

F.C.A §§ 1017, 1055-c, 1071, 1072;
S.S.L. §393, 409-h

Form 10-14
(Child Protective– Violation of
Order of Disposition)
1/2024

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. _____

FAMILY FILE #:
CIN # _____
A Child under Eighteen Years
of Age Alleged to be
 neglected abused by

ORDER (Violation of
Order of Disposition)

Respondent(s)
.....

**NOTICE: WILLFUL FAILURE TO OBEY THE TERMS AND CONDITIONS OF THIS
ORDER MAY RESULT IN COMMITMENT TO JAIL FOR A TERM NOT TO
EXCEED SIX MONTHS.**

**IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22
MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO
TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF
THE 15-MONTH PERIOD. IF SEVERE OR REPEATED ABUSE IS PROVEN BY
CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE
BASIS TO TERMINATE YOUR PARENTAL RIGHTS. IF THE PETITION IS
GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR
CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.**

THE NEXT COURT DATE IS [specify date/time]:
THE NEXT PERMANENCY HEARING SHALL BE HELD ON [specify date/time]:¹

The above-named child(ren) having been adjudicated to be [check applicable box(es)]:
 neglected abused severely abused repeatedly abused within the meaning of Article 10 of the Family Court Act;

And an Order of Disposition dated [specify]: _____, having been made in this court requiring the following Respondent(s) [specify]: _____ to comply with the terms and conditions of an Order of [check applicable box(es)]:
 Suspended Judgment Protection Supervision Placement Release

And a motion, order to show cause or petition having been filed alleging that the Order of Disposition has been violated and notice having been duly given to the Respondent(s);

And Respondent(s) [specify]: _____ having:²
 appeared with counsel without counsel waived counsel
 not appeared after service not appeared but service could not be made after every reasonable effort had been made to effect service not appeared but counsel appeared;

And Respondent(s) having:
 voluntarily, intelligently and knowingly admitted in open court that (s)he committed the following act(s) in violation of the Order of Disposition [specify]:

denied the allegations of the petition and the matter having duly come on for a hearing before this Court;

not appeared and the matter having duly come on for a fact-finding hearing by inquest before this Court;

[Required in cases involving Native-American children; check if applicable]:

And the following having been duly notified [check applicable box(es)]:
 parent/custodian tribe/nation United States Secretary of the Interior;
And the tribe/nation having: appeared and participated as a party;

¹If child has been placed, specify a date certain, in most cases the previously-scheduled date, not more than eight months from removal of the child from home or not more than six months from the completion of the most recent permanency hearing. No date needs to be set if : (I) the petition is dismissed; or (ii) the child has not been removed from home; or (iii) has been finally discharged from care; or (iv) custody or guardianship was ordered pursuant to Family Court Act Article 6. If the child has been placed and the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption.

² Insert separate paragraphs for each Respondent, if necessary.

- appeared and declined to assume jurisdiction;
- appeared and requested transfer of jurisdiction;
- not appeared;

And the Court, after [check box]: hearing the proof and testimony offered in relation to the case; accepting the admission by Respondent(s) [specify]:
finds and determines by competent proof that the following Respondent(s) [specify]:
 willfully and without just cause disobeyed and failed to obey the Order in that [specify provision(s) of order violated and nature of violation]:

did not willfully and without just cause violate the Order.

[Applicable only where the Court determined that the Respondent(s) violated the Order; check box if applicable]:

And the matter having thereafter duly come on for a dispositional hearing before the Court,

[Applicable only where hearing was consolidated with hearing of Family Court Act Article 6 custody or guardianship petition, pursuant to Family Court Act §1055-b; check box if applicable]:

And the hearing having been consolidated with the custody guardianship petition, Docket # [specify]:

[Required findings in cases where the child(ren), who had NOT been ordered removed earlier in the case, is/are ordered removed and/or placed; otherwise, skip I and II and, if child remains in foster care, go to III]:

The Court finds and determines that:

I. Required “Best Interests” and “Reasonable Efforts to Prevent Removal” Findings [check applicable boxes and provide case-specific reasons in both A and B, below]:

