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In the Matter of a Parentage Proceeding Concerning

ORDER OF PARENTAGE–
SURROGACY AGREEMENT

File No. _____

A Child conceived as a result of a Surrogacy Agreement.
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Upon reading and filing the petition of _____
_____, duly verified the _____ day of _____, 20 ____, alleging that _____
_____ is/are the
intended parent(s) of [specify name of child or, if not yet born, expected name, if known, of child] _____
_____.

[Applicable to a child already born]: The child, who was born on: _____
(Date of Birth)

is male female non-binary/other

OR

[Applicable where child has not yet been born]: The child is expected to be born on or about: _____
(specify date)

The following person, _____, has acted is acting as a
surrogate.

The intended parent(s) _____ and the person
acting as a surrogate and the spouse, if any, of the person acting as surrogate having executed a surrogacy
agreement on _____;
(date)

And the following parties [specify] _____
having contested not contested the allegations of the petition; and

The issues having duly come on to be heard before this Court,

NOW, after examination and inquiry into the facts and circumstances of the proceeding [and after hearing
the proofs and testimony offered in relation thereto], the Court finds and determines the following to be true:

The person acting as surrogate became pregnant in conjunction with a surrogacy agreement.

The residency requirement was satisfied.

A certification was submitted by the attorneys for the intended parents and the person acting as surrogate
and the spouse, if any, of the person acting as surrogate, attesting that the requirements of Part 4 of Article 5-C of
the Family Court Act regarding the surrogacy agreement have been satisfied.

The intended parents and the person acting as surrogate, and the spouse, if any, of the person acting as
surrogate, knowingly and voluntarily entered into the surrogacy agreement.

[Applicable to a child already born]:

IT IS, THEREFORE, ORDERED, ADJUDGED and DECLARED that [specify name(s)]: _____
_____ is/are the legal parent(s) of [child's name]
_____ and the parent(s) shall forthwith assume responsibility for the
child's maintenance and support;

OR

[Applicable where child has not yet been born]:

IT IS, THEREFORE, ORDERED, ADJUDGED and DECLARED that upon the child's birth, [specify name(s)]
_____ will be
the legal parent(s) of the child who is expected to be born on [due date] _____ and upon
the birth of such child, shall immediately assume responsibility for the child's maintenance and support and further
that, within _____ days of the child's birth, the intended parent(s) shall provide to this Court notification
thereof, together with such other facts as may assist in identifying the birth record of the child whose parentage is
in issue in this proceeding;

IT IS FURTHER ORDERED, ADJUDGED AND DECLARED that [specify the person acting as surrogate]: _____
_____ is not a legal parent to the child and the spouse, if any, of the
person acting as surrogate [specify] _____ is not a parent to the child;

IT IS FURTHER ORDERED that [specify the person acting as surrogate] _____
and the spouse, if any, of the person acting as surrogate [specify] _____
shall transfer the child to the intended parent(s) if this has not already occurred;

IT IS FURTHER ORDERED THAT:

(i) Pursuant to Judiciary Law §254, the clerk of the court shall transmit to the state commissioner of health, or for
a person born in New York City, to the commissioner of health of the city of New York, on a form prescribed by
the commissioner, a written notification of such entry together with such other facts as may assist in identifying
the birth record of the person whose parentage was in issue and, if such person whose parentage has been
determined is under eighteen years of age, the clerk shall also transmit forthwith to the registry operated by the
department of social services, pursuant to Social Services Law §372-c, a notification of such determination; and

(ii) Pursuant to Public Health Law §4138 and NYC Public Health Code §207.05, upon receipt of a judgment of
parentage, the local registrar where a child is born will report the parentage of the child to the appropriate
department of health in conformity with this court order. If an original birth certificate has already been issued, the
appropriate department of health will amend the birth certificate in an expedited manner and seal the previously
issued birth certificate except that it may be rendered accessible to the child at eighteen years of age or the legal
parent or parents.

[Check box if applicable]:

IT IS FURTHER ORDERED THAT [specify]: _____
_____.

Dated:

_____, New York

SURROGATE