

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

PRESENT:
Hon.
Judge

In the Matter of the Review of
the Status of

Docket No.

ORDER OF DISPOSITION
(Review of Status of Child
Freed for Adoption and
Permanency Hearing)

Pursuant to Section 1055-a of
the Family Court Act

**DEADLINE: IF THE CHILD REMAINS IN FOSTER CARE, A PETITION FOR THE NEXT
PERMANENCY HEARING MUST BE FILED NOT LATER THAN [SPECIFY]:¹**
_____.

The petition of [specify]: _____, for a review of the foster care
status of the above-named child and permanency hearing pursuant to Section 1055-a of the Family
Court Act, sworn to on [specify date]: _____, having been filed in this
Court;

And notice having been duly given to the following person(s), who appeared as follows:
[specify; check applicable boxes]:

? Prospective adoptive parent(s)[specify]: _____ ? with counsel ? without counsel

¹ The petition must be filed at least 60 days prior to the date by which the hearing must be
completed, that is, at least 60 days prior to the end of the month constituting the twelfth month of the period
of placement or extension thereof, pursuant to Family Court Act §1055 or Social Services Law §392, and
annually thereafter, unless the court directs an earlier filing. With respect to a child freed for adoption who
has not yet been placed in an adoptive home or a child in an adoptive home but for whom an adoption
petition has not yet been filed, the petition must be filed at least 60 days prior to the date six months after
the child had been freed, unless the placement or extension are due to expire and a permanency hearing is
due to be completed by an earlier date. See F.C.A. §1055-a(3)(c); *Uniform Rules of the Family Court*, 22
N.Y.C.R.R. §205.17(b)(3).

- Foster parent(s)[specify]: with counsel without counsel
- Relative(s)[specify]: with counsel without counsel
- Other [specify]: with counsel without counsel
- Law Guardian
- Petitioner [specify]: Authorized Agency Foster Parent

And the matter having duly come on to be heard, and the above-named persons appearing having been given an opportunity to be heard;

And the Court having considered the position and information provided by the [check applicable box(es)]: authorized agency local department of social services;

The Court, after having made an examination and inquiry into the facts and circumstances of the case and into the surroundings, conditions, and capacities of the persons involved, finds and determines the following [Note: judicial findings must be made pursuant to I, II and III and, if the child is over the age of 14, IV, below]:

I. Required “Reasonable Efforts” Findings [check applicable boxes; provide case-specific reasons]:

A. Reasonable efforts to make and finalize the permanency plan of [specify]:

were made as follows [specify]:

were not made based upon the following facts and for the following reasons [specify; if lack of efforts was reasonable, so indicate]:

This determination is based upon the following information [check applicable box(es)]:

This assertion was based upon the following information [check applicable box(es)]:

- Permanency petition, dated [specify]:
- Uniform Case Review, dated [specify]:
- Summary of the Uniform Case Record, dated [specify]:
- Service Plan, dated [specify]:
- The report of [specify]: , dated [specify]:
- Testimony of [specify]:
- Other [specify]:

B. The following additional efforts should be made to further the best interests of the child and to further and finalize the child’s permanency plan [specify]:

II. Required Findings Regarding Service Plan

A. The child’s service plan, as required by Social Services Law §409-e,
 is appropriate; should be modified as follows [specify]:

B. The following services have been provided to ensure and expedite the child's adoption [specify]:

C. The following additional services are needed to ensure and expedite the adoption of the child [specify]:

III. Required Findings Regarding Transitional Services and Out-of-State Placements:

? [Required where child is 16 years of age and older]: The services needed to assist the Respondent to make the transition from foster care to independent living are [specify]:

? [Required where child is placed outside New York State]: Placement outside New York State ? is ? is not appropriate and in the child's best interests;

IV. Required Finding Regarding Child Over the Age of 14:

The above-named child, who was born on [specify date of birth]:

? has consented to adoption by [specify]:

? has withheld consent to adoption by [specify]: for the following reasons [specify, including information furnished by the law guardian]:

