

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
SECOND JUDICIAL DEPARTMENT

Matter of Khaliq William S. (Khaliq William S.)

2026 NY Slip Op 01792 · No. 2025-01514 · Decided March 25, 2026

SUMMARY

The Appellate Division, Second Department, affirmed an order terminating the father's parental rights on the ground of permanent neglect and transferring guardianship and custody of the child for adoption. The court held that the agency established by clear and convincing evidence that it made diligent efforts to strengthen the parent-child relationship and that the father failed to plan for the child's return. The court also concluded that a suspended judgment was not in the child's best interests.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Colleen D. Duffy, J.P.; Linda Christopher, J.; Barry E. Warhit, J.; Elena Goldberg Velazquez, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Department
DECIDED	March 25, 2026
DOCKET	2025-01514
DISPOSITION	affirmed
PROCEDURAL POSTURE	The father appealed from an order of fact-finding and disposition of the Family Court, Queens County, that found him to have permanently neglected the child, terminated his parental rights, and transferred guardianship and custody for adoption.
PRECEDENTIAL VALUE	published
PARTIES	Khaliq William S. (Anonymous), Sr. v. SCO Family of Services

TOPICS

- termination of parental rights
- parental rights
- adoption
- family law procedure
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the agency established by clear and convincing evidence that it exercised diligent efforts to strengthen the parent-child relationship.
2. Whether the father permanently neglected the child by failing to maintain the relationship or plan for the child's future despite the agency's diligent efforts.
3. Whether a suspended judgment was in the child's best interests at the dispositional hearing.

HOLDINGS

1. The agency established by clear and convincing evidence that it fulfilled its statutory duty to exercise diligent efforts to encourage and strengthen the parent-child relationship.
2. The father permanently neglected the child by failing to plan for the child's return after the agency demonstrated diligent efforts.
3. A suspended judgment was not in the child's best interests, so termination of parental rights and transfer of guardianship and custody for adoption were proper.

KEY QUOTATIONS

"In a proceeding to terminate parental rights because of permanent neglect, the agency must demonstrate by clear and convincing evidence that it has fulfilled its statutory duty to exercise diligent efforts to encourage and strengthen the parent-child relationship" ([*1])

"Once the agency demonstrates that it made diligent efforts to strengthen the parental relationship, it bears the burden of proving that, during the relevant period of time, the parent failed to maintain contact with the child or plan for the child's future, although physically and financially able to do so" ([*2])

"[P]arents must themselves assume a measure of initiative and responsibility; they have a duty to plan for the future of their child" ([*2])

"[A]t the . . . dispositional hearing the court must consider only the best interests of the child involved" ([*2])

"would serve only to prolong the delay of stability and permanence in the child's living situation" ([*2])

FACTUAL BACKGROUND

The agency created a service plan for the father, provided referrals for services, and scheduled regular parental access with the child. The father partially complied with his service plan but failed to gain sufficient insight into the issues that led to the child's removal and failed to plan for the child's return. The Family Court found permanent neglect and determined that termination of parental rights, rather than a suspended judgment, served the child's best interests.

PROCEDURAL HISTORY

SCO Family of Services commenced a proceeding under Social Services Law § 384-b to terminate the father's parental rights on the ground of permanent neglect. After fact-finding and dispositional hearings, the Family Court found permanent neglect, terminated the father's parental rights, and transferred guardianship and custody to the agency and the Commissioner of Social Services of the City of New York for adoption. The Appellate Division affirmed.

DISPOSITION

affirmed

CASES CITED

- Matter of Dynasty S.G. [Paula G.], 228 AD3d 657, 658
- Matter of Alexis M.B. [Jaclyn R.P.], 224 AD3d 679, 680-681
- Matter of Noel Sean CJ Ivan W. [Danica W.], 179 AD3d 1078, 1079
- Matter of Orazio R. [Nanci P.], 233 AD3d 689, 690
- Matter of Chiamaka B.O. [Stanley N.O.], 235 AD3d 759, 760
- Matter of Navyiah Sarai U. [Erica U.], 211 AD3d 959, 961
- Matter of Anthony A.R. [Taicha M.P.], 234 AD3d 696, 696
- Matter of Alonso S.C.O. [Angela O.M.], 211 AD3d 952, 954
- Matter of Ryder S.R. [Shaquana R.], 236 AD3d 1045, 1046
- Matter of Christopher C. [Sonia C.], 235 AD3d 865, 867
- Matter of Jeremiah W.T. [Shaunta K.J.—William T.], 206 AD3d 662, 663
- Matter of Jasiah T.-V.S.J. [Joshua W.—Shatesse J.], 166 AD3d 876, 878-879
- Matter of Charle C.E. [Chiedu E.], 129 AD3d 721, 722
- Matter of Aliah M.J.-N. [Candice J.—Anna J.], 182 AD3d 557, 560

OPINION

PER CURIAM.

Matter of Khaliq William S. (Khaliq William S.) (2026 NY Slip Op 01792) Matter of Khaliq William S. (Khaliq William S.) 2026 NY Slip Op 01792 Decided on March 25, 2026 Appellate Division, Second Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports.

