

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. _____

CIN # _____
A Child under 21 Years _____
of Age Who Was Discharged _____
From Foster Care _____
ORDER (Order on Motion to
Reenter Foster Care)

.....
A motion made by notice of motion or order to show cause seeking reentry of the above-named youth into foster care having been made by [check applicable box]: the youth the local department of social services;

And the above-named youth being under the age of 21 and having been finally discharged from foster care on [specify date]:

And the youth having [check applicable box(es)]:
 appeared with counsel without counsel waived counsel
 not appeared but counsel appeared;

And the following having appeared [check applicable box(es)]:
 local department of social services [specify]:
 authorized agency [specify]:
 foster parent [specify]:
 other [specify]:

[Required if motion made by youth]: And the local department of social services having:
 consented to the return of the youth into foster care;
 not consented to the return of the youth into foster care, but such failure to consent was reasonable
 not consented to the return of the youth into foster care, but such failure to consent was unreasonable

[Required if motion made by local department of social services]: And the youth having:
 consented not consented to return to foster care,

[Required]: And the youth having consented not consented to enroll in and attend a vocational or educational program;

OR

Participation in an educational or vocational program would be unnecessary or inappropriate for the following compelling reason [specify, if applicable]:

And the youth having [check applicable box]:

no reasonable alternative to foster care the following reasonable alternative to foster care [specify]:

And the court finds that [Check A, B or C]:

A. Reasonable efforts were made to attempt to prevent the youth's return to foster care as follows [specify]:

B. Reasonable efforts were not made to attempt to prevent the youth's return to foster care but such efforts would not have been appropriate because [specify]:

C. Reasonable efforts were not made to attempt to prevent the youth's return to foster care.

The determination of A, B or C is based upon the following information [check applicable box(es)]:

Permanency report, sworn to on [specify date]:

Case record, dated [specify]:

The report of [specify]: , dated:

Testimony of [specify]: , on [specify date]:

Other [specify]:

And the Court further finds that [Check A or B]:

A. It would be contrary to the youth's welfare to remain discharged from foster care and it is in the youth's best interests to return to foster care because of the following compelling reason(s) [specify]:

OR

B. There is no compelling reason supporting return of the youth into foster care;

The determination of A or B is based upon the following information [check applicable box(es)]:

Permanency report, sworn to on [specify date]:

Case record, dated [specify]:

The report of [specify]: , dated:

Testimony of [specify]: , on [specify date]:

Other [specify]:

[Check box(es) if applicable]:

And the instant motion having been filed no more than 24 months after the first final discharge of the youth following the 18th birthday of the youth;

And, apart from any temporary orders issued on this motion, this Court having previously:

granted an earlier motion to return the youth to foster care following final discharge

granted more than one earlier motion to return the youth to foster care following final discharge, which renders the youth ineligible to return to foster care

denied an earlier motion to return the youth to foster care following final discharge

OR

And no prior motions for return of the youth to foster care having been made;

And the Court having considered the position and information provided by the local department of social services;

NOW, therefore, it is hereby [check applicable box]:

ORDERED that the motion for return of the youth into foster care is **GRANTED**, and it is further ORDERED that the youth is committed to the custody of the department of social services of [specify county]: _____ to reside [specify authorized agency or foster parent, if applicable]: _____

And it is further ORDERED that [check applicable box]:

the youth shall participate in an educational or vocational program as follows [specify]: _____

a compelling reason exempts the youth from the program participation requirement

And it is further ORDERED that a permanency hearing shall be held on [specify date not later than 30 days from the date of this Order]: _____

And it is further ORDERED that local department of social services shall transmit notice of the hearing and a permanency report by [specify date]: _____ to the youth, his or her attorney, other parties, any former foster parents or relatives providing care to the youth and shall transmit notice of the hearing to former foster parent(s) who have had care of the youth in excess of 12 months, except [specify former foster parents for whom such notice would be contrary to the best interests of the youth; delete if inapplicable]: _____

OR

ORDERED that the motion for return of the youth into foster care is **DENIED**.

AND IT IS FURTHER ORDERED that [specify]: _____

ENTER

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 ATTORNEY FOR THE CHILD 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]: _____