

F.C.A. §§153, 153-a, 1035, 1037

Form 10-7b
(Warrant of Arrest--
Child Abuse or Neglect)
9/2006

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

.....
In the Matter of

Docket No. _____

CIN #
(A Child)(Children) Under 18 Years of Age
Alleged to be Abused Neglected by

Respondent(s)

WARRANT OF ARREST
(Check applicable box(es):
 CHILD ABUSE
 CHILD NEGLECT

.....
BY ORDER OF THE FAMILY COURT OF THE STATE OF NEW YORK
TO ANY (POLICE)(PEACE) OFFICER IN THE STATE OF NEW YORK

A petition under Article 10 of the Family Court Act has been filed in this Court, a copy of which is annexed hereto, and the Court has determined that one of the grounds for issuance of a warrant as specified in the Family Court Act exists.

YOU ARE COMMANDED forthwith to arrest [specify name(s) of parent or other person(s) legally responsible for the child(ren)'s care]:
and bring him her them before this Court to be dealt with according to law.

YOU ARE FURTHER COMMANDED, under the Family Court Act, in conjunction with the arrest of the parent(s) or person(s) legally responsible for the child(ren)'s care, to bring before this Court the following child or children:

Name(s) Date(s) of Birth

THIS WARRANT [check applicable box(es)]: may may not be executed on Sunday;
 may may not be executed at night.

THIS WARRANT is subject to the following restriction(s) [specify]:

Dated: , .

FAMILY COURT JUDGE

BAIL IN THE SUM OF (\$) DOLLARS IS RECOMMENDED.

FAMILY COURT JUDGE

NOTICE TO RESPONDENT PARENT(S): PLACEMENT OF YOUR CHILD IN FOSTER CARE MAY RESULT IN YOUR LOSS OF YOUR RIGHTS TO YOUR CHILD. 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 TO COMMIT GUARDIANSHIP AND CUSTODY OF YOUR CHILD TO THE AGENCY FOR THE PURPOSES OF ADOPTION. IN SOME CASES, THE AGENCY MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF SEVERE OR REPEATED CHILD ABUSE IS PROVEN BY CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE BASIS TO TERMINATE YOUR PARENTAL RIGHTS AND TO COMMIT GUARDIANSHIP AND CUSTODY OF YOUR CHILD TO THE AGENCY FOR THE PURPOSES OF ADOPTION.

Family Court Act §155(1) provides that: “ If an adult respondent is arrested under this act when the family court is not in session, he or she shall be taken to the most accessible magistrate and arraigned. The production of a warrant issued by the family court, a certificate of warrant, a copy or a certificate of the order of protection or temporary order of protection, an order of protection or temporary order of protection, or a record of such warrant or order from the statewide computer registry established pursuant to section 221-a of the executive law shall be evidence of the filing of an information, petition or sworn affidavit, as provided in section 154-d of this article. Upon consideration of the bail recommendation, if any, made by the family court and indicated on the warrant or certificate of warrant, the magistrate shall thereupon commit such respondent to the custody of the sheriff, as defined in subdivision 35 of section 1.20 of the criminal procedure law, admit to, fix or accept bail, or parole him or her for hearing before the family court, subject to the provisions of subdivision four of section 530.11 of the criminal procedure law concerning arrests upon a violation of an order of protection.”

Family Court Act §155-a provides that : “A desk officer in charge at a police station, county jail or police headquarters, or any of his or her superior officers, may, in such place, take cash bail for his or her appearance before the appropriate court the next morning from any person arrested pursuant to a warrant issued by the family court; provided that such arrest occurs between eleven o'clock in the morning and eight o'clock the next morning, except that in the city of New York bail shall be taken between two o'clock in the afternoon and eight o'clock the next morning. The amount of such cash bail shall be the amount fixed in the warrant of arrest.”