

DRL §72

Modified General Form
17 (Petition-Custody,
Visitation) Grandparent
Visitation
6/2006

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF TOMPKINS

.....
In the Matter of a Proceeding for Visitation under
Section 72 of the Domestic Relations Law

Petitioner

Family File No.
Docket No.
PETITION FOR VISITATION

- against -

Respondent

.....
TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief that:

1. Petitioner, _____, resides at [specify address or indicate if ordered to be kept confidential, pursuant to Family Court Act § 154-b(2) or Domestic Relations Law § 254]:

Petitioner is [specify relationship to child]:

2. Respondent, _____, [check applicable box]:
resides is located at [specify address or indicate if ordered to be confidential, pursuant to Family Court Act § 154-b(2) or Domestic Relations Law § 254]:

Respondent is [specify relationship to child; if foster parent, agency, institution or other relationship, so state]:

3.[Delete if inapplicable]: An order was issued by _____
Court, _____ County, State of _____, referring the
issue of custody visitation to the Family Court of the State of New York in
and for the County of [specify]: _____

4.The name, present address and date of birth of each child who is the
subject of this proceeding are as follows [specify address or indicate if ordered to
be kept confidential pursuant to Family Court Act § 154-b(2) or Domestic
Relations Law § 254]:

<u>Name</u>	<u>Address</u>	<u>Date of Birth</u>
_____	_____	_____

5.(Upon information and belief) During the last five years each child who is
the subject of this proceeding resided at:

<u>Name</u>	<u>Address¹</u>	<u>Duration</u>
<u>(from/to)</u>	_____	_____

6. (Upon information and belief) The name and present address of the
person(s) with whom each child resided during the past five years are as follows:

<u>Name</u>	<u>Address²</u>	<u>Duration</u>
<u>(from/to)</u>	_____	_____

¹Specify address or indicate if ordered to be kept confidential pursuant to Family Court Act § 154-b(2) or Domestic Relations Law § 254.

²Specify address or indicate if ordered to be kept confidential pursuant to Family Court Act § 154-b(2) or Domestic Relations Law § 254.

7. [Check applicable box(es). Delete inapplicable provisions]:

a. The father of the child(ren) who (is)(are) the subject(s) of this proceeding is [specify]: _____

The father was married to the child(ren)'s mother at the time of the conception or birth.

An order of filiation was made on [specify date and court and attach true copy}:

An acknowledgment of paternity was signed on [specify date]:
by [specify who signed and attach a true copy]:

The father is deceased.

b. The father of the child(ren) who (is)(are) the subject(s) of this proceeding has not been legally established.

c. A paternity agreement or compromise was approved by the Family Court of County on _____, _____, concerning [name parties to agreement or compromise _____ And child(ren)]: _____ A true copy of the agreement or compromise is annexed hereto.

8.[Applicable to cases in which mother is not a party]: The name and address of the mother is [indicate if deceased or if address ordered to be kept confidential pursuant to Family Court Act § 154-b(2) or Domestic Relations Law § 254]:

9.[Delete if inapplicable]: Petitioner has participated as a party witness other

capacity [specify]: _____ In other litigation concerning the custody of the same children in New York State Other jurisdiction [specify]:

If so, specify type of case, capacity of participation, court, location and status of case.

10. A custody or visitation proceeding concerning the same child(ren) is is not pending in New York State. [If pending, give court docket number and status of case]: _____

11. The custody or visitation of the child(ren) has been determined or agreed upon in the following instruments [specify court, if any, and date and attach true copy of instrument(s)]:

Custody order of [specify court and location]: _____, dated [specify]: _____

Stipulation of settlement in [specify court and location]: _____, dated [specify]: _____

Judgment of Divorce of [specify court and location]: _____, dated [specify]: _____

Separation Agreement, dated [specify]: _____

Custody or Guardianship Agreement confirmed by [specify court and location]: _____, dated [specify]: _____

12. Petitioner Respondent obtained custody of the child(ren) on [specify date]: _____, as follows: _____

13. The intervention of the court is necessary and appropriate due to the following circumstances: [check all of the boxes which apply and add additional facts as necessary]

- I have a longstanding and positive relationship with my grandchild(ren), but the custodian(s) of the child is/are unreasonably denying me access, as follows: [briefly describe the prior relationship with the child(ren), the efforts you have made to continue the relationship, and the actions by the child(ren)'s custodian which have interfered with the relationship]

- I do not have a longstanding and positive relationship with my grandchild(ren) despite my efforts to establish such a relationship, because the child(ren)'s custodian(s) has/have unreasonably prevented it as follows:
- The child's parent(s) is/are deceased [for each parent who is deceased, state the date of death]
- My son/daughter is the child(ren)'s parent, but he/she is not the child(ren)'s custodian. I cannot visit with the child(ren) when my son/daughter visits the child(ren) for the following reasons:
- Other reasons why the court should intervene to direct visitation for the Petitioner with the child(ren) are as follows:

14. In addition to the allegations set forth in the preceding paragraph, it would be in the best interest of the child(ren) to have visitation awarded to the Petitioner for the following reasons:

15. There has been a change of circumstances since entry of the order judgment awarding custody visitation in that:

16. An Order of Protection or Temporary Order of Protection was issued [check applicable box(es): against Respondent against me in the following criminal, matrimonial or Family Court proceeding(s) [specify the court, docket or index number, date of order, next court date and status of case, if available]:

The Order of Protection Temporary Order of Protection expired or will expire on [specify date]:

17. Petitioner requests a Temporary Order of Protection pursuant to Family Court Act §655 because [specify]:

18. The subject child(ren) are are not Native-American child(ren) subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963).

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

WHEREFORE, Petitioner requests an order awarding custody visitation of the child(ren) to the Petitioner and for such other and further relief as the Court may determine.

Dated:

Petitioner

Print or Type Name

Signature of Attorney, if any

Attorney's Name (print or type)

Attorney's Address and
Telephone Number

STATE OF NEW YORK)
COUNTY OF TOMPKINS

) ss:

being duly sworn, says that (s)he is the Petitioner in the above-named proceeding and that the foregoing petition 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