

**DO NOT ATTACH** anything to this Petition, **except** for the following:  
- continuation pages for explanations to questions  
- items specifically required by the petition  
- items the Judge has directed you to provide

**FAMILY COURT  
OF THE STATE OF NEW YORK  
COUNTY OF**

**In the Matter of**

\_\_\_\_\_, **PETITIONER**  
FIRST M.I. LAST

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone # H: ( ) - W: ( ) -

**Docket #:** \_\_\_\_\_  
**Family File #:** \_\_\_\_\_

**PETITION FOR CUSTODY  
(When Petitioner is Not a Parent)**

**-AGAINST-**

\_\_\_\_\_, **RESPONDENT 1\***  
FIRST M.I. LAST

Address: \_\_\_\_\_ Phone # H: ( ) -  
\_\_\_\_\_ W: ( ) -  
\_\_\_\_\_

\_\_\_\_\_, **RESPONDENT 2**  
FIRST M.I. LAST

Address: \_\_\_\_\_ Phone # H: ( ) -  
\_\_\_\_\_ W: ( ) -  
\_\_\_\_\_

**THE PETITIONER, BEING DULY SWORN, STATES THAT:**

- Respondent #1 is:  my spouse  my former spouse  my child  
 my friend  other \_\_\_\_\_
- Respondent #2 is:  my spouse  my former spouse  my child  
 my friend  other \_\_\_\_\_
- The relationship of each party to the child(ren) named below is:

	<u>Mother</u>	<u>Father</u>	<u>Other</u>
Petitioner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Respondent #1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Respondent #2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

**\* Both parents must be named as Respondents to this proceeding. If there is already a third party with an order of custody in this case, that person must also be named as a Respondent.**

4. The children who are the subjects of this proceeding are:

<u>NAME</u>	<u>LIVES WITH</u>	<u>DOB</u>
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	____ / ____ / ____

**If any of these children currently live outside New York State, or have lived outside New York State at any time, you must fill out the "UCCJEA Affidavit".**

5. Paternity was established by:  Marriage  Court Order  Affidavit signed at birth.

**If paternity was established by Affidavit or an Order of filiation from another court, you must attach a copy to this petition or it may be dismissed.**

6. State who has physical custody of the child(ren) and how and when custody was obtained:

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7. There are extraordinary circumstances in this case, such that the court should consider a "third party" custody petition, and those circumstances include (*check all that apply*):

- I am a grandparent.
- The child(ren) (has/have) been in my physical custody for 24 continuous months.
- The child(ren) (has/have) been in my physical custody for an extended period of time.
- The parent(s) (has/have) abandoned the child(ren).
- The parent(s) (is/are) persistently unfit.
- The parent(s) (is/are) deceased.
- There are other extraordinary circumstances and they are: (**Attach additional sheets if needed.**)

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8. State why it would be in the best interest of the child(ren) for you to have custody. (**Attach additional sheets if needed.**)

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9. State if there have been any other petitions for custody or visitation of these children and, if so, the date, the court and the results. **(Attach additional sheets if needed.)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10.  Petitioner  Respondent  Neither Party is on active duty in the military.

11. To my knowledge, there  is  is not a Neglect or Abuse concerning the child(ren) pending in  this court  another court. (Identify other court: \_\_\_\_\_)

12. Is any child named here a Native American child covered by the Indian Child Welfare Act of 1978 (25 U.S.C. §1901-1963)?  Yes  No

WHEREFORE, I ask the Court to grant the relief I have requested and for other appropriate relief.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Attorney's Signature (if applicable)

\_\_\_\_\_  
Print Attorney's Name (if applicable)

**VERIFICATION**

STATE OF NEW YORK )  
COUNTY OF )

The Petitioner herein, being duly sworn, states: I have read this petition and its contents are true to my own knowledge, except to matters alleged to be on information and belief and, as to those matters, I believe them to be true.

\_\_\_\_\_  
Petitioner's Signature

Subscribed and Sworn to before me  
on \_\_\_\_\_.

\_\_\_\_\_  
(Deputy) Clerk of the Court,  
Notary Public or Comm. of Deeds