



Judicial Council of California. Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 29, 2010

Title

Juvenile Dependency Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction

Agenda Item Type

Action Required

Effective Date

July 1, 2011

Rules, Forms, Standards, or Statutes Affected

Approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-418, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446

Date of Report

October 12, 2010

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Recommended by

Family and Juvenile Law Advisory
Committee

Hon. Jerilyn L. Borack, Cochair

Hon. Susan D. Huguenor, Cochair

Executive Summary

This proposal would create five new Judicial Council forms and revise other forms previously approved for use in juvenile dependency proceedings. These optional forms are primarily for findings and orders after hearing. The changes are required due to modifications in federal and state law that have expanded the number of issues the court must consider and about which the court must make determinations in the exercise of its oversight of the children and families under its jurisdiction. This proposal would also revise *Termination of Dependency Jurisdiction—Child Attaining Age of Majority* (form JV-365) to ensure that every child in a foster care placement

receives the services and information required under federal and state law to support the transition from foster care to independent living.

Recommendation

To ensure that changes in federal and state law are included in Judicial Council forms, the Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2011:

1. Approve the following new optional forms for the additional 18-month hearing outcome and the new 24-month hearing created by Assembly Bill 2070:
 - *Eighteen-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.22)* (form JV-443)
 - *Findings and Orders After 24-Month Permanency Hearing (Welf. & Inst. Code, § 366.25)* (form JV-455)
 - *Twenty-four-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.25)* (form JV-456)
 - *Twenty-four-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.25)* (form JV-457)
2. Approve new optional form, *Sibling Attachment: Contact and Placement* (form JV-403) so the findings and orders related to siblings will be included as an attachment only when the child has a sibling. There are many instances in which the child does not have siblings.
3. Revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-418, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV 433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446 to include the additions and modifications to the findings and orders that have occurred since January 1, 2006, due to changes in state and federal legal requirements.

The proposed new and revised forms are attached at pages 8–100. A full listing of the forms is attached at page 101.

Previous Council Action

Effective January 1, 2006, the Judicial Council approved a set of 32 forms for optional use in juvenile court dependency proceedings to enhance judicial efficiency and compliance with state and federal law. Participants in the court system, including judges, court clerks, child and family services agencies, and attorneys, had requested standardized findings and orders. In addition, staff of the Administrative Office of the Courts, Center for Families, Children & the Courts, assigned to the Judicial Review and Technical Assistance Project had noted significant variation in the thoroughness of findings and orders during the project's regular reviews of juvenile dependency court files. Local courts have used the forms to help ensure that all required findings

and orders are made and reflected in the court files. The current proposal includes revisions to 25 of the previously approved forms.

Rationale for Recommendation

The number of issues the court must consider and about which the court must make determinations in the exercise of its oversight of the children and families under its jurisdiction has expanded due to changes in state and federal. The adoption of new forms and the revision of many existing forms is required to reflect the new legal requirements discussed below.

Findings and orders after 18-month and 24-month hearings

Assembly Bill 2070 (Bass; Stats. 2008, ch. 482) amended several sections of, and added section 366.25 to, the Welfare and Institutions Code, providing for a subsequent permanency review hearing 24 months after the date the child was originally removed from the physical custody of his or her parent or guardian in certain circumstances. These amendments became effective January 1, 2009, and were incorporated into the affected rules of the California Rules of Court, effective January 1, 2010.

Tribal customary adoption

Effective July 1, 2010, the Legislature enacted Assembly Bill 1325 (Cook; Stats. 2009, ch. 287), providing for tribal customary adoption through the law, custom, and tradition of an Indian child's tribe without the termination of parental rights as a permanency option for dependent Indian children. The legislation required the Judicial Council to enact implementing rules and forms effective July 1, 2010, which was accomplished during the Judicial Council meeting on April 23, 2010. The committee also identified various optional juvenile forms that needed to be updated to reflect this change, which are included in this proposal.

Notice to a child 10 years of age or older finding

Before January 1, 2009, Welfare and Institutions Code section 349 required the court to determine whether notice of his or her right to attend the hearing was given to a child 10 years of age or older who was not present at the hearing. Effective January 1, 2009, Assembly Bill 3051 (Jones; Stats. 2008, ch. 166) added a provision to section 349 requiring the court to inquire whether the child was provided with an opportunity to attend. Rule 5.534(p) of the California Rules of Court was amended, effective January 1, 2010, to incorporate this addition to section 349 and to require the court to determine whether the child was provided with an opportunity to attend the hearing.

Case plan findings

In 2005, the California Legislature enacted Assembly Bill 1412 (Leno; Stats. 2005, ch. 640), which made a legislative finding and declaration that a child's input into his or her case plan is valuable and necessary to the development of a plan that best meets the child's unique needs. Existing law required the input of the parents in the case-planning process. The relevant California Rules of Court were amended effective January 1, 2007, to require findings regarding the children's and parents' involvement in the case plan development and thereby provide

judicial oversight of the case-planning process to ensure that children and parents are actively involved in the case plan and permanency planning process. The proposed revisions of the forms include new case plan findings appropriate to the each hearing type as required by rules 5.690, 5.708, and 5.740 of the California Rules of Court.

Education findings

Effective January 1, 2008, the Judicial Council incorporated applicable federal and state education and disability laws into juvenile rules and forms and provided court procedures for implementing those laws. Rule 5.651 requires the court to make specified findings and orders regarding a child’s educational, physical, mental health, and developmental needs at the disposition hearing and at all subsequent hearings. The proposed revisions of forms include these findings and orders related to educational, physical, mental health, and developmental needs.

Parentage findings

Effective January 1, 2007, the Judicial Council approved the amendment of rule 5.635 of the California Rules of Court and revisions to forms JV-501 and JV-505 to follow California Supreme Court opinions recognizing that a child can have two same-sex parents. The proposed revisions of the “Paternity” section of various forms include replacing the term “paternity” with “parentage,” replacing the term “alleged father” with “alleged parent,” and changing the reference to form JV-505 to reflect its correct title, *Statement Regarding Parentage (Juvenile)*.

Siblings

Several of the current forms include a “Siblings” section regarding the child’s contact and placement with his or her siblings who are also under the court’s jurisdiction. In many instances the child does not have siblings under the court’s jurisdiction and the “Siblings” section of the form will be blank except for a single check box. Moving this section to a proposed new form, *Sibling Attachment: Contact and Placement* (form JV-403) and adding an item to the current forms stating that form JV-403 is to be attached only when the child has a sibling under the court’s jurisdiction will eliminate the unnecessary use of paper.

Family Finding and Engagement

The companion proposal, *Juvenile Law: Family Finding*, would implement statutory requirements requiring county agencies to make efforts to identify, locate, and notify a child’s relatives. The proposal would also establish procedures for the juvenile court to review these efforts. In particular, proposed amendments to rule 5.695 would require the court to make new or modified findings at the disposition hearing. Though the amendments to the rule and the substance of the findings are detailed in the companion proposal, these findings are also included on optional Judicial Council forms for orders after hearing that are part of this proposal.¹ Because these forms require extensive additional updates outside the scope of the companion

¹ These include JV-420, *Dispositional Attachment: Removal From Custodial Parent—Placement With Previously Noncustodial Parent*, item 7; and JV-421, *Dispositional Attachment: Removal From Custodial Parent—Placement With Nonparent*, item 7.

proposal to bring them into compliance with current law, all changes to the forms have been submitted as part of this report.

Other miscellaneous changes

Miscellaneous revisions of the forms include:

1. Proposed revision of forms JV-431, JV-436, and JV-441 to add to item 2 on each form “and is ordered as the permanent plan” to make clear that the permanent plan of reunification is being implemented. The item would read, “The permanent plan of reunification is appropriate and is ordered as the permanent plan.”
2. Proposed revision of form JV-432 to change item 6 to reflect amendment of rule 5.710 of the California Rules of Court, regarding the factors to consider when continuing reunification services.
3. Proposed revision to change a reference to a renumbered item in various items on forms JV-420, JV-432, JV-433, JV-437, JV-438, JV-442, JV-445, and JV-446.
4. Proposed modifications to reflect a change in the rule number, rule name, form number, or form name in various items on forms JV-405, JV-410, JV-421, JV-433, JV-438, JV-442, and JV-446.
5. Proposed revisions to item 29 on form JV-446 and item 9 on forms JV-438 and JV-442 to include a specific goal for a child in a placement with a fit and willing relative and a likely date finding for achieving the specific goal.
6. Proposed revision of item 29 of form JV-446 to include a specific goal for a child in a guardianship in which dependency has not yet been dismissed and a likely date finding for achieving the specific goal.
7. Proposed revision to add a specific goal of assisted adult living for a child who does not have the capacity due to cognitive or physical deficits to transition to independent living to item 29 on form JV-446 and item 9 on forms JV-438 and JV-442.
8. Proposed revision of form JV-415 to add item 14, a finding that the child’s medical, dental, mental health, and educational information has been provided to the county agency as required by Welfare and Institutions Code section 16010.
9. Proposed revision of all forms to replace all references to “county child and family services agency” and “agency” with “county agency” to ensure consistency.
10. Proposed Revision to *Termination of Dependency Jurisdiction—Child Attaining Age of Majority* (form JV-365) to clarify that the form must also be completed for a foster child under the delinquency jurisdiction of the court.
11. Proposed revisions to all forms to correct punctuation and formatting.
12. Proposed plain language revisions to all forms to improve readability.