A. Continuation of the child(ren) in, or return of the child(ren) to, the child(ren)'s home
 would would not be contrary to the best interests of the child(ren) because [specify facts and reasons]:

This determination is based upon the following information [check applicable box(es)]:

- Petition
- Report of Suspected Child Abuse or Neglect
- Case Record, dated [specify]:
- Service Plan, dated [specify]:
- The report of [specify]: , dated [specify]:

- Testimony of [specify]:
- Other [specify]:

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child(ren) from the home, and, if the child(ren) were removed without court order prior to the date of this hearing, to return him/her/them home safely [check applicable box and state reasons as indicated]:

- were made as follows [specify]:
 - were not made but the lack of efforts was appropriate [check all applicable boxes]:
 - because of a prior judicial finding that the Petitioner was not required to make reasonable efforts to reunify the child(ren) with the Respondent(s) [specify date of finding]:
 - because of other reasons [specify]:
- were not made.

This determination is based upon the following information [check applicable box(es)]:

- Petition
- Report of Suspected Child Abuse or Neglect
- Case Record, dated [specify]:
- Service Plan, dated [specify]:
- The report of [specify]: , dated [specify]:
- Testimony of [specify]:
- Other [specify]:

II. Findings Regarding Alternatives to Placement in Foster Care:

A. Based upon the investigation conducted by the Commissioner of Social Services, including a review of records in accordance with section 1017 of the Family Court Act,
[Check applicable box(es):

- The following person [specify]: is a
 - non-respondent parent
 - legal custodian³ or guardian
 - relative
 - suitable person with whom the child(ren) may appropriately reside.

[Applicable to non-respondent parent]: Such non-respondent parent:

- wishes the child(ren) to be released to him/her during the pendency of an order pursuant to

³ “Legal custodian” refers to an individual with an order of custody issued prior to, and separate from, the child protective proceeding. A release to such an individual is distinguished from a child placed in the custody of an individual pursuant to an order of custody issued under Article 6 and section 1055-b of the Family Court Act. Such a custody order results in the termination of all orders under Article 10 of the Family Court Act, would not be deemed a “release” of the child and would thus not be the subject of a violation petition.

section 1054 of the Family Court Act.

wishes to be granted an order of custody, pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # _____, which [check applicable box]: is being heard jointly with this proceeding; is scheduled to be heard on [specify date]:

[Applicable to legal custodian or guardian]: Such legal custodian or guardian:

wishes the child(ren) to be released to him/her during the pendency of an order pursuant to section 1054 of the Family Court Act.

[Applicable to relatives and other suitable persons]: Such person:

seeks approval as a foster parent in order to provide care for the child(ren);

wishes to provide care and custody for the child(ren) without foster care subsidy during the pendency of an order pursuant to section 1055 of the Family Court Act.

wishes to be granted an order of custody, pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # _____, which [check applicable box]: is being heard jointly with this proceeding; is scheduled to be heard on [specify date]:

wishes to be appointed guardian pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # _____, which [check applicable box]: is being heard jointly with this proceeding; is scheduled to be heard on [specify date]:

There is no non-respondent parent, legal custodian or guardian or relative or suitable person with whom the child(ren) may appropriately reside.

B. [Required]: Imminent risk to the child(ren) would would not be eliminated by the issuance of a temporary order of protection or order of protection directing the removal of [specify]: _____ from the child(ren)'s residence.

III. Required Findings regarding all releases of child(ren) to Respondent(s), Non-respondent parents or legal custodians or guardians and orders of direct placement with relative(s) or suitable person(s); check applicable box(es)]

And the Court having searched the statewide registry of orders of protection, the sex offender registry and the Family Court's warrant and child protective records, and having notified the attorneys for the parties and for the child [check if applicable]: and the following self-represented party or parties [specify]: _____ of the results of these searches;

And the Court having considered and relied upon the following results of these searches in making this decision [specify; if no results found, so indicate]: _____

IV. Required Findings Regarding Transitional Services and Out-of-State Placements:

[Required regarding child(ren) who will reach 14 years of age before the next permanency hearing]: The services, if any, needed to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood are [specify]: _____

OR

The Court finds that NO services or assistance are needed to assist the child(ren) to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood.

