

**FAMILY COURT OF THE STATE OF NEW YORK**  
**COUNTY OF \_\_\_\_\_**

In the Matter of

DOCKET # \_\_\_\_\_

\_\_\_\_\_, PETITIONER  
FIRST M.I. LAST

FAMILY FILE #: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

PETITION FOR MODIFICATION OF AN ORDER OF:  
CUSTODY

PHONE #: H: \_\_\_\_\_ W: \_\_\_\_\_

Where Custody is pursuant to:  
ARTICLES 3, 7 OR 10

**-AGAINST-**

\_\_\_\_\_, RESPONDENT 1  
FIRST M.I. LAST

\_\_\_\_\_, RESPONDENT 2  
FIRST M.I. LAST

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

PH #: H: \_\_\_\_\_ W: \_\_\_\_\_

PH#: H: \_\_\_\_\_ W: \_\_\_\_\_

THE PETITIONER, BEING DULY SWORN, STATES THAT:

1. Petitioner is the Mother  Father  other \_\_\_\_\_ of the child(ren) in question.

2. The relationship of each party to the child(ren) named below is:

	<u>Mother</u>	<u>Father</u>
Petitioner	<input type="checkbox"/>	<input type="checkbox"/>
Respondent 1	<input type="checkbox"/>	<input type="checkbox"/>
Respondent 2	Agency or Entity Having Custody: _____	

3. The children who are the subjects of this proceeding are:

<u>NAME</u>	<u>DOB</u>
_____	/ /
_____	/ /

\* Both parents must be parties to this proceeding. If Petitioner is not a parent, then **both** parents must be named as Respondents. If the Petitioner is a parent, then the other parent **must** be named as a Respondent, in addition to any other person or entity named.

4. By an order dated \_\_\_\_\_ this Court (or, if another court, specify \_\_\_\_\_) placed said child(ren) in the custody of the above named agency or entity pursuant to a PINS , Abuse or Neglect , Juvenile Delinquency  proceeding.

5. Since the entry of order there has been a change of circumstances consisting of:

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6. Because of the change in circumstances, the order should be modified as follows:

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7. There has not been any other petition for custody/visitation of the child(ren) named above (except:

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8. I have written to the agency or entity named above on \_\_\_\_\_ and have requested that my child(ren) be returned to me. *(Not required for JD Mod)*

9. Choose the correct statement: *(Not required for JD Mod)*

- The above named agency or entity has refused to return the child(ren).  
 I have had no answer from the above agency or entity and more than thirty days has elapsed since I wrote to request that the child(ren) be returned.

10. Is the child a Native American child covered by the Indian Child Welfare Act of 1978 (25 U.S.C. §1901-1963)? [Yes  ]; [No ]

**WHEREFORE, I ASK THAT THE CURRENT ORDER BE MODIFIED AS REQUESTED IN THIS PETITION AND FOR ANY OTHER RELIEF THAT THE COURT FINDS TO BE JUST AND PROPER.**

**VERIFICATION**

STATE OF NEW YORK:  
COUNTY OF \_\_\_\_\_

\_\_\_\_\_ being duly sworn states: I have read this petition and its contents are true to my own knowledge, except to matters alleged to be on information and belief and, as to those matters, I believe them to be true.

Sworn to before me on  
\_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
(Deputy) Clerk of the Court,  
Notary or Comm. Of Deeds

\_\_\_\_\_  
PETITIONER'S SIGNATURE

\_\_\_\_\_  
PRINT OR TYPE PETITIONER'S NAME

\_\_\_\_\_  
ATTORNEY'S SIGNATURE (If applicable)

\_\_\_\_\_  
PRINT OR TYPE ATTORNEY'S NAME