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## Teen forces father to provide support Magistrate finds girl left home 'for good cause'

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In an unusual Family Court case, a Webster teen has successfully petitioned to force her father to provide support after he claimed she was "constructively emancipated" because she voluntarily moved out of his home without cause and was capable of supporting herself.



**CAHILL**

Bethany Cahill, now 19, who is represented by attorney Lawrence Krieger, claimed her father disowned her and was verbally and mentally abusive after he learned that she was gay.



**KRIEGER**

"It got to the point where I couldn't stand it. I had to get out," she wrote in the Family Court petition filed in

January 2016.

A hearing was started in April, completed in June, and written summations were submitted in July. Family Court Support Magistrate Deborah K. Owlett issued the support order in November.

A child is entitled to parental support until

the age of 21, unless they are emancipated, Owlett wrote in the six-page order.

Cahill's father, Matthew J. Cahill Sr., claimed that his daughter, who had moved to her maternal grandparents' home and refused to communicate with him, "constructively emancipated herself upon the commencement of this petition," Cahill's lawyer, Michael J. Personte wrote in a court filing.

"Wherefore, Mr. Cahill should not be responsible for any outstanding child support, health care expenses or any college expenses incurred by his daughter, Bethany," Personte wrote.

But Owlett wrote in her decision that Bethany Cahill moved out of her father's home "for good cause."

Bethany Cahill "did not feel safe and her mental health and academics were suffering as a result of (her father's) verbal and emotional attacks."

Owlett wrote in the decision that after Bethany Cahill moved to her grandparents' home "her academic, social and emotional well being all dramatically changed for the better."

Matthew Cahill's claim that he wants to re-establish a relationship with his daughter was found not credible because he took no legal action to restore the relationship and demanded that his daughter return the key to his home after she left.

He stopped paying for her school lunches during her senior year of high school and removed her from his health insurance plan and his mother-in-law moved into his daughter's former bedroom.

Matthew Cahill was ordered to pay his daughter weekly support of \$120, plus retroactive support of \$5,400, and pay for medical, dental and vision insurance for his daughter, including any related uncovered expenses.

Matthew Cahill's appeal to the Appellate Division of state Supreme Court, Fourth Department, was dismissed on March 1.

"Here's a case that says you were justified in leaving, you did the best thing for your mental health and for yourself and you are entitled to support and a parent can't deny you health insurance because you're gay or not contribute to your support because they don't approve of your behavior when you're not doing anything wrong," Krieger said.

Bethany's parents divorced when she was about 1 year old. She lived with her mother until she was about 6, when her mother died. Then she lived a few days each week with her father and a few days with her maternal grandparents. She moved to her maternal grandparents' home exclusively in April 2013.

Bethany Cahill graduated from high school in June 2015 and is now a student at Monroe Community College. She plans to earn her bachelor's degree at The College at Brockport and eventually go to law school and become an attorney.

"I'm definitely proud of what happened," she said "I know a lot of people either don't have the resources, or they just don't feel that they could go through it. I'm definitely proud of the fact I was able to go through it and how it came out."