[Required regarding child(ren) placed outside New York State]: Placement outside New York State is is not appropriate, necessary and in the child's best interests;

V. [REQUIRED Where Placement in Qualified Residential Treatment Program is Requested] [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affirmation(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: _____ ; and [specify other information considered]: _____

_____ ; and upon hearing testimony in relation thereto upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child can cannot be met through placement in a foster family home because [specify facts and reasons]: _____

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) does does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]: _____

C. Placement in [specify name of QRTP]: _____
 is is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]: _____

D. Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

Circumstances exist that necessitate the continued placement of the above-named child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]: _____

There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

Continued placement in the Qualified Residential Treatment Program (QRTP) is in the child's best interests because [specify facts and reasons]:

NOW, after examination and inquiry into the facts and circumstances and after hearing the proof and testimony, it is therefore

A. Order of Fact-finding or Dismissal of Violation:

ORDERED that the Order of [check applicable box(es)]: **Suspended Judgment**

Protection **Supervision** **Placement** **Release is hereby REVOKED;**

OR

ORDERED that the **Petition for Violation of Order of Disposition is DISMISSED** and the **Order of Disposition is continued;**

(and it is further)

B. Order of Disposition of the Violation [Required where Order of Disposition is revoked; check applicable box(es)]:

ORDERED that the child(ren) (is) (are) released to the Respondent(s) [specify]: **pursuant to section 1057 of the Family Court Act.**

ORDERED that the release shall be for following period of time [specify period up to one year from the date of this order]:⁴

ORDERED that during the period of release, the following respondent parent(s)[specify]:

shall shall not be under the supervision of a child protective agency, social services official, or duly authorized agency pursuant to section 1057 of the Family Court Act;

upon the following terms and conditions to be met by Respondent(s) [specify]:

upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

⁴ The total period of release may not exceed one year plus an extension of up to one year for good cause.

upon the provision by the child protective agency, social services official or duly authorized agency of the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:⁵

OR

ORDERED that the child(ren) (is) (are) released to the following non-respondent parent or legal custodian or guardian [specify]: **pursuant to section 1054 of the Family Court Act.**

ORDERED that the release shall be for following period of time [specify period up to one year from the date of this order]:⁶

ORDERED that, during the period of release, the non-respondent parent or legal custodian or guardian, who has consented to the jurisdiction of the Court with respect to the child, shall cooperate with respect to making the child(ren) available for court-ordered visitation with respondents, siblings and others, appointments with the child(ren)'s attorneys and clinicians and other individuals or programs providing services to the children, visits (including home visits) by the child protective agency and the following additional direction(s) [specify]:

ORDERED that during the period of release, the following respondent parent(s)[specify]:

shall shall not be under the supervision of a child protective agency, social services official, or duly authorized agency pursuant to section 1057 of the Family Court Act:

upon the following terms and conditions to be met by Respondent(s) [specify]:

upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

upon the provision by the child protective agency, social services official or duly authorized agency of the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:⁷

⁵ Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

⁶ The period of release may not exceed one year plus an extension for good cause such that the total period of release and extension, if any, may not exceed two years.

⁷ Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

[Applicable to all releases of child(ren) to Respondent(s), Non-respondent parents or legal custodians or guardians]: **IT IS FURTHER ORDERED** that, during the period of release, the individual to whom the child(ren) have been released under this Order may [check applicable box(es)]:

enroll the child(ren) in public school in the applicable school district and, upon verifying the Order and that the individual resides within the district, such district shall enroll the child(ren);

enroll the child(ren) in their employer-based health insurance plan with the same rights as child(ren) for whom the individual is the legal guardian or custodian; and

make decisions and provide any necessary consents regarding the child(ren)'s:
 protection education care and control physical custody health and medical needs, provided that this Order does not limit any rights of the child(ren) to consent to medical care under applicable laws.

