

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.

-----X

In the Matter of

Child's full name:

Also Known As:

Date of Birth:

-----X

Docket No.

Family File No.

ORDER - Special Findings

This Court, after examining the motion papers, supporting affirmations affidavit of, pleadings and prior proceedings in this matter, and/or hearing testimony, finds, in accordance with its jurisdiction to determine custody and guardianship of minors up to the age of 21 under Article 6, §13, of the New York State Constitution, section 115 of the Family Court Act and §_____ of the [check applicable box]: Family Court Act

Social Services Law Domestic Relations Law Surrogate's Court Procedure Act Other

[specify]: _____, that:

1. The above-named child is under 21 years of age and is unmarried.

2. Pursuant to §_____ of the [check applicable box]: Family Court Act Social Services Law

Domestic Relations Law Other [specify]: _____, the above-named child: is dependent upon the Family Court, or has been committed to or placed in the custody of a state agency or department, or has been placed in the custody or guardianship of an individual or entity appointed by the state or Family Court.

3. a) Reunification with the following parent [specify]: _____ is not viable due to [check applicable box(es)]: abuse; neglect; abandonment; and/or a similar basis under New York law, because [state the reasons reunification is not viable and the facts constituting abuse, neglect, abandonment or similar basis under NY law, including disposition of a related case, if any]: _____

b) [Optional if applicable to more than one parent]: Reunification with the following parent [specify]: _____ is not viable due to [check applicable box(es)]: abuse; neglect; abandonment; and/or a similar basis under New York law because [state the reasons reunification is not viable and the facts constituting abuse, neglect, abandonment or similar basis under NY law, including disposition of a related case, if any]: _____

4. It is not in the child's best interest to be removed from the United States and returned to [specify country]: _____, his/her country of nationality or country of last habitual residence of the child or of his/her birth parent or parents, because [state the factual basis for the best interests determination]: _____

Dated:

ENTER

Judge of the Family Court

NOTE [Guardianship cases]: Family Court Act §657(c) provides that an order of guardianship under Family Court Act §661 conveys "the right and responsibility to make decisions, including issuing any necessary consents, regarding the child's protection, education, care and control, health and medical needs, and the physical custody of the person of the child."

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 OR 30 DAYS AFTER SERVICE BY A PARTY OR 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]: _____