

F.C.A. §§ 631, 1089  
Soc. Serv. Law §384-b

Form TPR-2  
(Findings of Fact, Conclusions of Law and  
Order of Disposition- Permanent Neglect)<sup>1</sup>  
(1/2026)

At a term of the Family Court of the  
State of New York, held in and for the  
County of \_\_\_\_\_,  
at \_\_\_\_\_, New York  
on \_\_\_\_\_, 20\_\_.

P R E S E N T:

Hon.  
Judge \_\_\_\_\_

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

Docket No. \_\_\_\_\_

FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND  
ORDER OF DISPOSITION  
(Permanent Neglect)

CIN # \_\_\_\_\_  
A Child under the Age of Eighteen Years,  
Alleged to be a Permanently Neglected Child

**THE NEXT PERMANENCY HEARING SHALL BE HELD ON [specify date/time]:<sup>2</sup>**

A Petition under Article 6, Part 1 of the Family Court Act and Section 384-b of the Social Services Law having been filed alleging that the above-named child is a permanently-neglected child; and summonses having been issued and duly served upon and notice having been duly given to all proper parties hereto, and

Respondent #1 [specify]:  
having  appeared  with counsel  without counsel  waived counsel  not appeared;

And Respondent #1 [specify]: \_\_\_\_\_ having:

voluntarily, intelligently and knowingly admitted in open court that (s)he committed the following act(s) [specify]: \_\_\_\_\_

<sup>1</sup> NOTE: Where a suspended judgment is ordered, Form TPR-2a, instead of this form, must be used.

<sup>2</sup> Respondent is NOT a party to the permanency hearing if his or her rights have been terminated. Unless the petition is dismissed or the child is returned home, the permanency hearing must be scheduled for a date certain within 30 days of the earlier of this Court's announcement of its decision or issuance of this Order. The next permanency hearing must be scheduled for a date certain not more than six months after the completion of the permanency hearing. A separate permanency order, Form PH-6, must be issued even if the permanency hearing is combined with the dispositional hearing in this proceeding.

denied the allegations of the petition and the matter having duly come on for a fact-finding hearing before this Court ;

failed to appear and the matter having duly come on for a fact- finding hearing by inquest before this Court;

Respondent #2 [specify, if any]:

having  appeared  with counsel  without counsel  waived counsel  not appeared;

And Respondent #2 [specify, if any]: having:

voluntarily, intelligently and knowingly admitted in open court that (s)he committed the following act(s) [specify]:

denied the allegations of the petition and the matter having duly come on for a fact-finding hearing before this Court ;

failed to appear and the matter having duly come on for a fact- finding hearing by inquest before this Court ;

And the child having been represented by an attorney for the child;

**[Required where only one parent or non-parent is Respondent; check if applicable]:**

The legal status of the other parent(s) [specify]: is/are as follows  
[specify

if rights retained, terminated, surrendered or if parent is deceased or whereabouts unknown]:

**[Required in ALL cases; check applicable boxes and attach General Form GF-32, if applicable]:**

And the Court having inquired as to whether the child may be a Native-American child who may be subject to the *Indian Child Welfare Act of 1978* [25 U.S.C. 1901-1963], subject to the ultimate determination by the tribe or nation, the Court has determined the following:

A.  the Court has reason to believe that the child may be subject to the *Indian Child Welfare Act of 1978* [25 U.S.C. 1901-1963], subject to the ultimate determination by the tribe or nation;

And the following having been duly notified [check applicable box(es)]:

parent/custodian  tribe/nation [REQUIRED]

United States Secretary of the Interior [REQUIRED if tribal contact undetermined];

And the tribe/nation having:  appeared and participated as a party;

appeared and declined to assume jurisdiction;

appeared and requested transfer of jurisdiction, which was  granted  denied;

not appeared;

And the required findings of fact and conclusions of law having been made pursuant to the *Indian Child Welfare Act* and **General Form GF-32** having been attached in an Addendum to this Order.

**OR**

B.  the Court does not have reason to believe that the child may be subject to the *Indian Child Welfare Act of 1978* [25 U.S.C. 1901-1963].

