

At a term of the Family Court of the  
State of New York, held in and for the  
County of \_\_\_\_\_, at  
New York, on \_\_\_\_\_.

P R E S E N T:  
Hon.  
Judge

\_\_\_\_\_  
In the Matter of

Docket No.

A Person Alleged to be a Person  
In Need of Supervision,  
  
Respondent.

ORDER DIRECTING  
PRE-DISPOSITIONAL  
PLACEMENT OF CHILD

\_\_\_\_\_  
A petition under Article 7 of the Family Court Act, sworn to on \_\_\_\_\_, \_\_\_\_\_,  
having been filed in this Court alleging that the above-named Respondent is a Person in Need of  
Supervision; and

Respondent having been brought before this Court and a preliminary hearing having  
been held, this Court finds that [Note: judicial findings must be made under both I and II and, if  
applicable, III and IV, below]:

**I. Criteria for Pre-dispositional placement [REQUIRED if pre-dispositional placement is  
ordered]:**

Pre-dispositional placement of the Respondent is necessary pursuant to Family Court Act §739  
because there is a substantial probability that Respondent will not appear in court on the return  
date, and there is no substantial likelihood that the Respondent and his or her family will  
continue to benefit from diversion services, including but not limited to, any available respite  
services, and all available alternatives to pre-dispositional placement have been exhausted.

This determination is based upon the following facts and for the following reasons [specify]:

**II. Required “Best Interests” and “Reasonable Efforts” Findings [REQUIRED if pre-dispositional placement is ordered; check applicable boxes and provide case-specific reasons in both A and B, below]:**

- A. Continued placement in, or return to, the Respondent’s home [check applicable box]: would be **contrary to the Respondent’s best interests**, based upon the following facts and for the following specific reasons [specify]:

**This determination is based upon the following specific documents and evidence:**

- Probation Department report, dated [specify]:
- Mental health evaluation, dated [specify]:
- Case record, dated (specify):
- Testimony of [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 determination is based upon the following specific documents and evidence:**

- Probation Department report, dated [specify]:
- Mental health evaluation, dated [specify]:
- Case record, dated (specify):
- Testimony of [specify]:
- Other [specify]:

**III. Additional Findings: [REQUIRED if Pre-dispositional Placement is Ordered]:**

A. The pre-dispositional placement setting  does  does not take into account the proximity to the community in which the Respondent lives with his or her parents or to which the Respondent will be discharged, and the Respondent's existing educational setting and its proximity to the location of the pre-dispositional placement setting.

B. [REQUIRED where Respondent is 16 years of age or older]: The following special circumstances warrant pre-dispositional placement [specify]:

**IV. Native-American child [Required if Respondent is Native-American; check applicable box(es)]:**

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;

appeared and declined to assume jurisdiction;

appeared and requested transfer of jurisdiction;

not appeared;

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

ORDERED that Respondent is remanded to \_\_\_\_\_ for pre-dispositional placement pending further proceedings herein on \_\_\_\_\_; and it is further

[Applicable where Respondent may be a sexually exploited child]:  ORDERED that Respondent is directed to an available short-term safe house as an alternative to pre-dispositional placement.

ORDERED that the custodial authority produce Respondent on that date subject to further order of this Court; and it is further

ORDERED that if the child absconds from the above-named home, program or facility, written notice shall be given within 48 hours by an authorized representative of the facility to the Clerk of Court, stating the name of the child, the docket number of this proceeding, the date on which the child absconded, and the efforts made to locate and secure the return of the child. *See* 22 N.Y.C.R.R. §205.64; and it is further

[Applicable Where Respondent is Native-American]:

ORDERED that the following should be notified of this proceeding [specify]:

the  custodian of the child;  tribe/nation;  United States Secretary of the Interior

AND IT IS FURTHER ORDERED THAT [specify]:

ENTER

\_\_\_\_\_  
Judge of the Family Court

Dated:

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]:\_\_\_\_\_

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.