Comments, Alternatives Considered, and Policy Implications

The invitation to comment on the proposal was circulated from April 19, 2010, through June 18, 2010, to the standard mailing list for family and juvenile law proposals as well as to the regular rules and forms mailing list. This distribution list includes judges, court administrators, attorneys, social workers, probation officers, mediators, and other family and juvenile law professionals. A

total of seven comments were received. All commentators agreed with the proposal, with four suggesting modifications.²

A commentator questioned limiting the finding related to the county agency's efforts to identify and maintain relationships with important individuals for a child 10 years of age or older to children who had resided in a group home for six months or longer. However, the extension of the requirement to children other than those in a group home was subject to appropriations through the budget process, which has not occurred.

A commentator agreed with the proposal if modified, expressing a concern that an advisement that includes a reference to appointment of an attorney implied that biological fathers and alleged father were entitled to a "free attorney." The committee agreed, and the advisement was modified.

A commentator from a county in which the optional dependency forms are used does not find them to be user-friendly and to require a high volume of paper. This commentator recommended several modifications. The committee agreed with the suggestion that additional bold headings be included to increase ease of use but did not agree with the elimination of the attachments for the different outcomes possible at the various dependency hearings. The commentator also suggested a study regarding improvements to the form, which the committee will consider in its ongoing efforts to ensure the utility of the forms.

Another commentator made suggestions related to minor substantive issues, which are fully discussed in the attached comment chart, as well as helpful copyediting suggestions. In addition, the commentator stated that the implementation of the forms would require additional staff time and increase copying and mailing costs because of the multipage format and the inability of the court's current case management system to support the production of the JV forms, thereby requiring both the completion of a Word version of the JV form and the production of a minute order. The commentator recommended that the forms remain optional.

Alternatives considered and policy implications

The committee considered deferring action on these forms until a future cycle. However, the proposed new forms and revisions are necessary to ensure that the forms accurately reflect the finding and orders required by state and federal law. These optional forms require sufficient legal updates to necessitate revision at this time.

Implementation Requirements, Costs, and Operational Impacts

Implementation of the new and revised forms will incur standard reproduction costs. Full implementation of all optional forms may create additional mailing costs and increase staff time for those courts with older case management systems.

² A chart providing the full text of the comments and the committee responses is attached at pages 102–112.

Relevant Strategic Plan Goals and Operational Plan Objectives

Because this proposal will provide standardized forms that ensure compliance with state and federal legal requirements, it supports the integrity of court orders: Goal IIIA, Modernization of Management and Administration, Objective 4.

Attachments

1. Proposed new and revised forms, at pages 8–100
2. New and revised dependency forms list, at page 101
3. Chart of comments, at pages 102–112

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

1. The child has siblings under the court's jurisdiction.

- a. The nature of the relationship between the child and the child's siblings is
 - (1) stated on the record.
 - (2) described in the social worker's report.
 - (3) other (specify):
- b. (1) Developing or maintaining the sibling relationship with the siblings named below is appropriate.
 - (a) (name):
 - (b) (name):
 - (c) (name):
 - (d) (name):
 - (e) (name):
 - (f) (name):
- (2) Developing or maintaining the sibling relationship with the siblings named below is not appropriate.
 - (a) (name):
 - (b) (name):
 - (c) (name):
 - (d) (name):
 - (e) (name):
 - (f) (name):
- (3) The basis for the finding in item 1b is
 - (a) stated on the record.
 - (b) described in the social worker's report.
 - (c) other (specify):
- c. The impact of the sibling relationships on the child's placement and planning for legal permanence is
 - (1) stated on the record.
 - (2) described in the social worker's report.
 - (3) other (specify):

2. The child and all of the child's siblings under the court's jurisdiction are placed together in the same home.

3. The child and all of the child's siblings under the court's jurisdiction are not placed together in the same home.

- a. Efforts are being made to place the child and the following siblings together.
 - (1) Child's siblings:
 - (a) (name):
 - (b) (name):
 - (c) (name):
 - (d) (name):
 - (e) (name):
 - (f) (name):
 - (2) The reasons the child and these siblings are not placed together and the efforts being made to do so are
 - (a) stated on the record.
 - (b) described in the social worker's report.
 - (c) other (specify):
- b. Efforts to place the child with the following siblings are not appropriate.
 - (1) Child's siblings:
 - (a) (name):
 - (b) (name):
 - (c) (name):
 - (2) The reasons that efforts to place the child with these siblings are not appropriate are
 - (a) stated on the record.
 - (b) described in the social worker's report.
 - (c) other (specify):
- c. The frequency and nature of the visits between the child and the child's siblings who are not placed together are
 - (1) stated on the record.
 - (2) described in the social worker's report.
 - (3) other (specify):

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

EIGHTEEN-MONTH PERMANENCY ATTACHMENT: REUNIFICATION SERVICES CONTINUED
(Welf. & Inst. Code, § 366.22)

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.

Placement

- 2. **The child's out-of-home placement is necessary.**
- 3. **The child's current placement is appropriate.**
- 4. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
 - a. The matter is continued to the date and time indicated on form JV-440, item 25 for a written oral report by the county agency on the progress made in locating an appropriate placement.
 - b. Other (*specify*):
- 5. **The child is placed outside the state of California and that out-of-state placement**
 - a. continues to be the most appropriate placement for the child and is in the best interest of the child.
 - b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-440, item 25 for a written oral report by the county agency on the progress made toward
 - (1) returning the child to California and locating an appropriate placement within California.
 - (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - (3) Other (*specify*):

Reunification services

- 6. **By clear and convincing evidence, it is in the best interest of the child to provide additional reunification services to the**
 - a. mother biological father Indian custodian
 presumed father legal guardian other (*specify*):
 - (1) who is making significant and consistent progress in a substance abuse treatment program.
 - (2) who is recently discharged from incarceration or institutionalization and making significant and consistent progress in establishing a safe home for the child's return.

and

 - b. **There is a substantial probability that the child may be returned to the**
 - mother biological father Indian custodian
 presumed father legal guardian other (*specify*):
 by the date set for the 24-month permanency hearing under Welf. & Inst. Code, § 366.22 because the person has
 - (1) consistently and regularly contacted and visited the child;
 - (2) made significant and consistent progress in the prior 18 months in resolving the problems that led to the child's removal from the home; and
 - (3) demonstrated the capacity and ability to provide for the safety, protection, physical and emotional health, and special needs of the child and
 - (a) to complete the objectives of his or her substance abuse treatment plan as evidenced by reports from a substance abuse provider.
 - (b) to complete a treatment plan postdischarge from incarceration or institutionalization.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

7. **Reunification services are continued for the**
- mother biological father Indian custodian
 presumed father legal guardian other (*specify*):
- a. as previously ordered.
b. as modified
 (1) on the record.
 (2) in the case plan.

8. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is (*specify date*):

Important individuals

9. **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a. The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
b. The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
 (1) as stated on the record.
 (2) as follows:

Health

10. The mother biological father Indian custodian
 presumed father legal guardian other (*specify*):
is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

Advisement

11. The court informed all parties present at the time of the hearing and further advises all parties that if the child is not returned to the home at the 24-month permanency hearing set on a date within 24 months from the date the child was initially removed from his or her home, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26 **that may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.**

| |
|---|
| Twenty-four-month permanency hearing date: |
|---|

| | |
|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <hr/> <p style="text-align: center;">TELEPHONE NO.: FAX NO. (<i>Optional</i>):</p> <p>E-MAIL ADDRESS (<i>Optional</i>):</p> <p>ATTORNEY FOR (<i>Name</i>):</p> | FOR COURT USE ONLY DRAFT 14 09/15/10 amb Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER 24-MONTH PERMANENCY HEARING (Welf. & Inst. Code, § 366.25) | CASE NUMBER: |

1. Twenty-four-month permanency hearing

- a. Date:
- b. Department:
- c. Judicial officer (*name*):
- d. Court clerk (*name*):
- e. Court reporter (*name*):
- f. Bailiff (*name*):
- g. Interpreter (*name and language*):

| | <u>Present</u> | <u>Attorney (<i>name</i>):</u> | | <u>Appointed</u> <u>today</u> |
|----------------------------------|--------------------------|--------------------------------|--------------------------|----------------------------------|
| h. <u>Party (<i>name</i>):</u> | | | | |
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other (<i>specify</i>): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
 - (1) Court Appointed Special Advocate (CASA) volunteer (*name*):
 - (2) Other (*name*):
 - (3) Other (*name*):

2. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- b. Report of CASA volunteer dated:
- c. Case plan dated:
- d. Other (*specify*):
- e. Other (*specify*):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

- 3. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5. A Court Appointed Special Advocate is appointed for the child.

