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[LETTER TO THE EDITOR](#)

Support Magistrate Provides a 'Breath of Fresh Air' For Family Court

[Editor's note: This letter was submitted in response to a column by Sondra Mendelson-Toscano, a support magistrate in Nassau County's family court,...

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Family Law

By Peter Galasso | May 08, 2024 at 09:43 PM



[Editor's note: This letter was submitted in response [to a column by Sondra Mendelson-Toscano](#), a support magistrate in Nassau County's family court, that the New York Law Journal published on April 18.]

After reading Support Magistrate Sondra Mendelson-Toscano's article in the Law Journal, I wanted to take the opportunity to demonstrate that this particular support magistrate not only talks the talk, but she also walks the walk. I only occasionally appear in family court, when I do, Nassau Court support magistrates like Sondra Mendelson-Toscano represent a breath of fresh air.

In a recent matter that drew me into representing a mother in connection with a child support petition, the father chose to proceed pro se. After generously providing the pro se father with multiple opportunities to engage an attorney, on the day the child support hearing was scheduled to commence, Support Magistrate Mendelson-Toscano took great pains to patiently and comprehensively explain to the father how the Child Support Standards Act works and why her application of the CSSA is all but mandated, except in certain limited circumstances not applicable to the parties' fact pattern.

I explained to the court that I had unsuccessfully proposed to settle based upon that same CSSA mandate and that, due to the father's unwillingness to accept that result, I would be seeking an award of counsel fees given the father's misguided recalcitrance.

Support Magistrate Mendelson-Toscano thereupon proceeded to spend the next half hour or so explaining to the father on the record why it would be in his best interest to settle, given that the outcome was a fait accompli.

During her oratory, she invited and sensitively responded to the father's emotional misgivings about settling, which were deftly deflected by the Court.

In the end, the father saw the light and agreed to settle, and I was thereby not compelled to aggressively cross-examine him about his misplaced opposition, which often exacerbates the acrimony that probably led my client to the Family Court in the first place.

Avoiding the unpleasantness of a hearing allowed the parties to conclude their time with a semblance of dignity, which is an outcome most often achieved by judges who see their role as one of compassion and beneficent leadership.

After our day in Court, neither party left the court “feeling disgruntled”. Instead, they both exited the courthouse knowing that, in Mendelson-Toscano’s capable hands, justice prevailed.

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