F.C.A. §§ 756-a, 756-b, 776, 777, 778, 779;
S.S.L. §§393, 409-h

Form 7-15
(Person in Need of Supervision-Petition for Violation of Order of Disposition)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....

In the Matter of

Docket No.

A Person Alleged to be a Person
in Need of Supervision,

PETITION
(Violation of
Order of Disposition)

Respondent.
.....

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief that:

1. Petitioner is [specify name and title]:

2. The above-named Respondent was adjudicated by this Court to be a person in need of supervision by an order of Fact-finding and Disposition of this Court, dated [specify]:
A copy of the order is annexed as Exhibit A.

3. Under the terms of the order, [check applicable box]:

❑ judgment against the Respondent was suspended upon certain terms and conditions;

❑ the Respondent was placed on probation upon certain terms and conditions;

❑ the Respondent was placed with the Commissioner of Social Services of County.

The order expires on [specify]:

4. The Respondent, without just cause, has willfully violated the terms and provisions of the order in that [specify]:

5. [Required where placement is requested; check applicable boxes and state facts and reasons]:

A. Continuation in or, if the Respondent had been removed prior to the hearing, return to, the Respondent's home ❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This assertion is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Other [specify]:

AND

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the Respondent from the home, and, if the Respondent was removed prior to the date of the hearing, to return the Respondent safely to his or her home:

❑ 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 pursuant to Family Court Act §754(2) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care [specify date of finding]:
❑ because of other reasons [specify]:

❑ were not made.

This assertion is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Other [specify]:

6. [Required where Respondent is 16 years of age or older and placement is requested]: The following special circumstances warrant placement of the Respondent [specify]:

7. **[REQUIRED where placement in Qualified Residential Treatment Program is requested; DELETE if inapplicable]:**

a. The permanency plan for the Respondent is [specify]: .

This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing.

b. The needs of the Respondent require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

c. The Respondent has been ❑ placed ❑ recommended for placement in [specify name]: a qualified residential treatment program (QRTP).

d. The needs of the child have been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of the Qualified Individual's report ❑ has been submitted separately ❑ is submitted herewith ❑ will be submitted within five days of completion but not less than (10) days prior to the date of the first-scheduled hearing on this motion.

e. The following circumstances exist that necessitate the continued placement of the Respondent in the QRTP [specify]:

f. There is no alternative setting available that can meet the Respondent's needs in a less restrictive environment because [specify]:

g. It would be contrary to the welfare of the Respondent to be placed in a less restrictive setting and that continued placement in a QRTP is in the Respondent Respondent's best interests because [specify]:

8. The Respondent ❑ is ❑ is not a Native-American child 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]:

9. No previous application has been made to any court or judge for the relief herein requested (except [specify; delete if inapplicable]:).

WHEREFORE, Petitioner requests that the Order of Disposition be revoked and that the Court make such other and further disposition of the Respondent under Article 7 of the Family Court Act as it may deem proper.

Dated:

_____
Petitioner

VERIFICATION
(Individual)

STATE OF NEW YORK)
) ss.:
COUNTY OF)

being duly sworn,
deposes and says:

That (s)he is the in the above-entitled proceeding and is acquainted with the facts and circumstances thereof; that (s)he has read the foregoing and knows the contents thereof; that the same 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

_____
(Deputy) (Clerk of the Court)
(Notary Public)

VERIFICATION
(Agency)

STATE OF NEW YORK)
) ss.:
COUNTY OF)

being duly sworn,
deposes and says:

That (s)he is the of , an agency authorized to originate the above-entitled proceeding, and is acquainted with the facts and circumstances therein; that (s)he has read the foregoing and knows the contents thereof; that the same 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.

_____
Name

_____
Title and Agency

Sworn to before me this
day of

_____
(Deputy) (Clerk of the Court)
(Notary Public)