Parentage

6. a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to the
 (1) alleged parent (*name*):
 (2) alleged parent (*name*):
 (3) alleged parent (*name*):

Advisements and waivers

7. The court has informed and advised the

- mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

Case plan development

9. a. The following were actively involved in the case plan development, including the child's plan for permanent placement.
 child mother father representative of child's identified Indian tribe
 other (specify): _____
- b. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.
 child mother father representative of child's identified Indian tribe
 other (specify): _____
- c. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
 child mother father representative of child's identified Indian tribe
 other (specify): _____

Efforts

10. **The county agency**

- a. has
 b. has not

complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.

11. The child is may be an Indian child, and
 a. by clear and convincing evidence active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
 b. active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

12. **The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:**

| | <u>None</u> | <u>Minimal</u> | <u>Adequate</u> | <u>Substantial</u> | <u>Excellent</u> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> |

Siblings

13. **The child does not have siblings under the court's jurisdiction.**
14. **The child has siblings under the court's jurisdiction.** *Sibling Attachment: Contact and Placement (form JV-403) is attached and incorporated by reference.*

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

Education

15. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
- b. A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
16. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.
17. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 16 or other concerns are:
- a. stated in the social worker's report.
- b. specified here: _____
- _____
18. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 17:
- a. Social worker.
- b. Parent (*name*): _____
- c. Surrogate parent (*name*): _____
- d. Educational representative (*name*): _____
- e. Other (*name*): _____
19. The child's education placement has changed since the last review hearing.
- a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
- b. The child is enrolled in school.
- c. The child is attending school.
20. **Child 16 years of age or older:**
- a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to independent living.
- b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to independent living.
- c. To assist the child in making the transition to independent living, the county agency must add to the case plan and provide the services
- (1) stated on the record.
- (2) as follows:

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
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21. **Placement and services are ordered as stated in** (check appropriate box and attach indicated form):
- a. *Twenty-four-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.25)* (form JV-456), which is attached and incorporated by reference.
 - b. *Twenty-four-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.25)* (form JV-457), which is attached and incorporated by reference.

22. **Contact with the child is ordered as stated in** (check appropriate box and attach indicated form):
- a. *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
 - b. *Visitation Attachment: Sibling* (form JV-401).
 - c. *Visitation Attachment: Grandparent* (form JV-402).

23. **All prior orders not in conflict with this order remain in full force and effect.**

24. **Other findings and orders:**
- a. See attached.
 - b. (Specify):

25. **The next hearing is scheduled as follows:**

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. In-home status review hearing (Welf. & Inst. Code, § 364)
- b. Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- c. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- d. Other (specify):

26. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

27. Number of pages attached: _____

Date: _____

JUDGE
 JUDGE PRO TEMPORE
 COMMISSIONER
 REFEREE

| | |
|----------------------------|----------------------|
| CHILD'S NAME: _____ | CASE NUMBER: |
|----------------------------|----------------------|

TWENTY-FOUR-MONTH PERMANENCY ATTACHMENT: CHILD REUNIFIED
(Welf. & Inst. Code, § 366.25)

1. The return of the child to his or her parent or legal guardian would not create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child, and the child's placement in foster care is no longer necessary or appropriate. The factual basis for this conclusion is stated on the record.

Permanent plan

2. The permanent plan of reunification is appropriate and is ordered as the permanent plan.
 - a. The child is placed, effective immediately, in the care and custody of the

| | | |
|--|--|---|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> Indian custodian |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> legal guardian | |
| <input type="checkbox"/> other (<i>specify</i>): | | |
 - b. The county agency will provide family maintenance services, and the family will participate in those services, as stated in the family's case plan.
 - c. The family is not in need of further services, and the person specified in item 2a is granted physical and legal custody of the child under the custody order and final judgment entered this day. Visitation with the child will be as stated in the *Visitation Order—Juvenile* (form JV-205). The clerk of the juvenile court must file with the family court a completed *Custody Order—Juvenile—Final Judgment* (form JV-200) and *Visitation Order—Juvenile* (form JV-205).

Education

3. The mother biological father Indian custodian presumed father legal guardian other (*specify*):
 must ensure the child's regular school attendance and make reasonable efforts to obtain the education services necessary to meet the child's specific needs.
4. **Child 16 years of age or older:** The child was in foster care at 16 years of age and remains eligible for independent living services. The county agency will provide those services as stated in the child's case plan and Transitional Independent Living Plan.

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|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

**TWENTY-FOUR-MONTH PERMANENCY ATTACHMENT:
REUNIFICATION SERVICES TERMINATED
(Welf. & Inst. Code, § 366.25)**

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
2. **The child's out-of-home placement is necessary.**
3. **Reunification services are terminated.**
4. **The child's current placement is appropriate.**
5. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
 - a. The matter is continued to the date and time indicated in form JV-455, item 25 for a written oral report by the county agency on the progress made in locating an appropriate placement.
 - b. Other (*specify*):
6. **The child is placed outside the state of California and that out-of-state placement**
 - a. continues to be the most appropriate placement for the child and is in the best interest of the child.
 - b. is not the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-455, item 25 for a written oral report by the county agency on the progress made toward
 - (1) returning the child to California and locating an appropriate placement within California.
 - (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - (3) other (*specify*):

Selection of permanent plan

7. **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and has no one currently willing or appropriate to accept legal guardianship. The child's permanent plan is
 - a. placement with (*name*): _____, a fit and willing relative with a specific goal of adoption guardianship and termination of dependency.
The likely date by which the child's specific goal will be achieved is (*specify date*):
 The relative is authorized to provide consent for the child's medical, surgical, and dental care as provided in *Order Granting Authority to Consent to Medical, Surgical, and Dental Care* (form JV-448).
 - b. placement with (*name of placement*): _____ with a specific goal of (*specify*):
 - (1) return home.
 - (2) adoption.
 - (3) legal guardianship.
 - (4) permanent placement with a fit and willing relative.
 - (5) a less restrictive foster care setting.
 - (6) independent living with identification of a caring adult to serve as a lifelong connection for the youth.
 - (7) assisted adult living with identification of a caring adult to serve as a lifelong connection for the youth.**The likely date** by which the child's specific goal will be achieved is (*specify date*):
 - c. The county agency made diligent efforts to locate an appropriate relative for the child's placement, and each relative whose name was submitted to the county agency was evaluated as a possible caregiver for the child.

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| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

8. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence, reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
- c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.
- e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.
- f. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) (name):
- (2) (name):
- (3) (name):
- (4) (name):
- g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is (*specify date*):

Services

9. **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a. The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
- b. The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
- c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
- (1) as stated on the record.
- (2) as follows:

Health

10. The mother biological father Indian custodian
 presumed father legal guardian other (*specify*):

is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

| | |
|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____ | <p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;">DRAFT 6 08/12/10 xyz Not approved by Judicial Council</p> |
| <p style="text-align: center;">SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: CHILD'S DATE OF BIRTH: HEARING DATE AND TIME: _____ DEPT.: _____ | |
| <p>TERMINATION OF JUVENILE COURT JURISDICTION— CHILD ATTAINING AGE OF MAJORITY</p> | CASE NUMBER: _____ |

Directions for the social worker or probation officer: Check the appropriate boxes in items 1 through 6, complete item 7, attach documents as required, and sign and date item 8.

Directions for the child (if child is available): Review the boxes checked by the social worker or probation officer in items 1 through 6. If the box checked in item 1 is wrong, check the correct box and sign your initials next to it. Sign your initials after items 2a–h, items 3a–g, item 4, items 5a–b, and items 6a–g if you received the service or information. Then sign and date item 9.

