

F.C.A §§ 350.2,351.1,352.1
352.2,353.1,353.3,
353.5

Form 3-33
(Juvenile Delinquency-
Order of Disposition-
Designated Felony-
Restrictive Placement)
8/2010

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

P R E S E N T:
Hon.
Judge

In the Matter of

Docket No.

Person Alleged to be a
Juvenile Delinquent,

ORDER OF
DISPOSITION A
(Designated Felony;
Restrictive Placement)

Respondent.

An Order of Fact-finding dated the _____ day of _____, having
been entered in (this Court) (the Family Court of _____ County) adjudging that
the Respondent herein did the following act(s):[Specify as to each count.]

which would constitute the crime(s) of:
[Delete inapplicable provisions]:

a. [Specify crime(s)] _____ as defined by
section(s) _____ of the Penal Law, (a) designated (class A) felony act(s) pursuant to section
301.2 of the Family Court Act; and

b. [Specify crime(s)] _____ as defined by section(s) _____ of the

(Penal Law) (specify other law

); and

The matter having thereafter duly come on for a dispositional hearing before the Court, the Court, after ordering a probation investigation and diagnostic assessment in accordance with section 351.1 of the Family Court Act and making reports available to counsel presenting the petition and counsel for Respondent in accordance with section 351.1 of the Family Court Act and after making an examination and inquiry into the facts and circumstances of the case finds upon a preponderance of the evidence that the Respondent requires supervision, treatment, or confinement, and more specifically, restrictive placement in accordance with section 353.5 of the Family Court Act, for the following reasons:

NOW therefore, upon the findings made in the fact-finding and dispositional hearings herein and upon all proceedings had herein, it is hereby

ORDERED and ADJUDGED that the above-named Respondent is a juvenile delinquent on the further ground that the Respondent required confinement; and it is therefore

ORDERED that the proceeding be and the same is hereby continued, and the Respondent is placed for a period of _____ years (less the period spent in detention pending disposition),¹ in the custody of the New York State Office of Children and Family Services for confinement in a secure facility for _____ months and may not be released therefrom or transferred to a non-secure facility during the months of confinement; and it is further

ORDERED that the Respondent shall not be discharged from the custody of the New York State Office of Children and Family Services during the term of this order; and it is further

ORDERED that the New York State Office of Children and Family Services (shall) (shall not) report to the Court pursuant to section 353.5 of the Family Court Act; (and it is further)

¹Applicable unless the court finds that all or part of such credit would not serve the needs and best interests of the respondent or the need or protection of the community; F.C.A. §353.3(5).

(ORDERED that the New York State Office of Children and Family Services shall photograph the Respondent.) (and it is further)

(ORDERED

.)

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]: _____