OR

ORDERED that, pursuant to Family Court Act §1055, the child(ren) (is) (are) placed directly with [specify relative or other suitable person]: until the completion of the next permanency hearing, scheduled for the date certain indicated in this order, subject to the further orders of this Court, for the following reasons [specify]:

ORDERED that, during the pendency of the placement, the relative or suitable person, who has submitted to the jurisdiction of this Court with respect to the child, shall cooperate with respect to making the child(ren) available for court-ordred visitation with respondents, siblings and others, appointments with the child(ren)'s attorneys and clinicians and other individuals or programs providing services to the children, visits (including home visits) by the child protective agency and the following additional direction(s) [specify]:

ORDERED that during the period of such placement, Respondent(s)[specify]: are to remain under the supervision of a child protective agency, social services official, or duly authorized agency:

upon the following terms and conditions to be met by Respondent(s) [specify]:

upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency

[specify]:

- ORDERED that** the child protective agency, social services official or duly authorized agency shall provide the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:⁸

[Applicable to all direct placements of child(ren) with relative(s) or other suitable person(s)]: **IT IS FURTHER ORDERED** that, during the period of placement, the individual with whom the child(ren) have been placed under this Order may [check applicable box(es)]:

enroll the child(ren) in public school in the applicable school district and, upon verifying the Order and that the individual resides within the district, such district shall enroll the child(ren);

enroll the child(ren) in their employer-based health insurance plan with the same rights as child(ren) for whom the individual is the legal guardian or custodian; and

make decisions and provide any necessary consents regarding the child(ren)'s:
 protection education care and control physical custody health and medical needs, provided that this Order does not limit any rights of the child(ren) to consent to medical care under applicable laws.

OR

- ORDERED that the child(ren) (is) (are) placed in the custody of the Commissioner of Social Services of [specify] County,**

[Check box(es), if applicable]:

to reside with [specify authorized agency or facility, if any]:

to reside in foster care with [specify relative or other suitable person]:⁹
until the completion of the next permanency hearing, scheduled for the date certain indicated in this order, subject to the further orders of this Court, for the following reasons [specify]:

- ORDERED** that during the period of such placement, Respondent(s)[specify]:
are to remain under the supervision of a child protective agency, social services official, or duly authorized agency:
 upon the following terms and conditions to be met by Respondent(s) [specify]:

 upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

⁸ Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

⁹ The relative or suitable person must be approved or certified as a foster parent.

upon the performance of the following supervisory actions by the child agency, social services official or duly authorized agency [specify]:

ORDERED that the child protective agency, social services official or duly authorized agency shall provide the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:¹⁰

ORDERED that the Commissioner of Social Services is authorized to discharge the child(ren) from the Commissioner's care to the parent without further court hearing, provided that written notice is provided to the Court and child(ren)'s attorney not less than 10 days in advance of the discharge.

AND IT IS FURTHER ORDERED that [specify Respondent(s) or other person(s) before the court]: _____ is required to comply with the terms and conditions specified in the order of protection, issued pursuant to Family Court Act §1056, annexed to this order and made a part thereof.

Trial Discharges: Restrictions and Extensions [Applicable to child(ren) placed with the Commissioner of Social Services]: [Check appropriate box if applicable].¹¹

ORDERED that the Commissioner of Social Services

may discharge the child(ren) on a trial basis or continue such a discharge until the earlier of the completion of the next Permanency Hearing or further Order of the Court

may not discharge the child(ren) on a trial basis to the physical custody of Respondent [specify]: _____

may only discharge the child(ren) on a trial basis to the physical custody of Respondent [specify]: _____, upon the following event(s) or condition(s) [specify]: _____

[Applicable to child(ren) aging out of foster care; check box if applicable]:¹²

ORDERED that the Commissioner of Social Services

may not discharge the child(ren) on a trial basis to another planned permanent living

¹⁰ Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

¹¹ If neither box is checked, the Commissioner is authorized to discharge the child(ren) on a trial basis to the Respondent(s), with the legal care and custody remaining with the Commissioner. Permanency hearings must be scheduled and held in all trial discharge cases. If the child(ren) is/are 18 years of age or older, the child(ren) must consent to any trial discharge.