1. a. The child wants to attend the termination hearing.
- b. The child does not want to attend the termination hearing. The petitioner has attached verification that the child has been informed of the potential consequences of failure to attend the termination hearing.
- c. The child is unavailable and/or has refused to sign this form. Evidence of reasonable efforts to locate the child and to obtain the child's signature is attached.

2. An attached report verifies that the child has received written information concerning his or her juvenile court case, including (check all that apply):
 - a. Information known about the child's Indian heritage or tribal connections, if applicable
 - b. The child's family history
 - c. The child's placement history
 - d. The child's educational and medical history
 - e. Any photographs of the child or the child's family in the possession of the county welfare department or probation department, other than forensic photographs
 - f. The whereabouts of any siblings under the jurisdiction of the juvenile court
 - g. The child's right to go to the clerk's office and, after demonstrating his or her identity by showing an identification card or by other means, inspect, receive, and copy the child's juvenile case file without an order from the juvenile court (see Welf. & Inst. Code, §§ 826.6 and 827 and rule 5.552 of the California Rules of Court)
 - h. The date on which the jurisdiction of the court will be terminated

| | |
|---------------|--------------|
| CHILD'S NAME: | CASE NUMBER: |
|---------------|--------------|

3. The child has been provided with the following documents (*check all that apply*):
- a. Certified birth certificate
 - b. Social security card
 - c. Identification card and/or driver's license
 - d. Proof of citizenship or residency status
 - e. Death certificate of parent or parents, if applicable
 - f. Health and education summary, as described in Welf. & Inst. Code, § 16010(a)
 - g. Letter prepared by the county welfare department or the probation department that includes the child's name and date of birth, the dates during which the child was within the jurisdiction of the juvenile court, and a statement that the child was a foster youth in compliance with state and federal financial aid documentation requirements

4. If the child continues to be eligible for services or accommodations under the Individuals With Disabilities Education Act, the Americans With Disabilities Act, or section 504 of the Rehabilitation Act of 1973, the child has been provided with his or her most recent service or accommodation plan.

5. The child has been receiving services as provided in the Individuals With Disabilities Education Act (34 C.F.R. §§ 300.320(b) and (c), 300.321(b)), and
- a. the child has received his or her transition service plan.
 - b. the child has been informed of the rights that will transfer to him or her under this act.

6. The child has received the following:
- a. Assistance with an application for Medi-Cal or other health insurance, including information about the availability of extended Medi-Cal benefits until age 21
 - b. Assistance with an application for college, a vocational training program, or another educational or employment program
 - c. Information on obtaining, or an application to obtain, financial assistance for educational and employment programs
 - d. A referral to transitional housing, if available, or assistance in securing other housing
 - e. Assistance in obtaining employment or other financial support
 - f. Assistance in maintaining relationships with individuals who are important to the child, consistent with the child's best interest (*required only if the child has been in out-of-home placement for six months or longer*)
 - g. Other services ordered by the court (*specify*):

7. Number of pages attached: _____

8. I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date: _____

_____ (TYPE OR PRINT NAME)  _____ (SIGNATURE OF SOCIAL WORKER OR PROBATION OFFICER)

9. I certify that I have received the information and services that I initialed above.

Date: _____

_____ (TYPE OR PRINT NAME)  _____ (CHILD'S SIGNATURE)

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <hr/> <p style="text-align: center;">TELEPHONE NO.: FAX NO. (Optional):</p> <p>E-MAIL ADDRESS (Optional):</p> <p>ATTORNEY FOR (Name):</p> | FOR COURT USE ONLY DRAFT 6 08/12/10 xyz Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| CONTINUANCE—DEPENDENCY DETENTION HEARING | CASE NUMBER: |

1. This matter came before the court on the
 original petition subsequent petition supplemental petition other (specify):
 filed on (date):

2. Detention hearing

- | | |
|---|--|
| a. Date: b. Department: c. Judicial officer (name): d. Court clerk (name): | e. Court reporter (name): f. Bailiff (name): g. Interpreter (name and language): |
|---|--|

h. Party (name):

| | Present | Attorney (name): | Present | Appointed today |
|----------------------------------|--------------------------|------------------|--------------------------|--------------------------|
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other (specify): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

i. Others present in courtroom:

- (1) Court Appointed Special Advocate (CASA) volunteer (name):
 (2) Other (name):
 (3) Other (name):

THE COURT FINDS AND ORDERS:

3. The attorney appointed to represent the child as the child's attorney of record is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
4. a. The child will not benefit from representation by an attorney and, for the reasons stated on the record, the court finds:
- (1) the child understands the nature of the proceedings;
 - (2) the child is able to communicate and advocate effectively with the court, other counsel, other parties, including social workers, and other professionals involved in the case; and
 - (3) under the circumstances of the case, the child would not gain any benefit from being represented by counsel.
- b. A Court Appointed Special Advocate is appointed for the child, and that person is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

5. A Court Appointed Special Advocate is appointed for the child.

6. **The court has informed and advised the**

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian | <input checked="" type="checkbox"/> child |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> alleged father | <input type="checkbox"/> Indian custodian | |
| <input type="checkbox"/> other (<i>specify</i>): | | | |

of the following:

- a. The right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.
- b. The right to be informed by the court of the following:
 - the contents of the petition;
 - the nature of and possible consequences of juvenile court proceedings;
 - the reasons for the initial detention and the purpose and scope of the detention hearing if the child is detained;
 - the right to have a child who is detained immediately returned to the home of the parent, legal guardian, or Indian custodian if the petition is not sustained;
 - that if the petition is sustained and the child is removed from the care of the parent, legal guardian, or Indian custodian, the time for services will commence on the date the petition is sustained or 60 days from the date of the initial removal, whichever is earlier;
 - that the time for services will not exceed 12 months for a child aged three years or over at the time of the initial removal; and
 - that the time for services will not exceed 6 months for a child under the age of three years at the time of the initial removal or for the member of a sibling group that includes such a child if the parent, legal guardian, or Indian custodian fails to participate regularly and make substantive progress in any court-ordered treatment program.
- c. The right to a hearing by the court on the issues presented by the petition.
- d. The right to assert the privilege against self-incrimination; to confront and cross-examine the persons who prepared reports or documents submitted to the court by the petitioner and the witnesses called to testify against the parent, legal guardian, or Indian custodian; to subpoena witnesses; and to present evidence on his or her own behalf.

7. The court has considered the information contained in

- a. the report of social worker dated:
- b. other (*specify*):
- c. other (*specify*):

and based on this information finds that continuance in the home is contrary to the child's welfare pending a further determination at the continued hearing.

8. The court grants the motion for continuance under Welfare and Institutions Code section 322 made by the

- | | | | |
|--|--|---|--------------------------------|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian | <input type="checkbox"/> child |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> alleged father | <input type="checkbox"/> Indian custodian | |
| <input type="checkbox"/> other (<i>specify</i>): | | | |

9. A motion for continuance was made by the

- | | | | |
|--|--|---|--------------------------------|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian | <input type="checkbox"/> child |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> alleged father | <input type="checkbox"/> Indian custodian | |
| <input type="checkbox"/> other (<i>specify</i>): | | | |

and good cause exists for granting the continuance in that

- a. notice of the date, time, and location of the hearing was not given to (*name*):
- b. the child did not receive proper notice of his or her right to attend the hearing.
- c. other (*specify*):

The motion for the continuance is granted.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

10. **Contact with the child is ordered as stated in** (check appropriate boxes and attach indicated forms):
- a. Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400).
 - b. Visitation Attachment: Sibling (form JV-401).
 - c. Visitation Attachment: Grandparent (form JV-402).

11. Parentage

a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.

b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to

- (1) alleged parent (name):
- (2) alleged parent (name):
- (3) alleged parent (name):

12. The parents, legal guardians, and Indian custodians must keep the court, the agency, and their attorneys advised of their current addresses and telephone numbers and provide written notification of any changes to their mailing addresses. The parents, legal guardians, and Indian custodians present during the hearing who had not previously submitted a *Notification of Mailing Address* (form JV-140) or its equivalent were provided with and ordered to complete the form or its equivalent and to submit it to the court before leaving the courthouse today.

13. The mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (specify):

must complete *Your Child's Health and Education* (form JV-225) or provide the necessary information for the county agency social worker to complete the form.

14. The mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (specify):

were provided with a *Parental Notification of Indian Status* (form ICWA-020) and ordered to complete form ICWA-020 and to submit it to the court before leaving the courthouse today.

15. The child is or may be an Indian child and the county agency must provide, as required by law, notice of the proceeding and of the tribe's right to intervene in the proceeding to all identified tribes and to the Bureau of Indian Affairs if the identify or location of a parent, an Indian custodian, or a tribe cannot be determined. Proof of such notice must be filed with this court.

