

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF

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In the Matter of the Commitment of  
Guardianship and Custody pursuant to  
§384-b of the Social Services Law of

Docket No.

A Child under the Age of Eighteen Years,  
alleged to be a (Severely) (Repeatedly)  
Abused Child

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PETITION  
(SEVERE OR  
REPEATED CHILD  
ABUSE)

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges that:

1. Petitioner(s)

(is)(are)(an authorized agency)(an appointed law guardian)(an appointed guardian ad litem)(foster  
parent(s)) having (its office and place of business) (his) (her) (their) (residence) at  
, in the County of  
, State of New York.

2(a). is a (fe)male child under the age of  
eighteen years, born on ,at  
who now resides at , in the County of  
, State of New York.

(b). The subject child (is)(is not) a Native-American child subject to the Indian Child  
Welfare Act of 1978 (25 U.S.C. §§ 1901-1963).

3. The full name and the last-known address of each parent and custodian of the child are:

Name

Last-Known Address

4. a. The name and the last-known address each other interested party who should be afforded notice of this proceeding are:

Name

Last-Kown Address

b. The name and last-known address of each other person entitled to notice of an adoption pursuant to Domestic Relations Law §111-a. are:

Name

Last-Known Address

c. There are no persons other than those set forth entitled to notice of this proceeding and/or notice of an adoption pursuant to Domestic Relations Law §111-a..

5. a. The child has been in the care of (an) authorized agenc(y)(ies) as follows: [include court, county and docket number of prior proceeding(s) and date child came into care]

(name of agency)

(date)

b. The child (has been in foster care for a period of more than one year immediately prior to the initiation of the proceeding)(will have been in foster care for one year as of [specify date]<sup>1</sup>

6. a. (Upon information and belief, the authorized agency has made diligent efforts to encourage and strengthen the parental relationship as follows) [specify efforts]:

b. (Upon information and belief the authorized agency has not made diligent efforts to encourage and strengthen the parental relationship because of a judicial order that reasonable efforts are not required) [specify court, county, docket number and date of such finding]:

7. (Upon information and belief) (T(t)he Respondent(s), (father)(mother) (has)(have) severely abused the above-named child, in that:

8. (Upon information and belief) (T)(t)he Respondent(s), (father)(mother) (has)(have) repeatedly

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<sup>1</sup>If the child has been in foster care for less than one year immediately preceeding the filing of the petition, the petition may be filed immediately upon a judicial determination that reasonable efforts to reunify the child and Respondent(s) are not required, but the fact-finding proceeding may not commence until the child has been in care for one year. *See* Social Services Law §384-b(4)(e)

abused the above-named child, in that:

).

9. (Upon information and belief, the following prior (convictions)(child abuse findings) support the allegations in this case: [Specify criminal conviction(s) or child abuse finding(s), including court, county, date and, in the case of child abuse findings, whether the finding was made upon clear and convincing evidence or a preponderance of the evidence]:

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10. (The best interests of the child will be promoted by commitment of the guardianship and custody of the child to, (an authorized agency)(foster parent(s)) for the following reasons: [If appropriate, include facts regarding a non-respondent parent.]

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11. No previous application has been made to any court or judge for the relief sought herein (except

).

WHEREFORE, Petitioner requests an order determining that the above-named child is a (severely)(and)(repeatedly) abused child, and committing the guardianship and custody of the child to (an authorized agency)(foster parent(s)), and for such other and further relief as in the best interests of the child may be granted.

Dated:

\_\_\_\_\_  
(Agency) (Foster parent)  
(by  
Name  
Title

\_\_\_\_\_  
Print or type name

\_\_\_\_\_  
Signature of Attorney, if any

\_\_\_\_\_  
Attorney's Name (Print or Type)

\_\_\_\_\_  
Attorney's Address and Telephone Number

VERIFICATION<sup>2</sup>

STATE OF NEW YORK        )  
  )ss.:  
COUNTY OF                    )

being duly sworn, says that (s)he is the Petitioner in the above-named proceeding and that the foregoing Petition is true to (his)(her)own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

\_\_\_\_\_  
Petitioner

Sworn to before me this  
day of

\_\_\_\_\_  
(Deputy) Clerk of the Court  
Notary Public

\_\_\_\_\_  
<sup>2</sup> If agency, use agency verification.