The matter having duly come on for a fact-finding hearing , the Court, after [check box]  
 hearing the proofs and testimony offered in relation to the case  
 accepting the admission by Respondent(s) [specify]:

finds that the allegations that [specify Respondent(s)]: (has) (have)  
 permanently neglected the child  are  are not supported by clear and convincing proof, and  
 makes the following findings of fact by clear and convincing evidence and comes to the following  
 conclusions of law:

FINDINGS OF FACT

[insert]

CONCLUSIONS OF LAW

[insert]

And the matter having duly come on for a dispositional hearing, and

Respondent [specify]:

having  appeared  with counsel  without counsel  waived counsel  not appeared;

Respondent [specify]:

having  appeared  with counsel  without counsel  waived counsel  not appeared;

before this Court for the dispositional hearing; and

**[Applicable in cases where guardianship and custody are committed to an authorized agency]:** And the Court having determined that the following individual(s) would be entitled to notice of an adoption pursuant to Domestic Relations Law §111-a [specify name(s)]:

And the Court having determined that such person(s)  had  had not been provided with notice of the proceeding and that such person(s)  had  had not appeared;

**[Required if Child is 14 or older]:** The above-named child, who was born on [specify]:

has consented to adoption by [specify]:

has withheld consent to adoption by [specify]: for the following reasons  
 [specify, including information furnished by the attorney for the child and/or child]:

**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 made below:**

**NOW, therefore, it is**

**ORDERED AND ADJUDGED** that [specify child]:

is [check applicable box]:  a permanently neglected child as defined in subdivision seven of section 384-b of the Social Services Law;

not permanently neglected and the petition is DISMISSED.

And it is further [check applicable box(es)]:

ORDERED that the guardianship and custody of [specify child]:  
are transferred to [specify]: ,  an authorized agency  foster parent(s); and  
such guardianship and custody of the child are committed to the  authorized agency  foster parent(s)  
upon the following terms and conditions [specify]:

And it is further ORDERED that [specify]: 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 without the consent of or further notice to [specify]: , the  
[specify relationship to the child]:

**Applicable where guardianship and custody have been transferred to the Petitioner**

AND IT IS FURTHER ORDERED that the Petitioner herein shall forthwith advise the pre-  
adoptive foster parents(s) of his/her/their right to file an adoption petition in a court of competent  
jurisdiction and further advise the pre-adoptive foster parent(s) as to all necessary supporting documents;  
 AND IT IS FURTHER ORDERED that a certified copy of this order be filed for recording at the  
Office of the County Clerk in accordance with the provisions of Section 384-b of the Social Services  
Law;

**Applicable Where Child is Native-American:**

ORDERED that the following should be notified of this proceeding [specify]:  
the  custodian of the child;  tribe/nation;  United States Secretary of the Interior  
 ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this proceeding  
is DISMISSED WITHOUT PREJUDICE.

**Required Notice Regarding Absconding:** [Required where child is in out-of-home care]:

ORDERED that if the child absconds from the above-named custodial person or facility,  
written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an  
authorized representative of the facility, stating the name of the child, the docket number of this  
proceeding, and the date on which the child ran away.

**Transitional Services:** [Applicable in cases where the child is 14 years of age or older or will  
attain the age of 14 by the next permanency hearing]:

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)

**Required Where Placement Is Outside New York State.**

ORDERED that the placement of the child at [specify]: ,  
 is appropriate, necessary and in the child's best interests and is continued until [specify]:  
 is not appropriate, necessary 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)

**Required Date Certain for Permanency Hearing** [Required in all cases in which the child is

in the guardianship and custody of the authorized agency or foster parent]:

**ORDERED** that if the child remains in the custody and guardianship of the authorized agency or foster parent, the next permanency hearing shall be held on [specify date certain within 30 days of the earlier of the Court's announcement of its decision or issuance of this Order]:<sup>3</sup>

And it is further **ORDERED** that Petitioner shall transmit notice of the hearing and a permanency report no later than [check applicable box]:  14 days in advance of the above date certain  other date [specify]: \_\_\_\_\_ to all parties (not including any Respondent whose parental rights have been terminated), attorneys, the attorney for the child and any pre-adoptive parent or relative providing care to the child(ren) and, unless dispensed with by the Court, shall transmit notice of the hearing to former foster parent(s) who have had care of the child(ren) in excess of 12 months.

AND IT IS FURTHER ORDERED that

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 OR ELECTRONIC TRANSMISSION OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.**

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

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

<sup>3</sup> If guardianship and custody of the child have not been committed, but the child remains in the care and custody of an authorized agency, including cases where judgment has been suspended, the permanency hearing shall be held as previously scheduled six months from completion of the last permanency hearing.