

F.C.A. §§ 756-a, 756-b, 776, 777, 778, 779;
S.S.L. §§393, 409-h

Form 7-16
Person in Need of
Supervision--Order on
Violation of Suspended
Judgment or Probation
Disposition)
(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 _____.

P R E S E N T:

Hon.
Judge

In the Matter of

A Person Alleged to be a Person
In Need of Supervision,

Respondent.

Docket No.

ORDER (Violation of
Order of Disposition-
Probation or Suspended
Judgment)

The above-named Respondent having been adjudicated by this Court to be a person in need of supervision as defined in Article 7 of the Family Court Act, and an Order of Fact-finding and Disposition, dated [specify]: _____, having been made whereby [check applicable

- box]: judgment was suspended upon certain terms and conditions;
 Respondent was placed on probation on certain terms and conditions; and

The Court, after hearing, finds and determines by competent proof that the Respondent, [check applicable box]: did did not willfully and without just cause fail to comply with the terms and conditions in that: [specify provisions of order violated and nature of violations]:

[Required where Order of Disposition is revoked]:

The Court, having determined that the Order of Disposition should be revoked and having fully considered the matter of a new disposition pursuant to Family Court Act §§ 754, 776 and 779, finds and determines that the Respondent requires the following disposition for the following reasons [specify]:

Required Findings in Cases in Which the Respondent is Placed:

[The following determinations are required when order is placement; check applicable boxes and provide case-specific reasons in A, B and, if applicable, C and D]:

The Court finds and determines that:

A. Best Interests Finding: Continuation in, or return to, the Respondent's home

would would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This determination is based upon the following specific documents and evidence:

- Report of placement or other agency [specify]: _____, dated [specify]: _____
- Probation Department report, dated [specify]: _____
- Mental health evaluation, dated [specify]: _____
- Testimony of [specify]: _____
- Other [specify]: _____

B. Reasonable Efforts Findings:

1. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the Respondent from the home, and, if the Respondent was removed prior to the date of the hearing, to return the Respondent safely to his or her home:

were made as follows [specify]: _____

were not made but the lack of efforts was appropriate [check all applicable boxes]:

because of a prior judicial finding pursuant to Family Court Act §754(2) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the parent(s) person(s) legally responsible for Respondent's care [specify date of finding]: _____

because of other reasons [specify]: _____

were not made.

This determination is based upon the following specific documents and evidence:

- Report of placement or other agency [specify]: _____, dated [specify]: _____
- Probation Department report, dated [specify]: _____
- Mental health evaluation, dated [specify]: _____
- Testimony of [specify]: _____
- Other [specify]: _____

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

Reasonable efforts to make and finalize the Respondent's permanency plan of [specify]:

have been made as follows [specify reasonable efforts, including specific documents or evidence supporting findings]:

were not made based upon the following facts and for the following reasons [specify]:

This determination is based upon the following specific documents and evidence:

Report of placement or other agency [specify]: _____, dated [specify]: _____

Probation Department report, dated [specify]: _____

Mental health evaluation, dated [specify]: _____

Testimony of [specify]: _____

Other [specify]: _____

C. Special Circumstances Finding [Required where Respondent is 16 or older and is placed]:

The following special circumstances warrant placement of the Respondent [specify]: _____

D. Transitional Services Finding [Required where Respondent is 14 or older and is placed]:

The services needed, if any, to assist the Respondent to make the transition from foster care to independent living are [specify]: _____

[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].

Required Findings if Approval of Placement in "Qualified Residential Treatment Program" is

Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and upon hearing testimony in relation thereto upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent can cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP) does does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
 is is not consistent with the short-term and long-term goals for the Respondent, as specified in the child's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

Circumstances exist that necessitate the continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

It would be contrary to the welfare of the above-named Respondent to be placed in a less restrictive setting and continued placement in the QRTP is in the Respondent's best interests because [specify facts and reasons]:

NOW, therefore, it is hereby

ORDERED, that the Order of Disposition is vacated continued; (and it is further)

ORDERED that [check applicable boxes]:

Respondent is discharged with a warning.

Judgment herein is suspended for a period of [specify]: _____ months upon the following terms and conditions [specify]:¹

Respondent is placed on probation under the supervision of the Probation Department of the County of [specify]: _____ for a period of [specify]: _____ upon the following terms and conditions:²

The probation service shall report to the court orally in writing on [specify date]: _____ and every ___ days thereafter concerning Respondent's compliance with the terms and conditions of this order.

This proceeding is continued and the Respondent is placed for a period of [specify period of up to 60 days]: _____. Such placement shall be in [check applicable box]:

the Respondent's own home;

the custody of the following suitable relative or other suitable private person [specify]:

the custody of the Commissioner of Social Services of the County of [specify]: _____ for placement in [check applicable box]:

a family boarding home;

an authorized agency or class of authorized agency [specify]: _____

an available long-term safe-house where the Court found in I-A, above, that Respondent is a sexually exploited child.

