

F.C.A §§ 350.2, 351.1, 352.1  
352.2, 353.1, 353.3,  
353.5

Form 3-33  
(Juvenile Delinquency-  
Order of Disposition-  
Designated Felony-  
Restrictive Placement)  
11/2015

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

Docket No.

A Person Alleged to be a  
Juvenile Delinquent,

ORDER OF  
DISPOSITION  
(Designated Felony;  
Restrictive Placement)

Respondent.  
\_\_\_\_\_

An Order of Fact-finding dated the \_\_\_\_\_ day of \_\_\_\_\_, having been  
entered in  this Court  the Family Court of \_\_\_\_\_ County adjudging that the  
Respondent did the following act(s) that would, if committed by an adult, constitute the following  
crime(s) [specify as to each count]:

designated felony act(s) pursuant to section 301.2 of the Family Court Act [specify,  
including section(s) of the Penal Law or other law violated]:

non-designated felony act(s) [specify, including section(s) of the Penal Law or other law  
violated]:

; and

**[Check box only if applicable]:**  The above crime included infliction of serious physical  
injury upon a person who is 62 years of age or older. *See* F.C.A. §355.5(3).

**Findings Regarding Pre-dispositional Risk Assessment Instrument:**

There  is  is not a validated pre-dispositional risk assessment instrument in use in this  
county that was developed by (or in New York City, approved by) the New York State Office of

Children and Family Services.

[REQUIRED where there is a validated pre-dispositional risk assessment instrument in use]:  
Respondent has been assessed on the risk assessment instrument as a [check box for level of risk]:  
[NYC cases only]:  low  medium  high  very high level of risk  
[NON-NYC cases only]:  low  medium  high level of risk .

[REQUIRED where validated pre-dispositional risk assessment instrument is in use and where Respondent was assessed at a low or moderate level of risk; omit if inapplicable]:

Placement, as directed below, is necessary, both for the protection of the community and to be consistent with the needs and best interests of the Respondent, notwithstanding the assessed risk level, for the following reasons {specify}:

**The matter having thereafter duly come on for a dispositional hearing before the Court**, the Court, after ordering a probation investigation and diagnostic assessment in accordance with section 351.1 of the Family Court Act and making reports available to counsel presenting the petition and counsel for Respondent in accordance with section 351.1 of the Family Court Act and after making an examination and inquiry into the facts and circumstances of the case finds upon a preponderance of the evidence that the Respondent requires supervision, treatment, or confinement, and more specifically, restrictive placement in accordance with section 353.5 of the Family Court Act, for the following reasons:

**NOW therefore, upon the findings made in the fact-finding and dispositional hearings herein and upon all proceedings had herein, it is hereby**

ORDERED and ADJUDGED that the above-named Respondent is a juvenile delinquent on the further ground that the Respondent requires confinement; and it is therefore

ORDERED that the proceeding is hereby continued, and the Respondent is placed for a period of \_\_\_\_\_ years  less the period spent in detention pending disposition,<sup>1</sup> in the custody of the New York State Office of Children and Family Services for confinement in a secure facility for months and may not be released therefrom or transferred to a non-secure facility during the months of confinement; and it is further

ORDERED that the Respondent shall not be discharged from the custody of the New York State Office of Children and Family Services during the term of this order; and it is further

ORDERED that the New York State Office of Children and Family Services

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<sup>1</sup>Applicable unless the court finds that all or part of such credit would not serve the needs and best interests of the respondent or the need or protection of the community; F.C.A. §353.5(4). Note: the placement period may be tolled by reason of the Respondent's absence without leave.

shall  shall not report to the Court pursuant to section 353.5 of the Family Court Act;

AND IT IS FURTHER ORDERED THAT [Check applicable box]:

Respondent's parent or legal guardian was present in Court and consented to the provision of routine medical, dental and mental health services and treatment to the Respondent by the New York State Office of Children and Family Services;

OR

Consent has not been obtained from Respondent's parent or legal guardian, but this Order shall be deemed to grant consent for the New York State Office of Children and Family to provide routine medical, dental and mental health services and treatment to the Respondent.

[OPTIONAL}:  ORDERED that the New York State Office of Children and Family Services shall photograph the Respondent.;

AND IT IS FURTHER ORDERED that

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 ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

ENTER

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

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