16. There is reason to believe the child may be of Indian ancestry and the county agency must provide notice of the proceedings to the Bureau of Indian Affairs as required by law. Proof of such notice must be filed with this court.

17. The mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (specify):

must disclose to the county agency social worker the names, residences, and any known identifying information of any maternal or paternal relatives of the child.

18. **Other findings and orders:**
- a. See attached.
 - b. (Specify):

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

19. All parties are ordered to return for the continued hearing:

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

20. All prior orders not in conflict with this order remain in full force and effect.

21. Number of pages attached: _____

Date: _____

JUDGE JUDGE PRO TEMPORE

Date: _____

COMMISSIONER REFEREE

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____ | FOR COURT USE ONLY DRAFT 7 08/12/10 xyz Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| CONTINUANCE—DEPENDENCY GENERAL | CASE NUMBER: _____ |

1. This matter came before the court on the original petition subsequent petition supplemental petition other *(specify):* _____ filed on *(date):* _____

2. Hearing type:
- a. Jurisdictional
 - b. Dispositional
 - c. In-home status review (Welf. & Inst. Code, § 364)
 - d. 6-month prepermanency (Welf. & Inst. Code, § 366.21(e))
 - e. 12-month permanency (Welf. & Inst. Code, § 366.21(f))
 - f. 18-month permanency (Welf. & Inst. Code, § 366.22)
 - g. 24-month permanency (Welf. & Inst. Code, § 366.25)
 - h. Selection and implementation (Welf. & Inst. Code, § 366.26)
 - i. Postpermanency (Welf. & Inst. Code, § 366.3)
 - j. Other *(specify):* _____

3. a. Date: _____ e. Court reporter *(name):* _____
 b. Department: _____ f. Bailiff *(name):* _____
 c. Judicial officer *(name):* _____ g. Interpreter *(name and language):* _____
 d. Court clerk *(name):* _____

| | | | Appointed | |
|------------------------------------|-------------------------------------|-------------------------|-------------------------------------|-------------------------------------|
| h. <u>Party (name):</u> | Present | <u>Attorney (name):</u> | Present | today |
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other <i>(specify):</i> _____ | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

- i. Others present in courtroom:
- (1) Court Appointed Special Advocate (CASA) volunteer *(name):* _____
 - (2) Other *(name):* _____
 - (3) Other *(name):* _____

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

THE COURT FINDS AND ORDERS:

4. The attorney appointed to represent the child as the child's attorney of record is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
5. a. The child will not benefit from representation by an attorney and, for the reason stated on the record, the court finds:
- (1) the child understands the nature of the proceedings;
 - (2) the child is able to communicate and advocate effectively with the court, other counsel, other parties, including social workers, and other professionals involved in the case; and
 - (3) under the circumstances of the case, the child would not gain any benefit from being represented by counsel.
- b. A Court Appointed Special Advocate is appointed for the child, and that person is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
6. A Court Appointed Special Advocate is appointed for the child.
7. The mother biological father legal guardian child
 presumed father alleged father Indian custodian county agency
 other (*specify*): _____
 made a motion for continuance by
- a. written notice timely filed.
 - b. oral motion, and good cause was shown for permitting an oral motion.
8. The court on its own motion finds that continuance is not contrary to the interests of the child, and good cause exists for the continuance as set forth in item 9.
9. A continuance is not contrary to the interests of the child. Good cause for granting the motion for continuance exists because
- a. notice of the date, time, and location of the hearing was not given to (*name*): _____
 - b. the child did not receive proper notice of his or her right to attend the hearing.
 - c. the child is or may be an Indian child and notice of the pending proceeding and the right of the tribe to intervene was not provided as required by law.
 - d. there is reason to believe the child may be of Indian ancestry and notice of the proceedings was not provided as required by law.
 - e. the county agency report was not timely filed.
 - f. the child is not in custody and a necessary but unavailable witness will be available within 10 days.
 - g. other (*specify*): _____
10. Exceptional circumstances exist for granting a continuance of this Welf. & Inst. Code, § 361 dispositional hearing to a date more than 60 days after the detention hearing (*specify factual basis*): _____
11. **Other findings and orders:**
- a. See attached.
 - b. (*Specify*): _____

12. This is the (*specify number*): _____ continuance of this hearing.

13. All parties are ordered to return for the continued hearing:

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

14. **All prior orders not in conflict with this order remain in full force and effect.**

15. Number of pages attached: _____

Date: _____

JUDGE
 JUDGE PRO TEMPORE
 COMMISSIONER
 REFEREE

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> <hr/> <p style="text-align: center;">TELEPHONE NO.: FAX NO. <i>(Optional):</i></p> <p>E-MAIL ADDRESS <i>(Optional):</i></p> <p>ATTORNEY FOR <i>(Name):</i></p> | FOR COURT USE ONLY DRAFT 8 10/12/10 xyz Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER DETENTION HEARING (Welf. & Inst. Code, § 319) | CASE NUMBER: |

1. This matter came before the court on the
 original petition subsequent petition supplemental petition other *(specify):*
 filed on *(date)*:

2. Detention hearing

- | | |
|---|--|
| a. Date: b. Department: c. Judicial officer <i>(name)</i> : d. Court clerk <i>(name)</i> : | e. Court reporter <i>(name)</i> : f. Bailiff <i>(name)</i> : g. Interpreter <i>(name and language)</i> : |
|---|--|

| h. <u>Party <i>(name)</i>:</u> | <u>Present</u> | <u>Attorney <i>(name)</i>:</u> | <u>Present</u> | <u>Appointed today</u> |
|----------------------------------|--------------------------|--------------------------------|--------------------------|--------------------------|
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other <i>(specify)</i> : | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
- (1) Court Appointed Special Advocate (CASA) volunteer *(name)*:
 - (2) Other *(name)*:
 - (3) Other *(name)*:

3. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- b. Report of CASA volunteer dated:
- c. Other *(specify)*:
- d. Other *(specify)*:

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

- 4. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

5. The attorney appointed to represent the child as the child's attorney of record is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.

6. a. The child will not benefit from representation by an attorney and, for the reason stated on the record, the court finds:

- (1) the child understands the nature of the proceedings;
- (2) the child is able to communicate and advocate effectively with the court, other counsel, other parties, including social workers, and other professionals involved in the case; and
- (3) under the circumstances of the case, the child would not gain any benefit from being represented by counsel.

b. A Court Appointed Special Advocate is appointed for the child, and that person is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.

7. A Court Appointed Special Advocate is appointed for the child.

8. Parentage

a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.

b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to

- (1) alleged parent (*name*):
- (2) alleged parent (*name*):
- (3) alleged parent (*name*):

Advisements and waivers

9. The court has informed and advised the

- | | | | |
|--|--|---|--------------------------------|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian | <input type="checkbox"/> child |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> alleged father | <input type="checkbox"/> Indian custodian | |
| <input type="checkbox"/> other (<i>specify</i>): | | | |

of the following:

- a. The right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.
- b. The right to be informed by the court of the following:
 - the contents of the petition;
 - the nature of and possible consequences of juvenile court proceedings;
 - the reasons for the initial detention and the purpose and scope of the detention hearing if the child is detained;
 - the right to have a child who is detained immediately returned to the home of the parent, legal guardian, or Indian custodian if the petition is not sustained;
 - that if the petition is sustained and the child is removed from the care of the parent, legal guardian, or Indian custodian, the time for services will commence on the date the petition is sustained or 60 days from the date of the initial removal, whichever is earlier;
 - that the time for services will not exceed 12 months for a child aged three years or over at the time of the initial removal; and
 - that the time for services will not exceed 6 months for a child under the age of three years at the time of the initial removal or for the member of a sibling group that includes such a child if the parent, legal guardian, or Indian custodian fails to participate regularly and make substantive progress in any court-ordered treatment program.
- c. The right to a hearing by the court on the issues presented by the petition.
- d. The right to assert the privilege against self-incrimination; to confront and cross-examine the persons who prepared reports or documents submitted to the court by the petitioner and the witnesses called to testify against the parent, legal guardian; or Indian custodian; to subpoena witnesses; and to present evidence on one's own behalf.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

10. The mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (specify):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on one's own behalf.

