

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 Application for  
Approval of an Instrument concerning

Docket No.

ORDER OF DISPOSITION--  
PETITION FOR APPROVAL OF  
STANDBY PLACEMENT  
INSTRUMENT

CIN # \_\_\_\_\_  
Pursuant to Section 358-a of the  
Social Services Law

**NOTICE: IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.**

The Petition of an authorized official of the Department of Social Services, County, dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, having been filed with the Court requesting approval of an instrument transferring custody and care of the child to the agency, such transfer to take effect upon the death, debilitation or incapacity of the parent or guardian and upon the granting of a petition at that time pursuant to Social Services Law §358-a,

[Delete inapplicable provisions; check applicable box(es)]:

And the  parent  guardian having been duly served with notice of this proceeding and any such persons appearing having been given an opportunity to be heard

And the  parent  guardian having by instrument consented to the jurisdiction of this Court and having waived service of the petition and notice of this proceeding and the Court having dispensed with such service,

And an attorney having been appointed and having appeared to represent the child,

And the matter having duly come on for a hearing before this Court, and the Court, after hearing the proof and testimony offered in relation to the case, (not being satisfied)) (being satisfied) that the (parent)(guardian) executed such instrument knowingly and voluntarily and because (he)(she) would be unable to make adequate provision for the care, maintenance and supervision of the child in (his)(her) home in the event of (his)(her) death, debilitation or incapacity,

**[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].

Now, therefore, it is hereby [Delete inapplicable provisions]:

(ORDERED that the petition is granted and the instrument dated \_\_\_\_\_ executed by \_\_\_\_\_ is hereby approved;)(and it is further)

**OR**

(ORDERED that the petition is dismissed;) (and it is further)

(ORDERED that the transfer of custody (and care) to the Petitioner is hereby approved, such transfer to take effect upon the (death)(incapacity or debilitation) of Petitioner;) (and it is further)

(ORDERED that a copy of this Order shall be served (personally) (by certified mail) by the Petitioner upon the (parent(s)) or (guardian(s)) who executed the aforesaid instrument. Such service shall be made within \_\_\_\_\_ days from the date hereof;) (and it is further)

(ORDERED

).

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]:

\_\_\_\_\_