

F.C.A. §§352.2(2)(c); 754(2)(b); 1039-b; 1052(b)(i)(A);
S.S.L. §358-a(3)(b)

General Form 36-b
(Affirmation in Support of
Motion that Reasonable
Efforts Not Required)
(1/2024)

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

In the Matter of

Docket No.

CIN #

A Child/Children Alleged to be
 Abused Neglected Voluntarily Placed in Foster Care
 Juvenile Delinquent Person in Need of Supervision

AFFIRMATION IN
SUPPORT OF MOTION
FOR AN ORDER THAT
REASONABLE
EFFORTS ARE NOT
REQUIRED

.....
, [check if applicable]: an attorney duly admitted to
practice law in the State of New York, (swears) (affirms) the following to be true under the
penalties of perjury:

1. (Upon information and belief,) [Specify child(ren)]:
, the above-named child(ren), was/were removed from his/her/their home on [specify date]:
and was/were remanded placed in foster care on [specify date]: , as
a result of a proceeding under Article of the Family Court Act
 Section of the Social Services Law.

2. The status of the case is as follows [specify most recent court action, date of fact-
finding, disposition and/or most recent permanency hearing, if any; if child(ren) was/were
surrendered by or had parental rights terminated with respect to one parent, so indicate with
date]:

3. The permanency plan for the child(ren) is [specify]: . This
plan has has not changed since the most recent dispositional or permanency hearing.

4. This Court should issue an order that reasonable efforts to reunify the
above-named child(ren) with the following parent(s) [specify]:

are no longer required for the following reason(s)[check applicable box(es)]:

(Upon information and belief), the following parent(s)[specify]:
subjected the child(ren) to the following “aggravated circumstances:” as defined in Family Court Act §1012(j):

1). The Family Court found that the following parent(s)[specify]:
committed severe repeated child abuse against the child(ren) as defined in subdivision 8 of Social Services Law §384-b [specify prior finding(s) or conviction(s) for acts or crimes constituting severe or repeated child abuse, including child(ren)’s name(s), court(s), county(ies) or, in the case of criminal convictions, other jurisdiction(s) and date(s) and, in the case of Family Court finding(s) of severe or repeated abuse, the burden of proof by which such finding(s) were made]:

2). The Family Court found that the following parent(s)[specify]:
abused the child(ren), as defined in paragraph (i) (iii) of subdivision (e) of section 1012 of the Family Court Act, within five years after the child(ren)’s return home following placement in foster care as a result of a Family Court finding of neglect, as defined in subdivision (f) of section 1012 of the Family Court Act, by the above-named parent(s) [specify findings of abuse and neglect, including child(ren)’s name(s), court(s), county(ies) and date(s) of findings, and, with respect to the neglect finding, the date(s) of the child(ren)’s placement and of return home]:

3). The Family Court found, by clear and convincing evidence, that the following parent(s)[specify]: _____ has/have refused and has/have failed completely for the following period [specify dates of period in excess of six months from date of child(ren)’s removal from home]: _____ to engage in the following services necessary to eliminate the risk of abuse or neglect to the child(ren) if returned home [specify, including agencies or programs to which agency referred the parent(s), including dates of the referrals]:

The Court also found that this failure was not justified by lack of childcare, lack of transportation, conflict with work schedule or other adequate justification and that the parent(s) failed to arrange alternate services independently. On [specify date]: _____, after being warned by the Court that such an admission might result in an order that reunification services are not required, the parent(s) stated in Court under oath that he she they intend(s) to continue to refuse such services and is/are unwilling to arrange services independently.

4). The Family Court found that the child(ren) was/were abandoned at the age of five days or younger by the following parent(s)[specify]:
with an intent to wholly abandon such child(ren) and with the intent that the child(ren) be safe from physical injury and cared for in an appropriate manner [specify child(ren)’s name(s), court, county, date, circumstances or location of child(ren) when found and grounds for finding]:

5). (Upon information and belief), the parental rights of the following parent(s)[specify]: _____ to a sibling or half-sibling of the child(ren) were involuntarily terminated [specify name and date of birth of such child, court, county, and date]: _____

WHEREFORE, for the reasons stated above, affiant respectfully requests this Court to issue an order granting the Petitioner's motion for an order that reasonable efforts are not required to reunify the child(ren) with the following parent(s) [specify]: _____, and for such other and further relief as the Court may deem just and proper.

I 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, and I understand that this document may be filed in an action or proceeding in a court of law.

Affiant