Decided on March 25, 2026 SUPREME COURT OF THE STATE OF NEW YORK Appellate Division, Second Judicial Department COLLEEN D. DUFFY, J.P. LINDA CHRISTOPHER BARRY E. WARHIT ELENA GOLDBERG VELAZQUEZ, JJ. 2025-01514 (Docket No. B-22074-19) [*1]In the Matter of Khaliq William S. (Anonymous), Jr. SCO Family of Services, respondent; Khaliq William S. (Anonymous), Sr., appellant.

Warren S. Hecht, Forest Hills, NY, for appellant. Leventhal Mullaney & Blinkoff, LLP, Roslyn, NY (Jeffrey Blinkoff of counsel), for respondent. Terrence J. Worms, Flushing, NY, attorney for the child. DECISION & ORDER In a proceeding pursuant to Social Services Law § 384-b, the father appeals from an order of fact-finding and disposition of the Family Court, Queens County (Emily Ruben, J.), dated December 19, 2024.

The order of fact-finding and disposition, after fact-finding and dispositional hearings, upon a decision of the same court dated September 4, 2024, and upon an order of fact-finding of the same court dated October 18, 2023, found that the father permanently neglected the subject child, terminated the father's parental rights, and transferred guardianship and custody of the subject child to the petitioner and the Commissioner of Social Services of the City of New York for the purpose of adoption.

ORDERED that the order of fact-finding and disposition is affirmed, without costs or disbursements. The petitioner, SCO Family of Services (hereinafter the agency), commenced this proceeding pursuant to Social Services Law § 384-b, inter alia, to terminate the parental rights of the father on the ground of permanent neglect. Following fact-finding and dispositional hearings, at which the father testified, the Family Court determined, among other things, that the agency established by clear and convincing evidence that the father permanently neglected the subject child, terminated his parental rights, and transferred guardianship and custody of the child to the petitioner and the Commissioner of Social Services of the City of New York for the purpose of adoption.

The father appeals. "In a proceeding to terminate parental rights because of permanent neglect, the agency must demonstrate by clear and convincing evidence that it has fulfilled its statutory duty to exercise diligent efforts to encourage and strengthen the parent-child relationship" (Matter of Dynasty S.G. [Paula G.], 228 AD3d 657, 658 [internal quotation marks omitted]; see Matter of Alexis M.B.

[Jaclyn R.P.], 224 AD3d 679, 680). Diligent efforts include making referrals for counseling and classes, discussing the service plan with the parent and emphasizing the importance of complying [*2]with it, scheduling and supervising parental visitations, and providing assistance to the parents to resolve the problems preventing the child's discharge (see Matter of Alexis M.B.

[Jaclyn R.P.], 224 AD3d at 681; Matter of Noel Sean CJ Ivan W. [Danica W.], 179 AD3d 1078, 1079). "Once the agency demonstrates that it made diligent efforts to strengthen the parental relationship, it bears the burden of proving that, during the relevant period of time, the parent failed to maintain contact with the child or plan for the child's future, although physically and financially able to do so" (Matter of Dynasty S.G.

[Paula G.], 228 AD3d at 658 [internal quotation marks omitted]; see Matter of Orazio R. [Nanci P.], 233 AD3d 689, 690). "[P]arents must themselves assume a measure of initiative and responsibility; they have a duty to plan for the future of their child" (Matter of Chiamaka B.O. [Stanley N.O.], 235 AD3d 759, 760 [internal quotation marks omitted]). "A parent who has only partially complied with his or her service plan and who has not gained insight into the issues that caused the removal of the child has not planned for the child's future" (Matter of Navyiah Sarai U. [Erica U.], 211 AD3d 959, 961 [internal quotation marks omitted]).

Here, contrary to the father's contentions, the agency demonstrated, by clear and convincing evidence, that it made diligent efforts to strengthen the parent-child relationship by forming a service plan that served the father's needs, providing him with referrals for those services, and scheduling regular parental access with the child (see Matter of Anthony A.R.

[Taicha M.P.], 234 AD3d 696, 696; Matter of Alonso S.C.O. [Angela O.M.], 211 AD3d 952, 954). The record supports the Family Court's determination that the father permanently neglected the child by failing to plan for the child's return (see Matter of Ryder S.R. [Shaquana R.], 236 AD3d 1045, 1046; Matter of Christopher C. [Sonia C.], 235 AD3d 865, 867). "[A]t the... dispositional hearing the court must consider only the best interests of the child involved" (Matter of Jeremiah W.T.

[Shaunta K.J.—William T.], 206 AD3d 662, 663 [internal quotation marks omitted]). Contrary to the father's contention, a suspended judgment was not in the child's best interests (see Matter of Jasiah T.-V.S.J. [Joshua W.—Shatesse J.], 166 AD3d 876, 878-879; Matter of Charle C.E. [Chiedu E.], 129 AD3d 721, 722).

Under the circumstances, a suspended judgment "would serve only to prolong the delay of stability and permanence in the child's living situation" (Matter of Aliah M.J.-N. [Candice J.—Anna J.], 182 AD3d 557, 560). DUFFY, J.P., CHRISTOPHER, WARHIT and GOLDBERG VELAZQUEZ, JJ., concur. ENTER: Darrell M. Joseph Clerk of the Court