

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF ERIE

.....
In The Matter of a Proceeding for
 Custody Visitation under the *Uniform Custody Jurisdiction and Enforcement Act*

Docket No.

_____ Petitioner
-against-

PETITION-UCCJEA
 CUSTODY
 VISITATION

_____ Respondent
.....

PETITIONER
(list information about yourself)

RESPONDENT
(list information about other party)

STREET:¹ _____ STREET:² _____

CITY/STATE: _____ CITY/STATE: _____

ZIP: _____ COUNTY: _____ ZIP: _____ COUNTY: _____

TEL: _____ TEL: _____

DOB: _____ DOB: _____

SEX: _____ RACE: _____ SEX: _____ RACE: _____

SS#: _____ SS#: _____

HGT: _____ WGT: _____ HGT: _____ WGT: _____

EYE COLOR: _____ HAIR COLOR: _____ EYE COLOR: _____ HAIR COLOR: _____

EMP: _____ EMP: _____

ATY: _____ ATY: _____

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief that:

1. I am [specify relationship to child; if foster parent, agency, institution or other relationship, so state]: _____ and am seeking an order of [check applicable box(es)]:
 custody visitation regarding [specify child's name]: _____

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

3. The name, present address and date of birth of each child who is the subject of this proceeding

¹Do not include address if ordered to be kept confidential pursuant to Domestic Relations Law §§76-h, 254 or Family Court Act §154-b. An application for address confidentiality, General Form 21, available at www.courts.state.ny.us (Family Court forms), may be filed with this affidavit, if disclosure would place the health or safety of a party or child unreasonably at risk.

²See note 1

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>Child's Name</u>	<u>Address</u>	<u>Date of Birth</u>	<u>Social Security #</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. This Court has jurisdiction to issue a child custody or visitation order pursuant to Section 76(1) of the Domestic Relations Law on the following ground(s) [check all applicable box(es)]:

- a. this state is the home state of the child on the date of the filing of this petition;
- this state was the home state of the child within six months before the filing of this petition; and the child is absent from this state but the following parent or person acting as a parent continues to live in this state [specify]: _____ ;
- OR
- b. the child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this state other than mere physical presence; and substantial evidence is available in this state concerning the child's care, protection, training, and personal relationships; and EITHER [check applicable box]:
- a court of another state does not have home state jurisdiction under paragraph (a); OR
- a court of the home state of the child [check applicable box]:
- has declined should decline to exercise jurisdiction on the ground that this state is the more appropriate forum under Domestic Relations Law §§76-f or 76-g, because [specify]: _____
- OR
- c. All courts having jurisdiction under paragraph (a) or (b) of this subdivision [check applicable box]:
- have declined should decline to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under Domestic Relations Law §§76-f or 76-g, because [specify]: _____
- OR
- d. no court of any other state would have jurisdiction under the criteria specified in paragraph (a), (b) or (c).

5. This Court should exercise temporary, emergency jurisdiction, pursuant to Domestic Relations Law §76-c, because the child is presently in this State and [check one or both boxes]:

- the child has been abandoned [specify facts or circumstances]: _____
- it is necessary in an emergency to protect the child, a sibling or parent of the child [specify facts or circumstances]: _____

6. [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]: _____

7. Check applicable box:

- No proceeding has been commenced that could affect this action.
- The following proceeding(s) have been commenced that could affect this action, [specify jurisdiction, court, docket or index number, type and status of proceeding]: _____

8. [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) and attach a true copy]: _____

9. [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]: _____

10. During the last five years, each child who is the subject of this proceeding resided at: [specify address or indicate if ordered to be kept confidential pursuant to Family Court Act §154-b(2) or Domestic Relations Law §254]:

<u>Child's Name</u>	<u>Address</u>	<u>Duration</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. The name and present address of the person(s) with whom each child resided during the past five years 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>Person's Name</u>	<u>Address</u>	<u>Duration</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

12. Petitioner has has not participated as a party witness other [specify]: _____ in other litigation concerning the custody of the same children in New York State Other State or other jurisdiction [specify]: _____ . If so, specify type of case, capacity of participation, court, location and status of case: _____

13. 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]: _____

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

15. It would be in the best interests of the child(ren) for Petitioner to have custody visitation for the following reasons [specify]: _____

16. The following circumstances have changed since entry of the order judgment other [specify]: _____ of custody visitation [specify]: _____

