

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF

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

Petitioner(s)

against

Respondent(s)

Docket No.  
WARRANT TO ARREST PARTY  
AND TAKE PHYSICAL CUSTODY OF CHILD  
– UCCJEA

.....  
IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK  
TO ANY POLICE OFFICER:

A petition having been filed in this Court for an order of [check applicable box(es)]:  
 custody  visitation or for  modification  enforcement of an order of custody or visitation, pursuant to  
the *Uniform Child Custody Jurisdiction and Enforcement Act* [Domestic Relations Law Art. 5-A], a copy of  
which petition is annexed hereto, and this Court having considered the petition and the testimony of Petitioner  
and other witnesses, if any, as well as other evidence adduced, the Court finds that a warrant is necessary  
based upon the following facts [check applicable box(es)]:

- the child is or the children are likely to suffer imminent physical harm because [specify]:
  
- the child is or the children are likely to be removed from this state because [specify]:

YOU ARE THEREFORE COMMANDED forthwith to arrest [specify name(s)]:

and bring such person(s) before this Court to be dealt with according to law.

YOU ARE FURTHER COMMANDED to bring before this Court the following child or children, who  
are located at the address below or at any other place where you may find such child or children:

<u>Name(s)</u>	<u>Date(s) of Birth</u>	<u>Location</u>
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YOU ARE FURTHER COMMANDED THAT once the child(ren) is (are) in custody you must deliver  
the child(ren) to [check applicable box]:

the Petitioner [specify name]:  
at the following location [specify]:

Other [specify]:

Where necessary, you may act jointly with the local child protective service to take immediate steps to protect

the child(ren);

YOU ARE FURTHER COMMANDED THAT [check applicable box(es)]:

in conjunction with the local child protective service, the child(ren) shall be placed pending final relief as follows [specify]:

the following conditions are necessary to ensure the appearance of the child(ren) and the child(ren)'s custodian [specify]:

THIS WARRANT [check applicable box(es)]:

may  may not be executed by entering private property<sup>1</sup>

may  may not be executed on Sunday.

may  may not be executed at night.<sup>2</sup>

is subject to the following restriction(s) [specify]:

**BAIL IN THE SUM OF (\$ ) DOLLARS IS RECOMMENDED.**

Dated: , .

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JUDGE OF THE FAMILY COURT

**Family Court Act §155(1) provides that:** “If an adult respondent is arrested under this act when the family court is not in session, he or she shall be taken to the most accessible magistrate and arraigned. The production of a warrant issued by the family court, a certificate of warrant, a copy or a certificate of the order of protection or temporary order of protection, an order of protection or temporary order of protection, or a record of such warrant or order from the statewide computer registry established pursuant to section 221-a of the executive law shall be evidence of the filing of an information, petition or sworn affidavit, as provided in section 154-d of this article. Upon consideration of the bail recommendation, if any, made by the family court and indicated on the warrant or certificate of warrant, the magistrate shall thereupon commit such respondent to the custody of the sheriff, as defined in subdivision 35 of section 1.20 of the criminal procedure law, admit to, fix or accept bail, or parole him or her for hearing before the family court, subject to the provisions of subdivision four of section 530.11 of the criminal procedure law concerning arrests upon a violation of an order of protection.”

**Family Court Act §155-a provides that :** “A desk officer in charge at a police station, county jail or police headquarters, or any of his or her superior officers, may, in such place, take cash bail for his or her appearance before the appropriate court the next morning from any person arrested pursuant to a warrant issued by the family court; provided that such arrest occurs between eleven o'clock in the morning and eight o'clock the next morning, except that in the city of New York bail shall be taken between two o'clock in the afternoon and eight o'clock the next morning. The amount of such cash bail shall be the amount fixed in the warrant of arrest.”

**NOTICE TO RESPONDENT PARENT(S) IN CHILD ABUSE OR NEGLECT CASES: PLACEMENT OF YOUR CHILD IN FOSTER CARE MAY RESULT IN YOUR LOSS OF YOUR RIGHTS TO YOUR CHILD. 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.**

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<sup>1</sup>Requires a finding that a less intrusive remedy would not be effective.

<sup>2</sup>Requires a finding that exigent circumstances require execution of the warrant at any hour in order to protect the children.