

F.C.A. §§ 352.2(2)(c); 754(2)(b); 1039-b;  
1052(b)(i)(A); S.S.L. §§ 358-a(3)(b)

General Form GF-37  
(Order on Motion for Order that  
Reasonable Efforts Are Not Required)  
(8/2010)

At a term of the Family Court of the State of New York,  
held in and for the County of \_\_\_\_\_,  
at \_\_\_\_\_,  
on \_\_\_\_\_, New York

P R E S E N T:

HON. \_\_\_\_\_  
Judge

In the Matter of

Docket No.

CIN #

A Child Alleged to be

- Abused
- Neglected
- Voluntarily Placed in Foster Care
- Juvenile Delinquent
- Person in Need of Supervision

ORDER ON MOTION  
FOR ORDER THAT REASONABLE  
EFFORTS ARE NOT REQUIRED

**NOTICE: IF YOUR CHILD IS PLACED IN FOSTER CARE, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.**

**IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD.**

**IF SEVERE OR REPEATED ABUSE IS PROVEN BY CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE BASIS TO TERMINATE YOUR PARENTAL RIGHTS.**

**THE NEXT COURT DATE IS [specify date certain]:  
THE PERMANENCY HEARING WILL BE HELD ON [specify date certain]:<sup>1</sup>**

A motion having been filed with this Court on [specify date]: \_\_\_\_\_,

<sup>1</sup> If this Order grants a motion to dispense with reasonable efforts, the permanency hearing must be held within 30 days of the earlier of the oral decision or this Order. If the Order denies the motion, the permanency hearing must be held as previously scheduled up to eight months from initial removal of the child or up to every six months thereafter; provided, however, that if the child has been placed and the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption.

requesting an order that reasonable efforts are not required to reunify the following parent(s)[specify]:  
with the above-named child(ren), and the Petitioner, having appeared  
with counsel and the parent(s) having appeared not appeared, and counsel for the parent(s) having  
appeared not appeared, and the attorney for the child having appeared not appeared,

**This Court, upon examination of the motion papers and supporting affidavit(s); and [check box if applicable]:  upon hearing testimony in relation thereto finds the following [check applicable box(es)]:**

a. The following parent(s)[specify]: \_\_\_\_\_ subjected the following  
child(ren)[specify]: \_\_\_\_\_ to the following “aggravated circumstances:”

1). a) On [specify date]: \_\_\_\_\_, there was a finding by clear and convincing evidence  
by this Court Other Court [specify]: \_\_\_\_\_ that the following parent(s) [specify]:  
\_\_\_\_\_ committed  severe  repeated child abuse against the child(ren);

b) On [specify date], the following parent(s)[specify]: \_\_\_\_\_  
was/were criminally convicted in [specify Court and jurisdiction]: \_\_\_\_\_  
of the following crime constituting “severe abuse,” as defined by Social Services Law §384-b(8) [specify]: \_\_\_\_\_

2). On [specify date]: \_\_\_\_\_, there was a finding by this Court Other Court  
[specify]: \_\_\_\_\_ that the child(ren) was/were abused by the following parent(s)[specify]:  
\_\_\_\_\_, as defined in paragraph  (i)  (iii) of subdivision (e) of section 1012 of  
the Family Court Act, within five years after the child(ren)’s return home following placement in foster care  
as a result of a finding on [specify date]: \_\_\_\_\_ by this Court Other Court [specify]:  
\_\_\_\_\_ that the child(ren) had been neglected, as defined in subdivision (f) of section 1012 of the Family Court  
Act, by the above-named parent(s).

3). On [specify date]: \_\_\_\_\_, there was a finding by this Court Other Court  
[specify]: \_\_\_\_\_ by clear and convincing evidence that the following parent(s)[specify]:  
\_\_\_\_\_ has/have refused and has/have failed completely for the following period  
[specify dates of period in excess of six months from date of child(ren)’s removal from home]: \_\_\_\_\_  
to engage in the following services necessary to eliminate the risk of abuse or neglect to the child(ren) if  
returned home [specify]: \_\_\_\_\_

The Court also found that this failure was not justified by lack of child care, lack of transportation, conflict  
with work schedule or other adequate justification and that such parent(s) failed to arrange alternate  
services independently. On [specify date]: \_\_\_\_\_, after being warned by the Court that such an  
admission might result in an order that reunification services are not required, such parent(s) stated under  
oath in this Court Other Court [specify]: \_\_\_\_\_ that  he she they intend(s) to continue to  
refuse such services and is/are unwilling to arrange services independently.

4). On [specify date]: \_\_\_\_\_, there was a finding by this Court Other Court  
[specify]: \_\_\_\_\_ that the child(ren) was/were abandoned at the age of five days or  
younger by the following parent(s)[specify]: \_\_\_\_\_  
with an intent to wholly abandon such child(ren) and with the intent that the child(ren) be safe from

physical injury and cared for in an appropriate manner.

5). On [specify date]: \_\_\_\_\_, there was a finding by this Court Other Court  
[specify]: \_\_\_\_\_ involuntarily terminating the parental rights of the following parent(s)  
[specify]: \_\_\_\_\_ to the following sibling or half-sibling of the child(ren)  
[specify]: \_\_\_\_\_

**NOW, after examination and inquiry into the facts and circumstances [check box if applicable]:** and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

ORDERED, that the Petitioner’s motion is DENIED, that Petitioner shall continue to provide reasonable efforts to reunify the following parent(s)[specify]: \_\_\_\_\_ with the child(ren) because:

the proof is sufficient that aggravated circumstances or other factors exist, but reasonable efforts would nonetheless be in the best interests of the child(ren), are not contrary to the health and safety of the child(ren) and would likely result in the reunification of such parent(s) with the child(ren) in the foreseeable future.

the proof is insufficient that aggravated circumstances or other factors exist warranting an order that reasonable efforts are not required to reunify such parent(s) with the child(ren).

OR

ORDERED, that the Petitioner’s motion is GRANTED, that reasonable efforts are not required to be made to reunify the following parent(s)[specify]: \_\_\_\_\_

with the child(ren), that a permanency hearing shall be held on [specify date certain within 30 days of the earlier of this Order or oral decision]: \_\_\_\_\_, and that Petitioner shall provide

notice  a permanency hearing report by [specify date]: \_\_\_\_\_

(and it is further)

ORDERED, that

ENTER

\_\_\_\_\_  
Judge of the Family Court

Dated: \_\_\_\_\_, \_\_\_\_\_

**PURSUANT TO § 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, 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT OR 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO THE APPELLANT BY THE CLERK OF THE COURT, 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]: \_\_\_\_\_