

Detention)
2/2001

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

P R E S E N T:

Hon.
Judge

In the Matter of

Docket No.

A Person Alleged to be a
Juvenile Delinquent,

**ORDER DIRECTING
DETENTION OF
RESPONDENT**

Respondent.

Respondent, _____, a child under the age of 16, having been taken into
custody by a [check applicable box]: police officer peace officer private person ; and

A petition under section 311.1 of the Family Court Act having been filed in this Court with
respect to Respondent; and

Respondent having been brought before this Court and a hearing having been held, this Court
finds that [Note: judicial findings must be made under both I and II below]:

I. Criteria for Detention [check one or both boxes]:

Detention of the Respondent is necessary pursuant to Family Court Act §320.5 because:

There is a substantial probability that Respondent will not appear in court on the return date,
based upon the following facts and for the following reasons [specify]:

There is a serious risk that Respondent may before the return date commit an act which if
committed by an adult would constitute a crime, based upon the following facts and for the following
reasons [specify]:

II. Required “Best Interests” and “Reasonable Efforts” Findings [check applicable boxes and provide case-specific reasons in both A and B, below]:

A. Continued placement in the Respondent’s home [check applicable box]: would would not be contrary to the Respondent’s best interests, based upon the following facts and for the following specific reasons [specify particular facts and reasons]:

This determination is based upon the following specific documents and evidence:

- Probation Department report, dated [specify]:
- Mental health evaluation, dated [specify]:
- Testimony of [specify]:
- Other [specify]:

; AND

B. Reasonable efforts, where appropriate and consistent with the need for protection of the community, to prevent or eliminate the need for removal of the Respondent from the home or, if the Respondent was removed prior to the date of the hearing, to return the Respondent safely to his or her home:

were made as follows [specify reasonable efforts, including specific documents or evidence supporting findings]:

were not made but the lack of efforts was appropriate [check all applicable boxes]:

because of a prior judicial finding pursuant to Family Court Act §352.2(2)(c)that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the parent(s) person(s) legally responsible for Respondent’s care [specify date of finding]:

because of other reasons [specify]:

were not made.

This determination is based upon the following specific documents and evidence:

- Probation Department report, dated [specify]:
- Mental health evaluation, dated [specify]:
- Testimony of [specify]:
- Other [specify]:

;

NOW, therefore, it is hereby

ORDERED that the child is remanded to _____, to be detained pending further proceedings herein on _____; and it is further

ORDERED that the custodial authority produce the child on that date subject to further order of this Court; and it is further

ORDERED that in the event the child absconds from the above-named facility, written notice of that fact shall be given within 48 hours by an authorized representative of the facility to the Clerk of Court, stating the name of the child, the docket number of this proceeding, the date on which the child absconded and the efforts made to locate and secure the return of the child. *See* 22 NYCRR 205.26; and it is further

ORDERED

ENTER

Judge of the Family Court

Dated: , .

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]: _____