

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department

Decided and Entered: December 8, 2005

98181

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In the Matter of KRISTIAN CC.,  
Alleged to be a Person  
in Need of Supervision.

JOHN SIMONS, as Director of  
Pupil Personnel Services  
at Salmon River Central  
School,

MEMORANDUM AND ORDER

Respondent;

KRISTIAN CC.,

Appellant.

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Calendar Date: November 17, 2005

Before: Mercure, J.P., Peters, Mugglin, Rose and Kane, JJ.

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Richard V. Manning, Parishville, for appellant.

Thomas G. Soucia, Assistant County Attorney, Malone, for  
respondent.

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Mercure, J.P.

Appeal from an order of the Family Court of Franklin County  
(Main Jr., J.), entered April 14, 2005, which granted  
petitioner's application, in a proceeding pursuant to Family Ct  
Act article 7, to adjudicate respondent a person in need of  
supervision.

In response to a petition filed to have her adjudicated a  
person in need of supervision (hereinafter PINS), respondent  
admitted certain allegations against her, namely that she had

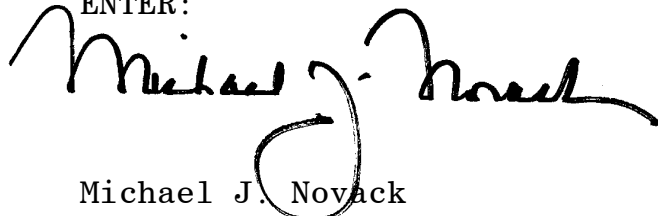
inexcusably missed 30 days of school. Family Court thereafter determined respondent to be a PINS. Following a dispositional hearing, Family Court placed respondent on probation supervision for a period of 12 months and required that she participate in the use of electronic home monitoring. Respondent now appeals on the sole basis that Family Court lacked the authority to impose electronic home monitoring. We disagree.

Within the context of a PINS proceeding, Family Court is empowered to direct that respondent "comply with such . . . reasonable terms and conditions as . . . determine[d] to be necessary or appropriate to ameliorate the conduct which gave rise to the filing of [the] petition" (22 NYCRR 205.66 [a] [14]). The imposition of such a condition reasonably furthered the desired objective of ensuring that respondent complied with the various other probation conditions directed by Family Court and did not continue to engage in the conduct that originally led to her adjudication as a PINS. Accordingly, we will not disturb Family Court's discretionary determination that electronic home monitoring was appropriate here.

Peters, Mugglin, Rose and Kane, JJ., concur.

ORDERED that the order is affirmed, without costs.

ENTER:

A handwritten signature in black ink, appearing to read "Michael J. Novack". The signature is written in a cursive, flowing style with a large loop at the end.

Michael J. Novack  
Clerk of the Court