Court erred by misinterpreting the provision in the parties' separation agreement relating to the parties' obligation to contribute to the child's college expenses by ordering a pro rata sharing of the child's college expenses. Appellate Division remitted for a new trial.).

*Matter of Frederick-Kane v. Potter*, 155 A.D.3d 1327 (3d Dept. 2017)(Family Court erred when it found the child support provisions of the parties' judgment of divorce

to be invalid and unenforceable and for recalculating the father's child support obligation *de novo*. Appellate Division remitted for a new trial.).

*Matter of Shaver v. Bolster*, 155 A.D.3d 1368 (3d Dept. 2017)(Family Court erred by awarding grandmother custody of the children without making a finding of extraordinary circumstances. Appellate Division remitted for a new trial.).

*Matter of Choice I. (Warren I.)*, 144 A.D.3d 1448 (3d Dept. 2016)(Family Court's finding of neglect overturned where Department of Social Services' evidence was too remote in time and unrelated to subject child. Appellate Division vacates Family Court order of neglect.).

*Matter of Lilly NN. v. Jerry OO.*, 134 A.D.3d 1312 (3d Dept. 2015)(Family Court erred by awarding mother sole legal custody and failing to consider the children's wishes. Appellate Division issued its own order of joint legal custody and expanded the father's custodial time with the children).

*Matter of Rush v. Rosco*, 99 A.D.3d 1053 (3d Dept. 2012)(Family Court erred by dismissing Aunt's custody petition without holding a hearing to determine if extraordinary circumstances existed and whether an award of custody to the Aunt was in the child's best interests. Appellate Division