NOW, after examination and inquiry into the facts and circumstances and after hearing the proof and testimony, it is therefore

A. Foster Care Placement: Disposition of Petition [Required]

ORDERED that [check applicable box]:

? The foster care of the above-named child is in the child's best interests and is continued for a period of up to one year, as follows:

OR

? The petition is dismissed and the child is discharged;

B. Permanency Plan [Required]

ORDERED that Petitioner's permanency plan for the above-named child ? is approved ? is modified, as follows [check applicable box(es) and indicate time frame(s)]:

? placement in a prospective adoptive home by [specify date]:

? filing of an adoption petition by [specify date]:

? referral for legal guardianship by [specify name and date]:

? permanent placement with the following fit and willing relative [specify name]: by [specify date]:

? permanent placement in the following alternative planned living arrangement [specify]:

upon documentation, available to the Court, that the following compelling reason(s) indicate(s) that it would not be in the child's best interests to be referred for adoption, placed with a fit and willing relative, or placed with a legal guardian [specify compelling reason(s)]:

(and it is further)

[Applicable where the child's permanency plan is adoption; check box if applicable]:

ORDERED that _____, an authorized agency, is directed to place the above-named child for adoption with [check applicable box]: the foster family home where (s)he resides or has resided other prospective adoptive parent(s) [specify]: and that a petition for adoption must be filed by [specify date]:

; (and it is further)

C. Reasonable Efforts

ORDERED that following reasonable efforts shall be made to make and finalize the child's goal of [specify goal and describe efforts]:

; (and it is further)

D. Service Plan [Required]

ORDERED that the service plan submitted by the Petitioner [check applicable box]: is appropriate should be modified as follows [specify]:

; (and it is further)

ORDERED that services or assistance authorized or required to be made available pursuant to the comprehensive annual services program plan now in effect be provided to the child and the prospective adoptive parent(s) as follows [specify, including an evaluation of eligibility for an adoption subsidy pursuant to title nine of article six of the Social Services Law, if applicable]:

; (and it is further)

E. Transitional Services [Applicable to cases where the child is 16 years of age or older]

ORDERED that the Petitioner is directed to provide the following services determined above to be needed to assist the child to make the transition from foster care to independent living [specify]:

; (and it is further)

F. Out-of-State Placement [Required where the child has been placed out-of-state]

ORDERED that the placement of the child at [specify]:

is appropriate and in the child's best interests and is continued until [specify]:

is not appropriate and in the child's best interests and the child shall, therefore, be returned to New York State to be placed with [specify]: until [specify]:

discharged to [specify]:

; (and it is further)

G. Progress Reports and Notices

? ORDERED that Petitioner shall make a progress report to the Court, the parties and the law guardian on the implementation of this order not later than 90 days from the date of this order and every [specify period]: _____ days thereafter and not later than 60 days prior to the expiration of twelve months from the date of this order;²

(and it is further)

? ORDERED that if the above permanency plan for the above-named child is changed, notice shall be provided to the Court, the parties and the law guardian forthwith;

(and it is further)

I. Recommendations Regarding State Agency Oversight

? RECOMMENDED that the New York State Office of Children and Family Services conduct a child welfare service utilization review pursuant to Social Services Law § 398-b;

(and it is further)

? RECOMMENDED that the New York State Office of Children and Family Services investigate the facts and circumstances concerning the discharge of responsibilities for the care and welfare of the child by the social services district of the County of [specify]: _____ pursuant to Social Services Law § 395;

(and it is further)

J. Deadlines for Next Permanency Petition and Hearing [Required]

ORDERED that if the child remains in foster care, Petitioner shall file a petition for the next permanency hearing NO LATER THAN [Specify date not less than 60 days before deadline for completion of permanency hearing]: _____ and the permanency hearing shall be completed by [Specify date]: _____

(and it is further)

(ORDERED, that

).

ENTERED

Judge of the Family Court

Dated:

PURSUANT TO SECTION 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, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE LAW GUARDIAN UPON THE APPELLANT, 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]: _____

² A separate report 60 days prior to expiration is not required if a permanency petition is filed.

