

Soc. Serv. Law §§ 383-c, 384;
Family Court Act §1055-a

Form SURR-7
(Conditional Surrender– Petition for Review
of Substantial Failure of Material Condition
or Violation of Post -Adoption Contact
Agreement Prior to Adoption Finalization)
(1/2026)

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

.....
In the Matter of a Conditional
Surrender Instrument Concerning

Child’s Name:
Date of Birth:
CIN #

Docket No.
PETITION FOR REVIEW
OF SUBSTANTIAL FAILURE OF
MATERIAL CONDITION IN
CONDITIONAL SURRENDER OR
VIOLATION OF POST-ADOPTION
CONTACT AGREEMENT (Prior to
Adoption Finalization)

Pursuant to Section 383-c 384 of the Social
Services Law

.....
TO THE FAMILY COURT OF THE COUNTY OF

:

The undersigned Petitioner respectfully alleges upon information and belief that:

- 1. Petitioner, [specify]: _____, is [check applicable box]:
 - an authorized agency having its office and place of business at [specify]:
in the County of [specify]: _____, State of New York;
 - the person who executed a conditional surrender of the above-named child;
 - the attorney for the above-named child.

2. On [specify date]: _____, this Court approved a [specify]: judicial extra-judicial
surrender of the above-named child, that contained the following condition(s) [specify]:

b. [Applicable where violation of Post-adoption Contact Agreement is alleged; attach copy of
agreement]: On [specify date]: _____, this Court approved a Post-adoption Contact Agreement
and incorporated it into the Order Approving the Surrender. The child has not yet been adopted; the status
of the adoption of the child is as follows [specify]:

3. a. The person executing the surrender [specify]: _____ did did not
sign a written statement waiving notification of any failure of a material condition.

b. [Applicable where notification of failure of material condition was not waived]: The person
executing the surrender did did not provide the authorized agency with an address for notifications, as
well as any changes of address, if any.

4. There has been a failure of a material condition of the surrender,
 violation of the Post Adoption Contact Agreement,
as follows [specify facts and circumstances, including dates]:

5. [Check applicable box(es)]:

a. The authorized agency notified the person who executed the surrender on [specify date]:
regarding the above failure of the condition violation of the Post-adoption Contact Agreement.
 The authorized agency did not notify the person who executed the surrender of the above
 failure of the condition violation of the post-adoption contact agreement

b. The authorized agency notified the child's attorney for the child on [specify date]:
regarding the above failure of the condition violation of the Post-adoption Contact Agreement.
 The authorized agency did not notify the child's attorney for the child of the above failure of
the condition violation of the post-adoption contact agreement.

6. a. The child is in the custody of [specify]: and resides with [specify,
unless confidential]:

b. The most recent permanency hearing regarding the child was held in [check applicable box]:
 this Court another Court [specify]: on [specify date]:
The next permanency hearing is scheduled for the following date certain [specify]:

7. **[REQUIRED: check A and applicable boxes, or B or C]:**

A. I know or have reason to believe that the child who is the subject of this proceeding 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 following is the basis for my
information and belief [specify]:

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

- parent/custodian [specify name and give notification date]:
- tribe/nation [specify name and give notification date]:
- United States Secretary of the Interior [give notification date]:

OR

B. I know or have reason to believe that the child who is the subject of this proceeding may
not 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
following is the basis for my information and belief [specify]:

OR

C. I have not yet obtained information indicating whether the child who is the subject of this
proceeding 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, because [specify]:

8. No previous application has been made for the review of the failure of the above-named material
condition in this instrument of surrender or violation of the Post-adoption Contact Agreement to any court
or judge, except [specify; delete if inapplicable]:

WHEREFORE, Petitioner requests that this Court enter an order providing for the following relief [specify]:
and for such other and further relief as this Court may deem just and proper.

Petitioner

Print or type name

Signature of Attorney, if any

Attorney's Name (Print or Type)

Attorney's Address and Telephone #

VERIFICATION

I am the Petitioner in the above-entitled proceeding and affirm this ___ day of _____, _____, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the above statements are true to my own knowledge, except as to those matters stated to be alleged on information and belief and as to those matters I believe them to be true. I understand that this document may be filed in an action or proceeding in a court of law.

Petitioner: Signature/ Print or type name