¹² If neither box is checked, the Commissioner is authorized to discharge child(ren), who are 16 years of age or older, on a trial basis to another planned permanent living arrangement, with the legal care and custody remaining with the Commissioner. Permanency hearings must be scheduled and held in all trial discharge cases. If the child(ren) is/are 18 years of age or older, the child(ren) must consent to any trial discharge.

arrangement;

may only discharge the child(ren) on a trial basis to the following planned permanent living arrangement [specify, including significant connections to an adult willing to be a permanent resource]:

upon the following event(s) or condition(s) [specify]:

[Applicable to children 18 and over who will be discharged on a trial basis with their consent]:

The Commissioner of Social Services:

shall discharge the child(ren) on a trial basis

shall continue or extend the trial discharge of the child(ren)

may continue or extend the trial discharge of the child(ren)

to another planned permanent living arrangement other [specify]:

until the earlier of the next permanency hearing, further Order of the Court OR the child(ren)'s 21st birthday(s).

Youth 18 and over discharged on a trial basis shall inform the local department of social services of any change in mailing address and contact information.

[Applicable to all placements pursuant to Family Court Act §1055]:

ORDERED that if the children abscond from the above-named custodial person or facility, written notice 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(ren), the docket number of this proceeding, and the date on which the child(ren) ran away.

ORDERED that [specify]: _____, a social services official

a duly authorized agency, undertake diligent efforts to encourage and strengthen the parental relationship, including encouraging and facilitating visiting with the child(ren) by the parent or other person legally responsible, and encourage and facilitate visiting with the child(ren) by any non-custodial parent or grandparent who has obtained an order pursuant to F.C.A. §1081 and by the child(ren)'s siblings. Such efforts shall include, but are not limited to, the following [specify]:

ORDERED that the Commissioner of Social Services authorized agency [specify]: _____ is directed to file termination of parental rights petitions regarding the following child(ren)[specify]: _____ against the following respondent(s) [specify]: _____ within 90 days of the entry of this order.

ORDERED that the Commissioner of Social Services shall investigate whether there are any non-respondent parent(s), grandparent(s), other relative(s) or other suitable person(s) with whom the child(ren) may appropriately reside, including, but not limited to [specify]: _____; shall inform them of the pendency of the

proceeding; shall ascertain whether such non-respondent parent(s) wish to seek release or custody of the child(ren) or whether such grandparent(s), relative(s) or other suitable person(s) wish to seek approval as foster parent(s) in order to provide care for the child(ren) or wish to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order herein; and shall report the results of such investigation to the court and parties, including the attorney for child and shall record the results of such investigation in the child(ren)'s Uniform Case Record;

ORDERED within 24 hours of this order, the Commissioner of Social Services shall commence an investigation to identify and locate any non-respondent parent(s), inform them of the pendency of the proceeding and of the opportunity for seeking release or custody of the child(ren) , record the results of such investigation in the child's Uniform Case Record and report the results of the investigation to the Court, all parties and counsels, including the child(ren)'s attorney, forthwith. Such search shall also include, but not be limited to, a person not recognized as a legal parent of the child(ren) but who has filed an instrument pursuant to section 4-1.2 of the Estates, Powers and Trusts Law acknowledging paternity with the putative father registry, has a pending paternity petition or has been identified as a parent by the other parent in a written, sworn statement. Such search shall include, but not be limited to, the following person(s) [specify, if known]:

ORDERED within 24 hours of this order, the Commissioner of Social Services shall commence an investigation of the following relatives or other suitable persons as foster parents and thereafter approve such person(s) to be foster parents, if qualified, and, if not, to report such fact to the Court, all parties and counsels, including the child(ren)'s attorney, forthwith [specify]:

ORDERED that the child(ren) is/are directed to be placed together with the following siblings or half-siblings [specify]:

ORDERED that the Commissioner of Social Services is directed to investigate the appropriateness of placing the child(ren) with the following siblings or half-siblings [specify]:

Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: **and after hearing the proof and testimony offered in relation thereto, it is therefore** [Check applicable box(es)]:

ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: _____ is hereby approved.

