



Office of Children and Family Services

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Sheila J. Poole
Acting Commissioner

Informational Letter

Transmittal:	15-OCFS-INF-05
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Division of Child Welfare and Community Services
Date:	July 14, 2015
Subject:	Revised SSL §383-c Judicial and Extra-Judicial Surrender Forms and Attachments
Suggested Distribution:	Directors of Social Services Adoption and Foster Care Supervisors Preventive Services Supervisors Legal Staff
Contact Person(s):	Questions concerning this release should be directed to the appropriate Regional Office, Division of Child Welfare and Community Services: Buffalo Regional Office - Dana Whitcomb (716) 847-3145 Dana.Whitcomb@ocfs.ny.gov Rochester Regional Office - Karen Buck (585) 238-8201 Karen.Buck@ocfs.ny.gov Syracuse Regional Office - Sara Simon (315) 423-1200 Sara.Simon@ocfs.ny.gov Albany Regional Office - Kerri Barber (518) 486-7078 Kerri.Barber@ocfs.ny.gov Spring Valley Regional Office - Yolanda Désarmé (845) 708-2499 Yolanda.Desarme@ocfs.ny.gov New York City Regional Office - Raymond Toomer (212) 383-1808 Raymond.Toomer@ocfs.ny.gov Native American Services - Heather LaForme (716) 847-3123 Heather.LaForme@ocfs.ny.gov
Forms Available Online:	These and other adoption forms can also be accessed on the OCFS web page, OCFS Forms for Adoption : Judicial Surrender (OCFS 4315) Attachment A to the Judicial Conditional Surrender (OCFS 4315A) Extra Judicial Surrender (OCFS 4316) Attachment A to the Extra Judicial Surrender Form (OCFS 4316A)

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
07-OCFS-ADM-02 08-OCFS-INF-12		18 NYCRR 421.6	SSL §383-c		

I. Purpose

The purpose of this Informational Letter (INF) is to inform local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of the issuance by the New York State Office of Children and Family Services (OCFS) of revised prescribed surrender and attachment forms associated with surrenders executed in accordance with section 383-c of the Social Services Law (SSL). The revised forms include:

- Judicial Surrender (OCFS 4315);
- Attachment A to the Judicial Conditional Surrender (OCFS 4315A);
- Extra Judicial Surrender (OCFS 4316); and
- Attachment A to the Extra Judicial Surrender Form (OCFS 4316A).

II. Background

A surrender, whether by a parent or guardian of a child in foster care to an authorized agency, or by a parent or guardian who is him/herself a child in foster care when surrendering the child, must be executed in accordance with section 383-c of the SSL. Judicial surrenders, or extra-judicial surrenders executed in accordance with section 383-c of the SSL, must be completed in a form prescribed by OCFS.

III. Program Implications

OCFS has made minor revisions to the judicial and extra-judicial surrender forms and the corresponding attachment forms that are used for conditional surrenders. The changes include the insertion of “attorney for the child” in lieu of either “law guardian” or “child’s attorney.” In addition, in conformance with section 383-c(5)(b) of the SSL, existing sections of the prior extra-judicial surrender were moved to the first page of the form.

The revisions made to these documents were made in consultation with the Office of Court Administration. These forms are also available in [Spanish](#).

With this release, each LDSS and VA is to use the Judicial or Extra-Judicial Surrender and Attachment A forms with a revision date of 1/2015.

Laura M. Velez

Issued By:

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Title: Deputy Commissioner

Division/Office: Division of Child Welfare and Community Services