

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

Docket No

ORDER OF  
DISPOSITION  
(AND PERMANENCY  
HEARING)--  
PARENTS  
DECEASED

A Child under the Age of Eighteen Years,  
alleged to be Without a Living Parent  
.....

**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>**

A Petition under Section 384-b of the Social Services Law, dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, having been filed in this Court alleging that [specify child]:  
has no living parent; and summons having been issued and served upon and notice having been given to all proper parties hereto;

And the matter having duly come on for a fact-finding hearing and [specify who appeared]: \_\_\_\_\_ having appeared before the Court,

The Court, after hearing the proofs and the testimony offered in relation to the case, finds upon clear and convincing proof that the above-named child has no living parent or anyone else entitled to notice of or to consent to an adoption; and further finds that [specify]:  
;

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<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).



- ? 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]:

**D. 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;

The Court having made examination and inquiry into the facts and circumstances of the case and into the surroundings, conditions and capacities of the persons involved in this proceeding, finds, that the best interests of the child require the disposition hereinafter made;

**NOW, therefore, it is**

**A. Dispositional Order:**

ORDERED AND ADJUDGED that both parents of \_\_\_\_\_ are dead, and no guardian of the person of the child has been lawfully appointed; and it is

ORDERED that the guardianship and custody rights of \_\_\_\_\_, the

parent(s) are committed to [specify]:  an authorized agency   
foster parent(s) upon the following terms and conditions [specify]:

; and it is further

ORDERED that [specify]: an authorized agency, is authorized and empowered to consent to the adoption of the child subject to the order of a Court of competent jurisdiction to which a petition for adoption is submitted  
; and it is further

**B. Permanency Hearing Order [Required where a combined dispositional/permanency hearing has been held]:<sup>2</sup>**

**1. Permanency Plan:**

Q ORDERED that Petitioner’s permanency plan for the child is:

Q approved without modification;

Q modified, as follows [check applicable box(es) and indicate time frame(s)]:

adoption by [specify date]:

referral for legal guardianship by [specify name and date]:

permanent placement with the following fit and willing relative [specify]:

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)]:

Q 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;

**2. Service Plan:**

Q ORDERED that the service plan  is appropriate  should be modified as follows [specify]:

**3. Transitional Services: [Applicable in cases where the child is 16 years of age or older]:**

Q 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)

**4. Placement Outside New York State. [Required where the child has been placed out-of-state]:**

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<sup>2</sup> This section is not required if the hearing held was solely a dispositional hearing.

Q 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)

**5. Visitation Plans**

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

**C. Deadline for Filing Next Permanency Petition [Required in all cases in which foster care placement is continued]:**

**ORDERED that if the child remain 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 \_\_\_\_\_ ).

Dated:

ENTER

\_\_\_\_\_  
Judge of the Family Court.

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

