

At a term of Family Court of the  
State of New York, held in and for  
the County of \_\_\_\_\_,  
at \_\_\_\_\_ New York  
on \_\_\_\_\_, \_\_\_\_\_.

PRESENT:  
Hon.  
Judge

\_\_\_\_\_  
In the Matter of the Review of  
the Status of

Docket No.

ORDER OF DISPOSITION  
(Permanency Hearing Regarding  
Child Freed for Adoption)

Pursuant to Section 1055-a of  
the Family Court Act

**DEADLINE: IF THE CHILD REMAINS IN FOSTER CARE, A PETITION FOR THE NEXT  
PERMANENCY HEARING MUST BE FILED BY [specify date]:<sup>1</sup>  
AND THE HEARING SHALL BE HELD ON [specify date]:**  
\_\_\_\_\_.

The  petition  affidavit/report<sup>2</sup> of [specify]: \_\_\_\_\_, for a review  
of the foster care status of the above-named child and permanency hearing pursuant to Section 1055-a  
of the Family Court Act, sworn to on [specify date]: \_\_\_\_\_, having been filed in this Court;

And notice having been duly given to the following person(s) [specify; check applicable boxes]:

- Respondent(s) [specify]:
- Non-respondent parent(s)[specify]:
- Non-respondent guardian(s)[specify]:
- Law Guardian for child
- Child, if of suitable age and maturity
- Prospective adoptive parent(s)[specify]:
- Foster parent(s)caring for child [specify]:

<sup>1</sup> Insert date not later than six months from completion of this hearing. The next permanency hearing must be scheduled for a date certain and must be completed within 60 days of that date.

<sup>2</sup> An affidavit/report may be filed, in lieu of a petition, in the Court's discretion, for the first permanency hearing following the freeing of the child for adoption.

- Relative(s) caring for child [specify]:
- Authorized Agency caring for child [specify]:
- Other [specify]:

And the matter having duly come on to be heard, and the above-named persons appearing having been given an opportunity to be heard;

And the Court having considered the position and information provided by the [check applicable box(es)]:  authorized agency  local department of social services;

[Required where child is over 14 years of age; check box(es) if applicable]:

And the child, who is over the age of 14, having  consented  not consented to the adoption, the Court having  interviewed the child and/or  heard from the law guardian regarding the child's position;

The Court, after having made an examination and inquiry into the facts and circumstances of the case and into the surroundings, conditions, and capacities of the persons involved, finds and determines the following [Note: judicial findings must be made pursuant to I and, if applicable, II and III]:

**I. Required "Reasonable Efforts" Findings** [check applicable boxes; provide case-specific reasons]:

Reasonable efforts to make and finalize the permanency plan of [specify]:

were made as follows [specify; check applicable boxes]:

- for child freed for adoption, but not yet placed in pre-adoptive home:
  - recruitment efforts [specify]:
  - other [specify]:

for child freed for adoption and placed in pre-adoptive home [check applicable box(es)]:

- adoption placement agreement signed
- adoptive parent(s) retained attorney(s)
- adoption subsidy application:  submitted  determined
- criminal history checks  submitted  completed
- child abuse and maltreatment checks  submitted  completed
- Interstate Compact on Placement of Children  submitted  completed
- home study completed
- birth parents' documents submitted: certified copy of [check applicable box(es)]:
  - order terminating parental rights
  - surrender
  - consent
  - death certificate
- putative father:  putative father registry request made  other [specify]:
- child's documents submitted:
  - two copies of certified birth certificate
  - medical report
  - consent, if child 14 or over
- adoptive parents' documents submitted:
  - financial disclosure affidavit
  - medical report



- adoption by [specify name and date]:
- permanent placement with the following fit and willing relative [specify name and date]:
- permanent placement in the following alternative planned living arrangement [specify]:

upon documentation, available to the Court, that the following compelling reason(s) indicate(s) that it would not be in the child's best interests to be referred for adoption, placed with a fit and willing relative, or placed with a legal guardian [specify compelling reason(s)]:  
(and it is further)

**B. Reasonable Efforts to Further Permanency Plan [Required]**

1. [Applicable where the child's permanency plan is adoption; check applicable box(es)]:

- ORDERED that [specify]: , an authorized agency, is directed to [check applicable box(es) and specify deadlines for compliance]:
  - place the above-named child, if not already placed, by [specify date]: for adoption with [check applicable box]:
    - the foster family home where (s)he resides or has resided
    - other prospective adoptive parent(s) [specify]:
  - take the following steps to recruit prospective adoptive parent(s) for the child, if the child is not already placed in a prospective adoptive home [specify, including dates]:
    - submit *Interstate Compact on Placement of Children* [SSL §374-a] documents by [specify date]:
    - submit documents regarding adoption subsidy eligibility by [specify date]:
    - if prospective adoptive parents have not yet signed Adoption Placement Agreement, work to address concerns they may have in order that the agreement may be signed by [specify date]:
    - if child over 14 has not consented to adoption, work with child and law guardian to address concerns, identify significant adults who may be adoptive resources or who may be of assistance regarding an alternate permanency plan, by [specify date]:
    - obtain child abuse and maltreatment clearance(s) by [specify date]:
    - obtain criminal history clearance(s) by [specify date]:
    - obtain information regarding back-up resources by [specify date]:
    - obtain the following documents regarding child's birth parent(s) [specify]:
      - order terminating parental rights     surrender     consent     death certificate
 by [specify date]:
    - obtain the following documents regarding the child [specify]:
      - two copies of birth certificate     medical report     consent if child 14 or older
 by [specify date]:
    - obtain completed home study by [specify date]:
    - obtain the following additional documents [specify]: by [specify date]:
    - report to the Court on the status of an appeal regarding the child by [specify date]:
    - other [specify, including date]:

; (and it is further)

ORDERED that the authorized agency assist the prospective adoptive parent(s) in [check applicable box(es) and specify deadlines for compliance ]:

- retaining an attorney by [specify date]:
- signing an Adoption Placement Agreement by [specify date]:
- submitting *Interstate Compact on Placement of Children* documents by [specify date]:
- submitting documents regarding adoption subsidy by [specify date]:
- submitting financial disclosure affidavit by [specify date]:
- submitting medical report(s) by [specify date]:
- submitting certified copy of certificate of:  marriage  divorce  death of spouse
- obtaining a completed home study by [specify date]:
- obtain the following additional documents [specify]:
- filing a petition for adoption by [specify date]:
- other [specify, including date]:

; (and it is further)

2. [Applicable where the child has a permanency plan other than adoption; check applicable box(es)]:

ORDERED that following reasonable efforts shall be made to make and finalize the child's permanency plan of [specify permanency plan, describe efforts and specify deadlines for compliance]:

; (and it is further)

**C. Transitional Services [Applicable to cases where the child is 16 years of age or older]**

ORDERED that the Petitioner is directed to provide the following services determined above to be needed to assist the child to make the transition from foster care to independent living [specify]:

; (and it is further)

**D. Out-of-State Placement [Required where the child has been placed out-of-state]**

- ORDERED that the placement of the child at [specify]:
- is appropriate and in the child's best interests and is continued;
  - is not appropriate and in the child's best interests and the child shall, therefore, be returned to New York State to be:  placed with [specify]:  
 discharged to [specify]:

; (and it is further)

**E. Progress Reports and Notices**

ORDERED that Petitioner shall make a progress report to the Court, the parties and the law guardian on the implementation of this order not later than [specify]: days from the date of this order and every [specify period]: days thereafter and not later than 60 days prior to the expiration of six months from the date of this order;<sup>3</sup>

(and it is further)

ORDERED that if the above permanency plan for the above-named child is changed, notice shall be provided to the Court, the parties and the law guardian forthwith;

(and it is further)

**F. Recommendations Regarding State Agency Oversight**

RECOMMENDED that the New York State Office of Children and Family Services investigate

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<sup>3</sup> If the child remains in foster care, a petition, in lieu of a report, shall be filed.

the facts and circumstances concerning the discharge of responsibilities for the care and welfare of the child by the social services district of the County of [specify]: pursuant to Social Services Law § 395; (and it is further)

**G. Notice Regarding Absconding:** [Required in cases in which child remains in foster care]:

ORDERED that in the event that the child absconds from the above-named custodial person or facility, written notice of that fact shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away.

**H. Deadlines for Next Permanency Petition and Hearing [Required]**

**ORDERED that if the child remains in foster care, Petitioner shall file a petition for the next permanency hearing NO LATER THAN [specify date six months from the completion of this hearing]: AND THE HEARING SHALL BE HELD ON [specify date and shall be completed within 60 days of that date.]**

(ORDERED, that (and it is further) )

ENTERED

\_\_\_\_\_  
Judge of the Family Court

Dated:

**PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE LAW GUARDIAN UPON THE APPELLANT, WHICHEVER IS EARLIEST.**

Check applicable box:

Order mailed on [specify date(s) and to whom mailed]: \_\_\_\_\_

Order received in court on [specify date(s) and to whom given]: \_\_\_\_\_