OR

- ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named child shall be [check applicable box and specify]:
- returned or released to the following parent [specify]:
 - returned to or placed with the following legal guardian [specify]:

 - returned to or placed with the following suitable adult/relative [specify]:
 - returned to or placed in the following foster home [specify]:
 - returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify):
 - returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:
 - returned to or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

- On or before [specify date]: _____, Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Applicable where dispositional hearing is heard jointly with custody or guardianship hearing under Article 6 of the Family Court Act in accordance with Family Court Act §1055-b]:

Custody with Non-respondent parent(s):

- The Court having adjudged that custody of the following child(ren)[specify]: _____ with the following non-respondent parent [specify]: _____ is in the best interests of the child(ren) in accordance with Article 6 of the Family Court Act and Domestic Relations Law §240, **IT IS, THEREFORE, ORDERED** that such non-respondent parent is granted custody of _____ :pursuant to an Order of Custody granted on Docket # _____, dated: _____, thereby terminating the jurisdiction of this Court over this Article 10 proceeding and terminating placement with the local Commissioner of Social Services.

OR

Custody with Respondent(s), relative(s) or suitable persons; guardianship with relative(s) or suitable person(s):

The Court having adjudged that [Note: Findings are REQUIRED under (i) and (ii), below]:
(i) [Check one of the following boxes]:
 all parties, including the attorney of the child(ren) and any foster parent who has had custody of the child(ren) in excess of one year, have consented to such custody or guardianship;

OR

the following parent(s)[specify]: _____ have not consented but this Court has found extraordinary circumstances supporting custody or guardianship;

AND

(ii) custody of the following child(ren)[specify]: _____ with [specify respondent parent(s)]: _____ will provide a safe and permanent home for the child(ren) and the safety of the child(ren) will not be jeopardized if the respondent(s) are no longer under the jurisdiction of this Court on this petition and are not receiving services or supervision;

OR

custody guardianship of the following child(ren)[specify]: _____ by [specify relative(s) or suitable person(s)]: _____ will provide a safe and permanent home for the child(ren) and the safety of the child(ren) will not be jeopardized if the respondent(s) are no longer under the jurisdiction of this Court on this petition and are not receiving services or supervision;

AND

IT IS, THEREFORE ORDERED that [specify Respondent, relative(s) or suitable person(s)]: _____ is/are granted custody of [specify child(ren)]: _____ pursuant to an Order granted on Docket # [specify]: _____, dated [specify]: _____ thereby terminating the jurisdiction of this Court over this proceeding;

OR

IT IS, THEREFORE ORDERED that [specify relative(s) or suitable person(s)]: is/are appointed guardian(s) of [specify child(ren)]: _____ pursuant to an Order granted on Docket # [specify]: _____, dated [specify]: _____ thereby terminating the jurisdiction of this Court over this proceeding;

AND IT IS FURTHER ORDERED that the following local department of social services [specify]: _____ and the following attorney for the child(ren)[specify]: _____ shall be notified and shall be made parties to any subsequent proceedings for modification, enforcement or termination of the Order granted on such Docket #;

[REQUIRED for all dispositions other than placement pursuant to Family Court Act §1055]

ORDERED that, not later than 60 days prior to the expiration of this order, the Petitioner shall report to the Court, the attorney for the child(ren), the parties, their attorneys and the non-respondent parent(s), unless in the case of a release of the child(ren) a petition for extension of the period of supervision of Respondent and/or release of the child has been filed,¹³ on the status and circumstances of the child(ren) and family and any actions contemplated, if any, by the agency with respect to the child(ren) and family; and it is further

[Applicable to dispositions of release and/or supervision]: **ORDERED** that, during the period of supervision and/or release, Petitioner shall submit progress reports to the Court, the parties and the attorney for the child as follows [specify]: _____

Additional Requirements in Placement Cases:

[Applicable in all cases where child(ren) is/are placed with Commissioner of Social Services]:

1. Transitional Services [Applicable to children who will attain the age of 14 years of age or older prior to the next permanency hearing]:

ORDERED that the Petitioner shall provide the following services and assistance to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood [specify]: _____

