

Kelley Drye Successfully Represents Mother of a Sexually Abused Child on an appeal to the Appellate Division, First Department

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Senior associate [Jaclyn Metzinger](#) and former Kelley Drye attorney Daniella Schneider successfully represented the mother of a young child who was the victim of many years of sexual abuse at the hands of her natural father on an appeal before the Appellate Division, First Department. The mother, a client of Center for Family Representation, had obtained an Order of Protection in Family Court prohibiting the father from any and all contact with the child. The father was subsequently held in contempt of court after he violated the order while serving time in jail, by sending his daughter lewd and suggestive letters concerning his intention to continue his sexual abuse of the child upon his release. The father appealed the contempt sanction claiming that: (1) the notice of the contempt petition was legally defective; (2) the court violated the Best Evidence Rule by admitting into evidence photocopies of the letters he sent to his daughter from jail; and (3) the underlying order of protection was defective because it had not been served on him and because it did not clearly state that the father could face incarceration for up to two years for violating the order. The Kelley Drye team successfully responded to the father's various claims and won on every point raised in the appeal.