

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

PRESENT :  
Hon.  
Judge

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In the Matter of

Docket No.

A Person Alleged to be a  
Juvenile Delinquent,

ORDER DIRECTING  
DETENTION OF CHILD  
(Pre-Petition)

Respondent

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

No petition under Article 3 of the Family Court Act having been filed in this Court with  
respect to the child; and

The child 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 Pre-petition Detention [check all applicable boxes and state reasons, as indicated]:

- the Court appears to have jurisdiction;
- the events occasioning the taking of the child into custody appear to involve acts which constitute juvenile delinquency;
- there is a substantial probability that the child 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 the child 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:

- ? Pre-petition Application
- ? 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 based upon the following facts and for the following reasons [specify particular facts and reasons]:

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

- ? Pre-petition Application
- ? 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 [specify], to be detained pending further proceedings herein on [specify]; 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 if a petition is not filed within four days of this order, the child shall be released, 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

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

ENTER

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Judge of the Family Court

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]: \_\_\_\_\_