11. **CHILD NOT DETAINED**

- a. Services that would prevent the need for further detention, including those set forth in item 13, are available.
- b. The child is returned to the custody of
 mother biological father legal guardian other (specify):
 presumed father alleged father Indian custodian

12. **CHILD DETAINED**

- a. Services that would prevent the need for further detention are not available.
- b. A prima facie showing has been made that the child comes within Welf. & Inst. Code, § 300.
- c. Continuance in the parent's or legal guardian's home is contrary to the child's welfare AND (select at least one):
- (1) there is a substantial danger to the physical health of the child or the child is suffering severe emotional damage, and there are no reasonable means by which the child's physical or emotional health may be protected without removing the child from the physical custody of the parent or legal guardian.
 - (2) there is substantial evidence that a parent, legal guardian, or custodian of the child is likely to flee the jurisdiction of the court.
 - (3) the child has left a placement in which he or she was placed by the juvenile court.
 - (4) the child has been physically abused by a person residing in the home and is unwilling to return home.
 - (5) the child has been sexually abused by a person residing in the home and is unwilling to return home.
- d. The child is detained, and temporary placement and care of the child is vested with the county child and family services agency pending the hearing under Welf. & Inst. Code, § 355 or further order of the court.
- e. The initial removal of the child from the home was necessary for the reasons stated on the record.
- f. The facts on which the court bases its decision to order the child detained are stated on the record.
- g. The child is placed in
- (1) the approved home of a relative.
 - (2) an emergency shelter.
 - (3) other suitable licensed place.
 - (4) a place exempt from licensure designated by the juvenile court.
 - (5) the approved home of a nonrelative extended family member as defined in Welf. & Inst. Code, § 362.7.
- h. Services, including those set forth in item 13, are to be provided to the family as soon as possible to reunify the child with his or her family.
- i. Reasonable efforts were made to prevent or eliminate the need for removal from the home.
- j. Reasonable efforts were not made to prevent or eliminate the need for removal from the home.
- k. The child is removed from the Indian custodian or parent under applicable state law to prevent imminent physical damage or harm to the child.
- l. There is a relative who is able, approved, and willing to care for the child.
- m. A relative who is able, approved, and willing to care for the child is not available. *This is a temporary finding and does not preclude later placement with a relative under Welf. & Inst. Code, § 361.3.*

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

13. The services below will be provided pending further proceedings:

| Service | Mother | Presumed father | Biological father | Legal guardian | Indian custodian | Other (specify): |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Alcohol and drug testing | <input type="checkbox"/> |
| b. <input type="checkbox"/> Substance abuse treatment | <input type="checkbox"/> |
| c. <input type="checkbox"/> Parenting education | <input type="checkbox"/> |
| d. <input type="checkbox"/> (Specify): | <input type="checkbox"/> |
| e. <input type="checkbox"/> (Specify): | <input type="checkbox"/> |
| f. <input type="checkbox"/> (Specify): | <input type="checkbox"/> |

14. **Contact with the child is ordered as stated in** (check appropriate boxes and attach indicated forms):

- a. *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
- b. *Visitation Attachment: Sibling* (form JV-401).
- c. *Visitation Attachment: Grandparent* (form JV-402).

15. The mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (specify):

must disclose to the county agency social worker the names, residences, and any known identifying information of any maternal or paternal relatives of the child.

16. The mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (specify):

must complete *Your Child's Health and Education* (form JV-225) or provide the necessary information for the county agency social worker to complete the form.

17. The mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (specify):

were provided with a *Parental Notification of Indian Status* (form ICWA-020) and ordered to complete form IWCA-020 and to submit it to the court before leaving the courthouse today.

18. a. The child is or may be an Indian child and the county agency must provide, as required by law, notice of the proceeding and of the tribe's right to intervene in the proceeding to all identified tribes and to the Bureau of Indian Affairs if the identify or location of a parent, an Indian custodian, or a tribe cannot be determined. Proof of such notice must be filed with this court.

b. There is reason to believe that the child may be of Indian ancestry, and the county agency must provide notice of the proceeding to the Bureau of Indian Affairs as required by law. Proof of such notice must be filed with this court.

19. **Other findings and orders:**

- a. See attached.
- b. (Specify):

20. The parents, legal guardians, and Indian custodians must keep the court, the agency, and their attorneys advised of their current addresses and telephone numbers and provide written notification of any changes to their mailing addresses. The parents, legal guardians, and Indian custodians present during the hearing who had not previously submitted a *Notification of Mailing Address* (form JV-140) or its equivalent were provided with and ordered to complete the form or its equivalent and to submit it to the court before leaving the courthouse today.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

21. **The next hearing is scheduled as follows:**

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. Jurisdictional hearing
- b. Dispositional hearing
- c. Settlement conference
- d. Mediation
- e. Other (*specify*): _____

22. **All prior orders not in conflict with this order remain in full force and effect.**

23. Number of pages attached: _____

Date: _____
 JUDGE JUDGE PRO TEMPORE

Date: _____
 COMMISSIONER REFEREE

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____ | FOR COURT USE ONLY DRAFT 8 07/21/10 xyz Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER JURISDICTIONAL HEARING (Welf. & Inst. Code, § 356) | CASE NUMBER: |

1. This matter came before the court on the
 original petition subsequent petition supplemental petition other (*specify*):
 filed on (*date*):

2. Jurisdictional hearing

- | | |
|---|---|
| a. Date: b. Department: c. Judicial officer (<i>name</i>): d. Court clerk (<i>name</i>): | e. Court reporter (<i>name</i>): f. Bailiff (<i>name</i>): g. Interpreter (<i>name and language</i>): |
|---|---|

| h. <u>Party (<i>name</i>):</u> | Present | <u>Attorney (<i>name</i>):</u> | Present | <u>Appointed today</u> |
|----------------------------------|--------------------------|--------------------------------|--------------------------|--------------------------|
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other (<i>specify</i>): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
- (1) Court Appointed Special Advocate (CASA) volunteer (*name*):
 - (2) Other (*name*):
 - (3) Other (*name*):

3. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- b. Report of CASA volunteer dated:
- c. Case plan dated:
- d. Other (*specify*):
- e. Other (*specify*):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

- 4. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

5. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
6. The attorney appointed to represent the child as the child's attorney of record is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
7. a. The child will not benefit from representation by an attorney and, for the reason stated on the record, the court finds:
- (1) the child understands the nature of the proceedings;
 - (2) the child is able to communicate and advocate effectively with the court, other counsel, other parties, including social workers, and other professionals involved in the case; and
 - (3) under the circumstances of the case, the child would not gain any benefit from being represented by counsel.
- b. A Court Appointed Special Advocate is appointed for the child, and that person is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
8. A Court Appointed Special Advocate is appointed for the child.
9. The child's county of residence is:
10. The child's date of birth is (*specify*):

11. Parentage

- a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
- (1) alleged parent (*name*):
 - (2) alleged parent (*name*):
 - (3) alleged parent (*name*):

Advisements and waivers

12. a. The petition was read to those present at the beginning of this jurisdictional hearing.
- b. Reading of the petition was waived by all those present at the beginning of this jurisdictional hearing.

13. The court has informed and advised the

- mother biological father legal guardian child
- presumed father alleged father Indian custodian
- other (*specify*):

of the following:

- a. The right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.
- b. The right to be informed by the court of the following:
- the contents of the petition;
 - the nature of and possible consequences of juvenile court proceedings;
 - the reasons for the initial detention and the purpose and scope of the detention hearing if the child is detained;
 - the right to have a child who is detained immediately returned to the home of the parent, legal guardian, or Indian custodian if the petition is not sustained;
 - that if the petition is sustained and the child is removed from the care of the parent, legal guardian, or Indian custodian, the time for services will commence on the date the petition is sustained or 60 days from the date of the initial removal, whichever is earlier;

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

13. b. • that the time for services will not exceed 12 months for a child aged three years or over at the time of the initial removal; and
- that the time for services will not exceed 6 months for a child under the age of three years at the time of the initial removal or for the member of a sibling group that includes such a child if the parent, legal guardian, or Indian custodian fails to participate regularly and make substantive progress in any court-ordered treatment program.
- c. The right to a hearing by the court on the issues presented by the petition.
- d. The right to assert the privilege against self-incrimination; to confront and cross-examine the persons who prepared reports or documents submitted to the court by the petitioner and the witnesses called to testify against the parent, legal guardian, or Indian custodian; to subpoena witnesses; and to present evidence on one's own behalf.

14. On the motion of the petitioner, the following allegations are stricken:

15. The mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (specify):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

16. The mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (specify):

understands the nature of the conduct alleged in the petition and the possible consequences of his or her admission, plea of no contest, or submission.

| | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| 17. <input type="checkbox"/> Party | Admits | Submits | Pleads no contest | To petition as amended on <i>(specify date):</i> |
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| d. <input type="checkbox"/> Alleged father | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| e. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| f. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| g. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |

18. There is a factual basis for the admission.

19. By a preponderance of the evidence, the allegations stated below are true:

- a. as stated in the petition as originally filed.
- b. as stated in the petition as amended on (date):
- (1) by agreement of the parties.
- (2) by the court to conform to proof.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

20. The allegations (*specify*):

as stated in the petition as amended on (*date*): _____ are not proven and are ordered stricken.