And it is further **ORDERED that** the permanency plan developed for the child(ren) in foster care and any revision or addition to the plan, shall be developed in consultation with the child(ren). The child(ren) may select up to two members of the child(ren)'s permanency planning team to participate, one of whom may be designated to be the child(ren)'s advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child(ren); provided, however, that such members may not be foster parents of, or case workers, case planners or case managers for, the child(ren) and that the local commissioner of social services with custody of the child(ren) may reject an individual so selected by the child(ren) if such local commissioner has good cause to believe that the individual would not act in the best interests of the child(ren);
; (and it is further)

2. Out-of-State Placement [Required for children placed out-of-state]:

ORDERED that the placement of the child(ren) at [specify]: _____

¹³ Unless the Court determines that facts and circumstances do not warrant a report, a report 60 days prior to the expiration of the order is required where the extension is issued on consent of the parties and the attorney for the child and may be ordered in the Court's discretion in other cases. *See* Family Court Act §§1054(d); 1057(c).

is appropriate, necessary and in the child(ren)'s best interests and is continued until completion of the next permanency hearing scheduled for a date certain in this order;
 is not appropriate, necessary and in the child(ren)'s best interests and the child(ren) shall, therefore, be returned to New York State to be placed with [specify]:
 discharged to [specify]: ; (and it is further)

3. Progress Reports and Notices:

ORDERED that Petitioner shall make a progress report to the Court, the parties and the child(ren)'s attorney on the implementation of this order as follows [specify date and/or frequency]:
; (and it is further)

ORDERED that if the above permanency plan for the above-named child(ren) is changed, notice shall be provided to the Court, the parties and the child(ren)'s attorney forthwith, (and it is further)

4. Duty to Disclose Changes in Mailing Address [Required]

ORDERED that the Respondent parent(s) or other person(s) legally responsible for the children's care are required to notify the local social services district or agency of any change of mailing address ; (and it is further).

5. Planning Conferences [Required]

ORDERED that the parent(s) other person(s) legally responsible for the children(s) care shall be notified of the planning conference(s) to be held and of (his)(her)right to attend such conference(s) with counsel or other person; (and it is further)

6. Visiting Plans [Required]

ORDERED that Petitioner shall provide the parent other person(s) legally responsible for the child(ren)'s care with visits with the child as follows [describe visiting plan]:

and the parent(s) guardian(s) shall visit in accordance with the plan; (and it is further)

ORDERED that Petitioner shall provide the following sibling(s) [specify]:
with visits with the child(ren) as follows [describe visiting plan]:
; (and it is further)

7. Respondent Parents Who Are or Were Incarcerated or in Residential Substance Abuse Treatment [check box(es) if applicable]:

The Commissioner of Social Services or authorized agency is directed to take the following steps [specify]:
to complete an assessment of whether the following respondent(s)[specify]:
maintain a meaningful role in the child(ren)'s life, based upon the criteria in Social Services Law §384-b(3)(1)(v), to determine whether there is a compelling reason that the filing of a petition to terminate parental rights would not be in the child(ren)'s best interest.

8. Native-American Child(ren) [check box(es) if applicable]:

- ORDERED** that the following should be notified of this proceeding [specify]:
the custodian of the child(ren); tribe/nation; United States Secretary of the Interior
 ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this
petition is **DISMISSED WITHOUT PREJUDICE**; (and it is further)

REQUIRED in all cases in which placement is ordered with the Commissioner of Social Services or directly with a relative or other suitable person]:

Date Certain for Next Permanency Hearing

ORDERED that if the child(ren) remain(s) in foster care or in placement with a relative or other suitable person, the next permanency hearing shall be held on [specify date/time]:¹⁴

**Petitioner shall transmit notice of the hearing and a permanency report no later than 14 days in advance of the above date certain to Respondent and Non-respondent parents, other parties, attorneys, the attorney for the child(ren) and any pre-adoptive parents or relatives providing care to the child(ren) and shall transmit notice of the hearing to former foster parent(s) who have had care of the child(ren) in excess of 12 months, , except [specify former foster parents for whom such notice would be contrary to child(ren)'s best interests; delete if inapplicable]:
; (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]: _____

¹⁴ See Footnote 1.