

At a term of the 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

Docket No.

A Person Alleged to be a  
Juvenile Delinquent,

ORDER (Modifying  
Order Of Commitment  
for Lack Of Capacity)

Respondent.  
\_\_\_\_\_

A petition under section 322.2 of the Family Court Act, sworn to on \_\_\_\_\_, \_\_\_\_\_, having been filed in this Court by \_\_\_\_\_, in the above-entitled proceeding, alleging that Respondent, committed to a residential facility within the appropriate office of the Mental Hygiene Department, may be more appropriately treated in a non-residential facility; and

Notice having been duly given to Respondent,  Respondent's parent (s)  the person legally responsible for the child's care,  counsel for the Respondent,  the Commissioner of Mental Health  the Commissioner of Mental Retardation and Developmental Disabilities  Mental Hygiene Legal Services; and

The matter having thereafter duly come on for a hearing before the Court and the Court, after having made an examination and inquiry into the facts and circumstances of the case, finds that treatment in a non-residential facility  would  would not be more appropriate for the Respondent in that

NOW therefore, it is hereby  
[Delete inapplicable provisions]:

(ORDERED that Respondent be returned to the Commissioner of  
for continued care in a residential facility.)

(ORDERED that the order of commitment dated \_\_\_\_\_, \_\_\_\_\_, is hereby  
modified to authorize the transfer of Respondent to a non-residential facility, under the  
continued care of the Commissioner of \_\_\_\_\_.)

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 ATTORNEY FOR THE CHILD  
UPON THE APPELLANT, WHICHEVER IS EARLIEST.

ENTER

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

Dated: \_\_\_\_\_, \_\_\_\_\_.

- 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]: \_\_\_\_\_