

F.C.A. Art. 5-C

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

Parentage Form 5-C-1
(Parentage Petition-
Surrogacy Agreement)
(2/2021)

.....
In the Matter of a Parentage Proceeding Concerning

[Child's name]:

A child conceived as a result of a Surrogacy Agreement

Family File No.
Docket No.
PARENTAGE PETITION-
SURROGACY AGREEMENT

Petitioner(s)

.....
TO THE FAMILY COURT:

The undersigned respectfully allege(s) that:

1. [check applicable box(es)]:
 - a. Petitioner #1: I am the [check one]:
 - Intended parent
 - Gamete or embryo donor
 - Person acting as surrogate
 - Child
 - Representative of child
 - Representative of deceased or incapacitated individual
 - Social services official or government agency
 - Other individual with claim to parentage [specify]:
 - b. [Delete if Inapplicable] Petitioner #2: I am the [check one]:
 - Other intended parent
 - Person acting as surrogate
 - c. [Delete if Inapplicable] Petitioner #3: I am the [check one]:
 - Other intended parent
 - Person acting as surrogate

2. [Check applicable box]:

- The person acting as surrogate gave birth to the following
 - male female non-binary/other child:

Name:
Date of Birth:
Address ¹ :

- who was born in [specify County and State where the child was born]:

- The person acting as surrogate is now pregnant with a child, who is expected to be born on or about [specify date]: _____ in [specify County and State where the child is expected to be born]: _____

3. a. The following is the person acting as the surrogate:

Name:
Date of Birth:
Address ¹ :

- b. [Delete if inapplicable]: The person acting as surrogate is married to [specify name]: _____

4. The person acting as surrogate and the intended parent(s) knowingly and voluntarily executed a surrogacy agreement on [specify date]: _____
 A copy of the agreement is annexed to this Petition.

5. I am We are submitting this petition to request an order declaring the following:

Name:	Name:
Date of Birth:	Date of Birth:
Address ¹ :	Address ¹ :

to be the legal parent(s) of the child.

6. [Check all that Apply]

¹ Unless ordered confidential pursuant to Family Court Act § 154-b because disclosure would pose an unreasonable risk to the health or safety of the petitioner. See forms GF-21 and 21a, available at www.nycourts.gov.

At the time that the surrogacy agreement was executed, the following intended parent(s) had resided in New York State for at least six months:

At the time that the surrogacy agreement was executed, the person acting as a surrogate had resided in New York for at least six months.

7. The following attorneys, [specify]: _____, representing the intended parent(s) and the following attorneys, [specify]: _____ representing the person acting as surrogate (and spouse, if applicable), have certified that the surrogacy agreement complies with Part 4 of Article 5-C of the Family Court Act.

Copies of the attorneys' certifications are annexed to this Petition.

8. Annexed to this petition is/are (a) statement(s) from all parties to the surrogacy agreement that they knowingly and voluntarily entered into the surrogacy agreement and that they are jointly requesting a judgment of parentage.

9. Upon information and belief,

a. no individual has been adjudicated as a parent of this child, either in this court, or any other court, including a Native-American court; (except) [specify]:

b. no individual has signed an Acknowledgment of Parentage admitting parentage of this child, (except) [specify]:

10. Upon information and belief, the subject child is is not a Native American child who may be subject to the *Indian Child Welfare Act of 1978* (25 U.S.C. §§ 1901-1963).

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

Petitioner #2

Print or type name

Signature of Attorney, if any

Attorney's Name (Print or Type)

Attorney's Address and Telephone Number

Dated: , .

VERIFICATION

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

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

Petitioner #2: NAME

Sworn to before me this
day of , .

(Deputy) Clerk of the Court