21. The allegations of the petition are not sustained.

22. The petition is sustained under, and the child is a person described by, Welf. & Inst. Code, § 300 (*check all that apply*):
 300(a) 300(c) 300(e) 300(g) 300(i)
 300(b) 300(d) 300(f) 300(h) 300(j)

23. The previous disposition has not been effective in the protection of the child.

24. The county agency is ordered to immediately return the child to the
 mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (*specify*): _____

25. The child and the
 mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (*specify*): _____

are placed under the supervision of the county agency for a minimum of six months under their voluntary agreement to informal supervision and the provision of services designed to keep the family together as stated in the family's case plan.

26. **Contact with the child is ordered as stated in** (*check appropriate boxes and attach indicated forms*):
a. Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400)
b. Visitation Attachment: Sibling (form JV-401)
c. Visitation Attachment: Grandparent (form JV-402)

27. **All prior orders not in conflict with this order remain in full force and effect.**

28. **Other findings and orders:**
a. See attached.
b. (*Specify*): _____

29. **The next hearing is scheduled as follows:**

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

a. Dispositional hearing
b. Settlement conference
c. Mediation
d. Other (*specify*): _____

30. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

31. Number of pages attached: _____

Date: _____

JUDICIAL OFFICER

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <hr/> <p style="text-align: center;">TELEPHONE NO.: FAX NO. (Optional):</p> <p>E-MAIL ADDRESS (Optional):</p> <p>ATTORNEY FOR (Name):</p> | FOR COURT USE ONLY DRAFT 7 07/21/10 xyz Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER DISPOSITIONAL HEARING (Welf. & Inst. Code, § 361 et seq.) | CASE NUMBER: |

1. This matter came before the court on the
 original petition subsequent petition supplemental petition other (specify):
 filed on (date):

2. Dispositional hearing

- | | |
|---|--|
| a. Date: b. Department: c. Judicial officer (name): d. Court clerk (name): | e. Court reporter (name): f. Bailiff (name): g. Interpreter (name and language): |
|---|--|

| h. Party (name): | Present | Attorney (name): | Present | Appointed Today |
|----------------------------------|--------------------------|------------------|--------------------------|--------------------------|
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other (specify): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
- (1) Court Appointed Special Advocate (CASA) volunteer (name):
- (2) Other (name):
- (3) Other (name):

3. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- For the purposes of establishing a guardianship, the report of the social worker includes an assessment as specified in Welf. & Inst. Code, §§ 360(a), 361.5(g).
- In the case of an Indian child, the report of the social worker includes an assessment in consultation with the Indian child's tribe, as specified in Welf. & Inst. Code, § 358.1(j), whether tribal customary adoption is an appropriate permanent plan for the child if reunification is unsuccessful.
- b. Report of CASA volunteer dated:
- c. Case plan dated:
- d. Other (specify):
- e. Other (specify):
- f. Testimony of qualified expert under the Indian Child Welfare Act

| | |
|------------------------|-----------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|------------------------|-----------------------|

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

- 4. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.
- 5. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceeding was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
- 6. A Court Appointed Special Advocate is appointed for the child.

7. Parentage

- a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
 - (1) alleged parent (*name*):
 - (2) alleged parent (*name*):
 - (3) alleged parent (*name*):

Advisements and waivers

8. The court informed and advised the

- mother biological father legal guardian child
- presumed father alleged father Indian custodian
- other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

- 9. The mother biological father legal guardian child
- presumed father alleged father Indian custodian
- other (*specify*):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

10. Sibling group

The child and the child's siblings listed below form a sibling group in which at least one child in the sibling group was under the age of three years at the time of the initial removal and all children in the sibling group were removed from parental custody at the same time.

Sibling (*name*):

- a.
- b.
- c.
- d.
- e.
- f.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

11. Disposition is ordered as stated in (check appropriate box and attach indicated form):

- a. *Dispositional Attachment: Dismissal of Petition With or Without Informal Supervision (Welf. & Inst. Code, § 360(b)) (form JV-416), which is attached and incorporated by reference.*
- b. *Dispositional Attachment: In-Home Placement With Formal Supervision (Welf. & Inst. Code, § 361) (form JV-417), which is attached and incorporated by reference.*
- c. *Dispositional Attachment: Appointment of Guardian (Welf. & Inst. Code, § 360(a)) (form JV-418), which is attached and incorporated by reference.*
- d. *Dispositional Attachment: Removal From Custodial Parent—Placement With Previously Noncustodial Parent (Welf. & Inst. Code, §§ 361, 361.2) (form JV-420), which is attached and incorporated by reference.*
- e. *Dispositional Attachment: Removal From Custodial Parent—Placement With Nonparent (Welf. & Inst. Code, §§ 361, 361.2) (form JV-421), which is attached and incorporated by reference.*

12. The child's rights under Welf. & Inst. Code, § 388 and the procedure for bringing a petition under Welf. & Inst. Code, § 388, including the availability of appropriate and necessary forms, was provided to the child as follows:

- a. Child under the age of 12 years, through the child's attorney of record or guardian ad litem
- b. Child 12 years of age or older who was present at the hearing, on the record and in writing by handing the child *Child's Information Sheet—Request to Change Court Order* (form JV-185)
- c. Child 12 years or older who was not present at the hearing, in writing by mailing the child a copy of *Child's Information Sheet—Request to Change Court Order* (form JV-185)

13. Contact with the child is ordered as stated in (check appropriate box and attach indicated form):

- a. *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
- b. *Visitation Attachment: Sibling* (form JV-401).
- c. *Visitation Attachment: Grandparent* (form JV-402).

14. The child's medical, dental, mental health, and educational information required by Welfare and Institutions Code section 16010 was provided by the **mother** **biological father** **legal guardian** **presumed father** **alleged father** **Indian custodian** **other (specify):**

15. All prior orders not in conflict with this order remain in full force and effect.

16. Other findings and orders:

- a. See attached.
- b. (Specify):

17. The next hearing is scheduled as follows:

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. In-home status review hearing (Welf. & Inst. Code, § 364)
- b. Six-month prepermanency hearing (Welf. & Inst. Code, § 366.21(e))
- c. Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- d. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- e. Other (specify):

18. The petition is dismissed. Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

19. Number of pages attached: _____

Date: _____

JUDGE JUDGE PRO TEMPORE

Date: _____

COMMISSIONER REFEREE

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

DISPOSITIONAL ATTACHMENT: DISMISSAL OF PETITION WITH OR WITHOUT INFORMAL SUPERVISION
(Welf. & Inst. Code, § 360(b))

1. The child is a person described by Welf. & Inst. Code, § 300 (check all that apply):
 300(a) 300(c) 300(e) 300(g) 300(i)
 300(b) 300(d) 300(f) 300(h) 300(j)

2. The county agency is ordered to immediately return the child to the
 mother biological father legal guardian
 presumed father Indian custodian
 other (specify):

3. Reasonable efforts were were not made to prevent or eliminate the need for removal from the home.

Case plan development

4. a. The county agency solicited and integrated into the case plan the input of the child mother father representative of child's identified Indian tribe other (specify):

- b. The county agency did not solicit and integrate into the case plan the input of the child mother father representative of child's identified Indian tribe other (specify):
and the agency is ordered to do so and submit an updated case plan within 30 days of the date of this hearing.

- c. The county agency did not solicit and integrate into the case plan the input of the child mother father representative of child's identified Indian tribe other (specify):
and the county agency is not required to do so because these persons are unable, unavailable, or unwilling to participate.

Custody of the child and services

5. The mother biological father legal guardian
 presumed father Indian custodian
 other (specify):
retains custody of the child. The family is placed under the supervision of the county agency for a minimum of six months under the voluntary agreement for informal supervision and the provision by the county agency of services designed to keep the family together as specified in the family's case plan.

6. The mother biological father legal guardian
 presumed father Indian custodian
 other (specify):
retains custody of the child and is not in need of treatment or rehabilitation. The factual basis for the finding in this item 6 is stated on the record.

| | |
|------------------------|-----------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|------------------------|-----------------------|

DISPOSITIONAL ATTACHMENT: IN-HOME PLACEMENT WITH FORMAL SUPERVISION
(Welf. & Inst. Code, § 361)

1. The child is a person described by Welf. & Inst. Code, § 300 (check all that apply):
 300(a) 300(c) 300(e) 300(g) 300(i)
 300(b) 300(d) 300(f) 300(h) 300(j)
and is adjudged a dependent of the court.