[REQUIRED if the Respondent is placed in the custody of the Commissioner of Social Services]:

A. ORDERED that, if the Commissioner of Social Services is unable to so place the child, the Commissioner [check applicable box]:

shall need not apply to the Court for an order to stay, modify, set aside or vacate the order pursuant to Family Court Act § 762.

shall need not return Respondent to this Court for a new dispositional hearing.

¹ See 22 NYCRR §205.66(a), attached as Appendix A.

² See 22 NYCRR §205.66(b), attached as Appendix B.

B. 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 procedure, and the date on which the child ran away; (and it is further)

C. ORDERED that, if the Respondent remains in placement in the custody of the Commissioner of Social Services, the Commissioner of Social Services shall file a petition for a permanency hearing NO LATER THAN [specify date not more than 15 days prior to expiration of the placement]:

Required Order if Placement in “Qualified Residential Treatment Program” is Requested [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

ORDERED, that the Petitioner’s application for placement of the Respondent in the “Qualified Residential Treatment Program” is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

ORDERED, that the Petitioner’s application for placement of the Respondent in the “Qualified Residential Treatment Program” is DENIED, and on or before [specify date]: the above-named Respondent shall be [check applicable box and specify]:

returned to or placed with the following parent [specify]:

returned to or placed with the following legal guardian [specify]:

returned to or placed with the following suitable adult/relative [specify]:

returned to or placed in the following foster home [specify]:

returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify):

returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

On or before [specify date]: , Petitioner shall make such other arrangements for the above-named Respondent’s care and welfare that is in the best interests of the Respondent and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Applicable Where Respondent 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 petition is DISMISSED WITHOUT PREJUDICE.

AND IT IS FURTHER ORDERED that [specify; delete if inapplicable]:

Enter

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 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.

Check applicable box:

Order mailed or electronically transmitted on [specify date(s) and to whom sent]:

 Order received in court on [specify date(s) and to whom given]: _____

APPENDIX A

**PERMISSIBLE TERMS AND CONDITIONS OF A SUSPENDED JUDGMENT
[22 N.Y.C.R.R. § 205.66(a)]**

(a) An order placing a juvenile on probation, suspending judgment entered pursuant to section 757 of the Family Court Act, shall be reasonably related to the adjudicated acts or omissions of the respondent and shall contain at least one of the following terms and conditions applicable to suspended judgments and at least one of the following additional terms and condition of probation, directing the respondent to:

1. attend school regularly and obey all rules and regulations of the school;
2. obey all reasonable commands of the parent or other person legally responsible for the respondent's care;
3. avoid injurious or vicious activities;
4. abstain from associating with named individuals;
5. abstain from visiting designated places;
6. abstain from the use of alcoholic beverages, hallucinogenic drugs, habit forming drugs not lawfully prescribed for the respondent's use, or any other harmful or dangerous substance;
7. cooperate with a mental health or other appropriate community facility to which the respondent is referred;

8. make restitution or perform services for the public good;
9. restore property taken from the petitioner, complainant or victim, or replace property taken from the petitioner, complainant or victim, the cost of said replacement not to exceed \$1,000;
10. repair any damage to, or defacement of, the property of the petitioner, complainant or victim, the cost of said repair not to exceed \$1,000;
11. abstain from disruptive behavior in the home and in the community;
12. cooperate in accepting medical or psychiatric diagnosis and treatment, alcoholism or drug abuse treatment or counseling services, and permit an agency delivering that service to furnish the court with information concerning the diagnosis, treatment or counseling;
13. attend and complete an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law;
14. comply with such other reasonable terms and conditions as the court shall determine to be necessary or appropriate to ameliorate the conduct which gave rise to the filing of a petition.

APPENDIX B

PERMISSIBLE TERMS AND CONDITIONS OF PROBATION (22 NYCRR 205.66(b))

(b) An order placing the respondent on in accordance with section 757 of the Family Court Act shall contain at least one of the following terms and conditions, in addition to any of the terms and conditions set forth in subdivision (a) of this section [Appendix A], directing the respondent:

1. meet with the assigned probation officer when directed to do so by that officer;
2. permit the assigned probation officer to visit the respondent at home or at school
3. permit the assigned probation officer to obtain information from any person or agency from whom the respondent is receiving or was directed to receive diagnosis, treatment or counseling;
4. permit the assigned probation officer to obtain information from the respondent's school;
5. cooperate with the assigned probation officer in seeking to obtain and in accepting employment and employment counseling services;
6. submit records and reports of earnings to the assigned probation officer when requested to do so by that officer;
7. obtain permission from the assigned probation officer for any absence from the county or residence in excess of two weeks;
8. attend and complete an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law;
9. do or refrain from doing any other specified act of omission or commission that, in the opinion of the court, is necessary and appropriate to implement or facilitate the order placing the respondent on probation.