

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

Matter of Lord v. Carter

2026 NY Slip Op 02655 · No. 2024-01449; V-8178-20, V-8178-20/20A, V-8192-20 · Decided April 29, 2026

SUMMARY

The Appellate Division, Second Department, affirmed an order determining that the parties’ child should attend the South Huntington Union Free School District rather than the Hauppauge Union Free School District. The court held that the Family Court’s best-interests determination had a sound and substantial basis in the record, including considerations of the child’s well-being, educational continuity, and the father’s likely continued residence in the district.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
WRITING FOR THE COURT	Betsy Barros, J.P.; Angela G. Iannacci, J.; Donna-Marie E. Golia, J.; Lisa S. Ottley, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Judicial Department
DECIDED	April 29, 2026
DOCKET	2024-01449; V-8178-20, V-8178-20/20A, V-8192-20
DISPOSITION	affirmed
PROCEDURAL POSTURE	The mother appealed from a Family Court order, entered after a hearing, that granted the father's request to enroll the parties' child in the South Huntington Union Free School District and denied the mother's request to enroll the child in the Hauppauge Union Free School District.
STANDARD OF REVIEW	A custody-related determination will not be set aside unless it lacks a sound and substantial basis in the record; the court's paramount concern is the child's best interests under the totality of the circumstances.
PRECEDENTIAL VALUE	Published appellate decision
PARTIES	Coleen Lord v. Nicholas Carter

TOPICS

child custody

family law procedure

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appellate procedure

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family law

child custody

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QUESTIONS PRESENTED

1. Whether the Family Court properly determined, under the child's best interests and the totality of the circumstances, that the child should be enrolled in the South Huntington Union Free School District rather than the Hauppauge Union Free School District.
2. Whether the Family Court's school-enrollment determination had a sound and substantial basis in the record.

HOLDINGS

1. The Family Court properly determined that enrollment in the South Huntington Union Free School District was in the child's best interests.
2. The Family Court's determination would not be set aside because it had a sound and substantial basis in the record.

KEY QUOTATIONS

*“The court's paramount concern in any custody dispute is to determine, under the totality of the circumstances, what is in the best interests of the child” ([*1])*

FACTUAL BACKGROUND

The parties had one child and shared joint legal custody with alternating weekly parental access under a so-ordered stipulation. The parties lived in different school districts and could not agree whether the child should attend the South Huntington Union Free School District or the Hauppauge Union Free School District. After a hearing, the Family Court found that enrollment in South Huntington was in the child's best interests, based in part on its diverse, multicultural environment and the father's likely continued residence there, which would provide educational stability and continuity.

PROCEDURAL HISTORY

The parties filed related Family Court proceedings under Family Court Act article 6 and later entered a so-ordered stipulation providing for joint legal custody and alternating weekly parental access. Because they lived in different school districts and could not agree on the child's school enrollment, the Family Court held a hearing and ordered enrollment in the South Huntington Union Free School District. The mother appealed, and the Appellate Division affirmed.

DISPOSITION

affirmed

CASES CITED

- Verfenstein v Verfenstein, 171 AD3d 841, 842
- Eschbach v Eschbach, 56 NY2d 167, 171
- Matter of McCall v McCandlish, 207 AD3d 725, 726-727

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