

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

.....
In the Matter of the Commitment of
Guardianship and Custody pursuant to
§384-b of the Social Services Law of

Docket No.

CIN #
A Child under the Age of Eighteen Years,
Alleged to be Without a Living Parent
.....

PETITION
(Termination of Parental Rights
--Parents Deceased)

**IF YOU ARE THE FOSTER PARENT OR CUSTODIAN OF THE CHILD, YOU HAVE A
RIGHT TO HAVE A LAWYER REPRESENT YOU. IF YOU CANNOT AFFORD A
LAWYER, YOU MAY ASK THE COURT TO APPOINT A LAWYER TO REPRESENT YOU
WITHOUT FEE.**

TO THE FAMILY COURT:

The undersigned Petitioner(s) respectfully alleges that:

1. Petitioner(s) _____, (is) (are)

an authorized agency having its office and place of business at [specify, including county]:

foster parent(s) residing at [specify, including county]:

child’s attorney guardian ad litem filing at the Court’s direction, pursuant to Social Services
Law §384-b(3)(b).

2 a. _____ is a male female child under the age of
eighteen years, born on [specify]: _____, at [specify]: _____, who now
resides at [specify, including county]: _____.

b. The subject child is is not a Native-American child, who is subject to the Indian Child
Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check
applicable box(es)]:

parent/custodian [specify name and give notification date]:

tribe/nation [specify name and give notification date]:

United States Secretary of the Interior [give notification date]:

3. (Upon information and belief) (B)(b)oth parents of the child are dead, and no guardian of the
person of the child has been lawfully appointed.

[Attach evidence in support of the allegation of the death of the parents.]

4. The full name and last-known address of each parent and custodian of the child are:

Name Last-Known Address

5. a. The name and last-known address of any other interested party who should be afforded notice of this proceeding are:

Name Last-Known Address

b. The name and last-known address of any other person entitled to notice of an adoption pursuant to Domestic Relations Law § 111-a are:

Name Last-Known Address

c. There are no persons other than those set forth entitled to notice of this proceeding or of an adoption of the child.

6. The child came into the care of _____, an authorized agency on the day of _____, _____, under the following circumstances: [include docket number, of child abuse, neglect or voluntary placement proceeding, if any]

7. The best interests of the child will be promoted by commitment of the guardianship and custody of the child to _____, an authorize agency foster parent(s) for the following reasons:

8. The child is is not under the jurisdiction of the Family Court. If so, this petition has has not been filed in the Court that exercised jurisdiction over the most recent permanency or other proceeding involving this child. [If it has not been so filed, petitioner must file affirmation, Form TPR-12].

9. No previous application has been made to any court or judge for the relief sought herein (except _____).

WHEREFORE, Petitioner requests an order determining that the above-named child is a child whose parents are deceased and for whom no guardian has been lawfully appointed, and committing the guardianship and custody of the child to _____ an authorized agency foster parent(s), and for such other and further relief as in the interests of the child may be granted.

Dated: _____, ..

Agency Foster parent
(by
Name _____

Title _____)

Print or type name

Signature if Attorney, if any

Attorney's Name (Print or Type)

Attorney's Address and telephone Number

VERIFICATION

STATE OF NEW YORK)

) ss.:

COUNTY OF)

_____, being duly sworn, says that (s)he is the Petitioner in the above-named proceeding and that the foregoing Petition is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

Petitioner

Sworn to before me this
day of _____,

Notary Public