

F.C.A. §§ 352.2(2)(c); 754(2)(b); 1039-b;
1052(b)(i)(A); S.S.L. §§ 358-a(3)(b); 392(6-a)

General Form GF-37
(Order that Reasonable
Efforts Are Not Required)
(3/2000)

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 a

Docket No.

A Child Alleged to be (Abused)(Neglected)
(Juvenile Delinquent)(A Person in Need of
Supervision)(Voluntarily Placed in Foster
Care)

ORDER ON MOTION
FOR AN ORDER THAT
REASONABLE EFFORTS
ARE NOT REQUIRED

.....

A motion having been filed with this Court on the _____ day of _____, requesting an order that reasonable efforts are not required to reunify the (parent)(guardian) with the above-named child, and the Petitioner, having appeared (with counsel) and the (parent)(guardian) having appeared (with counsel), and the law guardian having appeared, this Court upon examination of the motion papers and supporting affidavit(s) (and hearing testimony in relation thereto) finds that the (parent)(guardian) of such child (has)(has not)subjected the child to the following aggravated circumstances, as defined in F.C.A. §301.2(15) and S.S.L. § 384-b(8), or other factors warranting an order that reasonable efforts are not required);[check applicable box(es); delete inapplicable provisions]:

" (the (parent)(guardian) of such child has been convicted of (i) murder in the first degree as defined in § 125.27 or murder in the second degree as defined in § 125.25 of the Penal Law and the victim was another child of the (parent)(guardian); or (ii) manslaughter in the first degree as defined in § 125.20 or manslaughter in the second degree as defined in § 125.15 of the Penal Law and the victim was another child of the (parent)(guardian), provided, however, that the (parent)(guardian) acted voluntarily in committing such crime); (and)

" (the (parent)(guardian) of such child has been convicted of an attempt to commit any of the foregoing crimes, and the victim or intended victim was the child or another child of the parent; or has been convicted of criminal solicitation as defined in article 100, conspiracy as defined in article 105 or criminal facilitation as defined in article 115 of the Penal Law for conspiring, soliciting or facilitating any of the foregoing crimes, and the victim or intended victim was the child or another child of the (parent)(guardian); (and)

" (the (parent)(guardian) of such child has been convicted of assault in the second degree as defined in § 120.05, assault in the first degree as defined in § 120.10 or aggravated assault upon a person less than eleven years old as defined in § 120.12 of the Penal Law, and the commission of one of the foregoing crimes resulted in serious physical injury to the child or another child of the (parent)(guardian); (and)

" (the (parent)(guardian) of such child has been convicted in any other jurisdiction of an offense that includes all of the essential elements of any of the above-specified crimes, and the victim of such offense was the child or another child of the (parent)(guardian); (and)

" (the parental rights of the parent to a sibling or half-sibling of such child have been involuntarily terminated);

NOW, after examination and inquiry into the facts and circumstances (and after hearing the proof and testimony offered in relation thereto), it is therefore

[Delete inapplicable provisions]:

(ORDERED, that the Petitioner's motion is denied, that Petitioner shall continue to provide reasonable efforts to reunify the (parent)(guardian) and the child because [check applicable box]

" the proof is sufficient that aggravated circumstances or other factors exist, but such efforts would nonetheless be in the best interests of the child and are not contrary to the health and safety of the child and would likely result in the reunification of the (parent)(guardian) and the child in the foreseeable future.

" the proof is insufficient that aggravated circumstances or other factors exist warranting an order that reasonable efforts are not required to reunify the (parent)(guardian) with the child.

OR

(ORDERED, that the Petitioner’s motion is granted, that reasonable efforts are not required to be made to reunify the (parent)(guardian) with the child and that Petitioner shall file a petition for a permanency hearing forthwith, such hearing to be held not later than [specify date not later than 30 days from the date of this order]:

(and it is further)

(ORDERED, that

).

ENTER

Judge of the Family Court

Dated: _____, _____

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.

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