

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

\_\_\_\_\_  
In the Matter of the Review of  
the Foster Care Status of

Docket No.

ORDER OF DISPOSITION  
(Review of Foster Care Status  
and Permanency Hearing)

Pursuant to Section 392 of the  
Social Services Law

**NOTICE: 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.**

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

\_\_\_\_\_.

The petition of [specify]: \_\_\_\_\_, for a review of the foster care  
status of the above-named child and permanency hearing pursuant to Section 392 of the Social Services  
Law, 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:

\_\_\_\_\_

<sup>1</sup> The petition must be filed at least 60 days prior to the date by which the hearing must be  
completed. See *Uniform Rules of the Family Court*, 22 N.Y.C.R.R. §205.17(b).



make reasonable efforts to reunify the child with the Q parent(s)  
Q guardian(s) [specify date of finding]:

Q because [specify other reasons]:

Q were not made.

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

? Uniform Case Review, dated [specify]:

? Summary of the Uniform Case Record, dated [specify]:

? Service Plan, dated [specify]:

? The report of [specify]: , dated [specify]:

? The testimony of [specify]:

? Other [specify]:

2. [Required in cases in which the child's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]: Reasonable efforts to make and finalize the permanency plan of [specify]:

Q were made as follows [specify]:

Q 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)]:

? Uniform Case Review, dated [specify]:

? Summary of the Uniform Case Record, dated [specify]:

? Service Plan, dated [specify]:

? The report of [specify]: , dated [specify]:

? The testimony of [specify]:

? Other [specify]:

## **II. Required Findings Regarding Transitional Services and Out-of-State Placements:**

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

? [Required if foster care placement of the child outside New York State is continued ]: Placement outside New York State Q is Q is not appropriate and in the child's best interests;

## **III. Findings Regarding Relatives, Suitable Persons, Siblings and Half-siblings:**<sup>2</sup>

---

<sup>2</sup> These findings, required at the original hearing pursuant to S.S.L. §358-a, are optional at a hearing pursuant to S.S.L. §392.

**A. Relatives and Other Suitable Persons** : Based upon the investigation conducted by the

? Commissioner of Social Services of the County of [specify]:

? Authorized Agency [specify]: [Check applicable box(es):

? The following person is a suitable person related to the child with whom such child may appropriately reside [specify]:

Such person: ? seeks approval as a foster parent in order to provide care for the child;  
? wishes to provide care and custody for the child without foster care subsidy during the pendency of any order herein.

? There is no suitable person related to the child with whom the child may appropriately reside.

**B. Siblings**: Based upon the investigation conducted by the Commissioner of Social Services, [Check applicable box(es):

Q The following sibling(s) or half-sibling(s) are in the care and custody of the Commissioner of Social Services of [specify]: County [specify]:

Q Placement of the child with the following sibling(s) or half-sibling(s) would be appropriate and in the children's best interests [specify]: .

Q Placement of the child with the following sibling(s) or half-sibling(s) would not be in the child's best interests based upon the following facts and for the following reasons [specify]:

Q The following is the plan for visitation and communication with the sibling(s) or half-sibling(s)[specify]:

Q Visitation and communication with the sibling(s) or half-sibling(s) would be contrary to the children's best interests based upon the following facts and for the following reasons [specify]:[specify]:

Q The child has no siblings or half-siblings.

Q The child has the following siblings or half-siblings [specify]: who are in the custody of [specify]:

**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 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 if foster care is continued]**

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)]:

- reunification with the  parent(s)  guardian(s) by [specify date]:
- placement for adoption upon filing of a petition to terminate parental rights 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 return home, be referred for termination of parental rights and 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]:

ORDERED that [specify]:  an authorized agency  foster parent, is directed to institute a proceeding pursuant to section 384-b of the Social Services Law to free such child for adoption not later than [specify date]: . If the petition has not been filed by that date, the law guardian shall proceed to do so forthwith [delete if inapplicable];

(and it is further)

ORDERED that [specify]:  , an authorized agency, is directed to place the above-named child with the following prospective adoptive parents [check applicable box]:  the foster family home where (s)he resides or has resided [specify]:  other prospective adoptive parent(s) [specify]:

(and it is further)

**C. Reasonable Efforts [Applicable where foster care is continued]**

[Applicable in cases in which the child's permanency plan is reunification with the parent(s) or guardian(s)]:

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

; (and it is further)

[Applicable in cases in which the child's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]:

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

; (and it is further)

**D. Service Plan [Applicable if foster care is continued]**

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

;

and shall be given by Petitioner to the ? parent(s) ? guardian(s), along with a copy of this Order;

; (and it is further)

[Check applicable box(es), if any]:

? 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 ? parent(s) ? guardian(s) ? prospective adoptive parent(s) as follows [specify]:

And the Court having found that the ? parent(s) ? guardian(s) has [check applicable box]:  
? complied ? not complied with the services contained in the service plan, it is

? ORDERED that the ? parent(s) ? guardian(s) take the following steps to comply [specify]:

And the Court having found that the ? Petitioner ? Authorized Agency has [check applicable box]:  
? complied ? not complied with its obligations as set forth in the service plan, it is

? ORDERED that the ? Petitioner ? Authorized Agency take the following steps to comply [specify]:

; (and it is further)

**E. Relatives, Suitable Persons, Siblings and Half-siblings [Applicable where foster care is continued]:**

? ORDERED that the Commissioner of Social Services investigate [specify]:  
as a relative or other suitable person with whom the child may reside; (and it is further)

? ORDERED that the Commissioner of Social Services investigate placement of the child with the following siblings or half-siblings [specify]: ; (and it is further)

**F. Transitional Services [Applicable where foster care of child over the age of 16 is continued]**

? 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)

**G. Out-of-State Placement [Required where the foster care placement of child outside New York State is continued]:**

? 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)

**H. Progress Reports and Notices [Applicable where foster care is continued]:**

? 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;<sup>3</sup>

(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. Planning Conferences [Required where foster care is continued]**

ORDERED that the ? parent(s) ? guardian(s) be notified of the planning conference(s) to be held and of (his)(her)right to attend such conference(s) with counsel or other person;

(and it is further)

**J. Visitation Plans [Required where foster care is continued]**

---

<sup>3</sup> A separate report 60 days prior to the expiration of the placement is not required if a permanency petition is filed at that time.

? ORDERED that Petitioner shall provide the ? parent(s) ? guardian(s) with visitation with the child as follows [describe visitation plan]:  
; (and it is further)

? ORDERED that Petitioner shall provide the following sibling(s) [specify]:  
with visitation with the child as follows [describe visitation plan]:  
; (and it is further)

**K. Deadline for Filing Next Permanency Petition [Required where foster care continued]:**

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