

F.C.A. §§ 652

General Form GF-41
(Petition for Enforcement of Order
of Custody or Visitation Made by
Supreme Court or Family Court)¹
3/2009

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

.....
In the Matter of a Proceeding for Custody/Visitation
Under Article 6 of the Family Court Act

Docket No.

Petitioner,

-against-

Respondent
.....

PETITION FOR
ENFORCEMENT OF ORDER OF
 Custody Visitation
MADE BY FAMILY COURT
 SUPREME COURT

**WARNING: THE PURPOSE OF THE HEARING REQUESTED IN THIS
PETITION IS TO PUNISH [specify NAME]:**

**FOR CONTEMPT OF COURT, WHICH MAY INCLUDE SANCTIONS
OF A FINE OR IMPRISONMENT OR BOTH. YOUR FAILURE TO
APPEAR IN COURT MAY RESULT IN YOUR IMMEDIATE ARREST
AND IMPRISONMENT FOR CONTEMPT OF COURT.**

TO THE FAMILY COURT:

The undersigned Petitioner respectfully shows that:

1. I am [specify relationship to child(ren)]: _____ of [specify
child(ren)'s name(s)]: _____

I am seeking to enforce an order of [check applicable box(es)]: custody visitation.

2. The home addresses of the Petitioner and Respondent are as follows:²
Petitioner:

Respondent:

3. Petitioner is _____ and was the _____ in an action filed in
 Supreme Court of the State of New York, _____ County, Index No. [specify]: _____

¹ If the order was entered by a Court outside New York State or a tribal court, use Form UCCJEA-11.

² Unless the Court has ordered the address to be confidential on the ground that disclosure would pose an unreasonable health or safety risk. See Family Court Act §154-b; Form 21 (available at www.nycourts.gov).

Family Court of the State of New York,
entitled

County, Docket No. [specify]:

4. [Applicable when Petitioner and/or Respondent are on active duty or have recently returned from active military service; DELETE if inapplicable]:

a. Petitioner [check applicable box]:

is on active duty, deployed or temporarily assigned to military service as follows [specify type of service, military branch or National Guard unit, anticipated dates and location of duty and how duty is likely to affect custody or visitation, if at all]:³

returned from active duty, deployment or temporarily assignment to military service as follows [specify date of return, type of service, military branch or National Guard unit, anticipated dates and location of duty and how return from active duty is likely to affect custody or visitation, if at all]:

b. Respondent [check applicable box]:

is on active duty, deployed or temporarily assigned to military service as follows [specify type of service, military branch or National Guard unit, anticipated dates and location of duty and how duty is likely to affect custody or visitation, if at all]:⁴

returned from active duty, deployment or temporarily assignment to military service as follows [specify date of return, type of service, military branch or National Guard unit, anticipated dates and location of duty and how return from active duty is likely to affect custody or visitation, if at all]:

5. a. A judgment order, dated _____, was entered in the action directing the Respondent Petitioner to [specify terms]:

A true copy of the judgment order is attached and made a part of this Petition.

³ Inapplicable if Petitioner is based at a permanent duty station or has had a permanent reassignment of station.

⁴ Inapplicable if Respondent is based at a permanent duty station or has had a permanent reassignment of station.

b. [Applicable where the judgment or order had been entered in conjunction with a child protective dispositional or permanency hearing order directing custody with a relative or other non-parent, pursuant to Family Court Act §1055-b or §1089-a; delete if inapplicable]:

(i) The judgment order was issued in conjunction with the following child protective or permanency proceeding [specify Family Court, county and docket #]:

(ii) The judgment order provided that the following local department of social services [specify]: and the following attorney for the child(ren)[specify]: must be notified and shall be made parties to any subsequent proceedings for modification, enforcement or termination of the judgment or order.

6. The names, addresses and dates of birth of all children affected by this order are:

<u>Name</u>	<u>Address⁵</u>	<u>Date of Birth</u>
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7. [Applicable where Order or judgment had been issued by Supreme Court; delete if inapplicable]: Under the terms of the judgment order, the Supreme Court Family Court has has not retained exclusive jurisdiction to enforce the judgment order.

8. (Upon information and belief) Respondent has failed to comply with the terms of the judgment order in that [specify provision(s) alleged to be violated and nature of violation(s)]:

9. No previous application has been made to any Court or judge for the relief requested in this Petition (except [specify]):

⁵ Unless the Court has ordered the address to be confidential on the ground that disclosure would pose an unreasonable health or safety risk. See Family Court Act §154-b; Form 21 (available at www.nycourts.gov).

WHEREFORE, Petitioner respectfully requests that the judgment order of the Supreme Court Family Court, dated _____, be enforced in accordance with Article 6 of the Family Court Act and for such other relief as the Court may deem just and proper.

Dated:

Petitioner

Print or type name

Signature of Attorney, if any

Attorney's Name (Print or Type)

Attorney's Address and Telephone Number

VERIFICATION

STATE OF NEW YORK)
 :SS:
COUNTY OF)

being duly sworn, says that (s)he is the Petitioner in the above-named proceeding and that the foregoing petition is true to (his)(her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

Petitioner

Sworn to before me this
day of

(Deputy) Clerk of the Court
Notary Public