2. The county agency is ordered to immediately return the child to the
 mother biological father legal guardian
 presumed father Indian custodian
 other (specify): _____

3. Reasonable efforts were were not made to prevent or eliminate the need for removal from the home.

Case plan development

4. a. The county agency solicited and integrated into the case plan the input of the child mother father
 representative of child's identified Indian tribe other (specify): _____

b. The county agency did not solicit and integrate into the case plan the input of the child mother father
 representative of child's identified Indian tribe other (specify): _____
and the agency is ordered to do so and submit an updated case plan within 30 days of the date of this hearing.

c. The county agency did not solicit and integrate into the case plan the input of the child mother father
 representative of child's identified Indian tribe other (specify): _____
and the county agency is not required to do so because these persons are unable, unavailable, or unwilling to participate.

Custody of the child

5. Custody of the child is retained by
 mother biological father legal guardian
 presumed father Indian custodian
 other (specify): _____

6. The child and the
 mother biological father legal guardian
 presumed father Indian custodian
 other (specify): _____
are placed under the supervision of the county agency.

Family maintenance services

7. The county agency must provide, and the
 mother biological father legal guardian
 presumed father Indian custodian
 other (specify): _____
must participate in, family maintenance services designed to keep the family together as specified in the family's case plan.4

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

Education

8. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
- b. A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

9. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.

10. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 9 or other concerns are:
- a. stated in the social worker's report.
- b. specified here:

11. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 10:
- a. Social worker
- b. Parent (*name*):
- c. Surrogate parent (*name*):
- d. Educational representative
- e. Other (*name*):

12. The mother biological father legal guardian
 presumed father Indian custodian
 other (*specify*):

must ensure the child's regular school attendance and make reasonable efforts to obtain the education services necessary to meet the child's specific needs.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

DISPOSITIONAL ATTACHMENT: APPOINTMENT OF GUARDIAN
(Welf. & Inst. Code, § 360(a))

1. The child is a person described under Welf. & Inst. Code, § 300 (check all that apply):
 300(a) 300(c) 300(e) 300(g) 300(i)
 300(b) 300(d) 300(f) 300(h) 300(j)

2. The child is adjudged a dependent of the court.

3. Reasonable efforts were were not made to prevent or eliminate the need for removal from the home.

4. a. The county agency solicited and integrated into the case plan the input of the child mother father representative of child's identified Indian tribe other (specify): _____
- b. The county agency did not solicit and integrate into the case plan the input of the child mother father representative of child's identified Indian tribe other (specify): _____ and the agency is ordered to do so and submit an updated case plan within 30 days of the date of this hearing.
- c. The county agency did not solicit and integrate into the case plan the input of the child mother father representative of child's identified Indian tribe other (specify): _____ and the county agency is not required to do so because these persons are unable, unavailable, or unwilling to participate.

5. The court advised the
 mother biological father legal guardian
 presumed father Indian custodian other (specify): _____
 that no reunification services will be provided as a result of the guardianship of the child established in this matter.

6. The mother biological father legal guardian
 presumed father Indian custodian other (specify): _____
 signed a *Guardianship (Juvenile)—Consent and Waiver of Rights* (form JV-419), agreeing to the guardianship of the child, the waiver of his or her rights to family maintenance services and family reunification services, and, in the case of an Indian child, the waiver of his or her rights under the Indian Child Welfare Act. A signed form JV-419 for each individual indicated above was filed with the court.

7. a. The child signed a *Guardianship (Juvenile)—Child's Consent and Waiver of Rights* (form JV-419A), agreeing to the establishment of the guardianship and the waiver of his or her rights to family maintenance services and family reunification services. The child's signed form JV-419A was filed with the court.
- b. The child is prevented from providing a meaningful response to the request for guardianship and a waiver of his or her rights to family maintenance services and family reunification services because of the child's
 - (1) age.
 - (2) physical condition.
 - (3) emotional condition.
 - (4) mental condition.

8. The child is an Indian child, and an authorized representative of the child's tribe signed a form JV-419 stating the tribe's agreement to the guardianship of the child, the waiver of the tribe's interests in family maintenance services and family reunification services, and the waiver of the tribe's rights under the Indian Child Welfare Act.

9. The establishment of a legal guardianship is in the child's best interest.

10. The county agency is ordered to release the child to the legal guardian named in item 11.

11. The court appoints (name): _____ as the legal guardian of the child's person estate and orders the clerk of the court to issue letters of guardianship.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

**DISPOSITIONAL ATTACHMENT:
REMOVAL FROM CUSTODIAL PARENT—PLACEMENT WITH PREVIOUSLY NONCUSTODIAL PARENT
(Welf. & Inst. Code, §§ 361, 361.2)**

1. The child is a person described under Welf. & Inst. Code, § 300 (check all that apply):
- | | | | | |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| <input type="checkbox"/> 300(a) | <input type="checkbox"/> 300(c) | <input type="checkbox"/> 300(e) | <input type="checkbox"/> 300(g) | <input type="checkbox"/> 300(i) |
| <input type="checkbox"/> 300(b) | <input type="checkbox"/> 300(d) | <input type="checkbox"/> 300(f) | <input type="checkbox"/> 300(h) | <input type="checkbox"/> 300(j) |

and is adjudged a dependent of the court.

Circumstances justifying removal from custodial parent

2. There is clear and convincing evidence of the circumstances stated in Welf. and Inst. Code, § 361 regarding the persons specified below (check all that apply):

| | 361(c)(1) | 361(c)(2) | 361(c)(3) | 361(c)(4) | 361(c)(5) |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> |

3. The child is may be an Indian child, and, by clear and convincing evidence, including the testimony of a qualified expert witness, continued physical custody by the following person is likely to cause the child serious emotional or physical damage:

- | | | |
|---|--|---|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> Indian custodian | |
| <input type="checkbox"/> other (specify): | | |

4. Reasonable efforts were were not made to prevent or eliminate the need for the child's removal from the home.

5. The child is may be an Indian child, and,
- by clear and convincing evidence, active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and those efforts were unsuccessful.
 - active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

6. Based on the facts stated on the record, continuance in the home is contrary to the child's welfare and physical custody of the child is removed from (check all that apply):

- | | | |
|--|--|---|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> Indian custodian | <input type="checkbox"/> other (specify): |

Family finding and engagement

7. a. The county agency has made diligent efforts to identify, locate, and contact the child's relatives.
- b. The county agency has not made diligent efforts to identify, locate, and contact the child's family members.
- The county agency is ordered to make such diligent efforts, except for individuals the agency has determined to be inappropriate to contact because of their involvement with family or domestic violence.
 - The county agency must submit a report to the court on or before (date):
detailing the diligent efforts made and the results of such efforts.

| | |
|---------------|--------------|
| CHILD'S NAME: | CASE NUMBER: |
|---------------|--------------|

Case plan development

8. a. The county agency solicited and integrated into the case plan the input of the child mother father representative of child's identified Indian tribe other (*specify*): _____.
- b. The county agency did not solicit and integrate into the case plan the input of the child mother father representative of child's identified Indian tribe other (*specify*): _____, and the agency is ordered to do so and submit an updated case plan within 30 days of the date of this hearing.
- c. The county agency did not solicit and integrate into the case plan the input of the child mother father representative of child's identified Indian tribe other (*specify*): _____, and the county agency is not required to do so because these persons are unable, unavailable, or unwilling to participate.

Custody of the child and services

9. a. The mother presumed father biological father was not residing with the child at the time that the events or conditions arose that brought the child within the provisions of Welf. & Inst. Code, § 300 and desires custody of the child. Placement with this parent would not be detrimental to the safety, protection, or physical or emotional well-being of the child. The child is placed with this parent.
- b. The parent indicated in item 9a is granted physical and legal custody of the child under the custody order and final judgment entered this day. Visitation with the child is as stated in the *Visitation Order—Juvenile* (form JV-205). The clerk of the juvenile court must file with the family court a completed *Custody Order—Juvenile—Final Judgment* (form JV-200) and *Visitation Order—Juvenile* (form JV-205). **Jurisdiction of the court is terminated.**
- c. The parent indicated in item 9a is granted custody of the child subject to the jurisdiction of the juvenile court. The county agency must conduct a home visit within three months and file a report with the court.
- d. The parent indicated in item 9a is granted custody of the child subject to the supervision of the juvenile court.
- (1) Family maintenance services are to be provided to the parent indicated in item 9a to allow that parent to retain later custody without court supervision. The parent is ordered to participate in the services stated in the case plan. Reunification services are not ordered for the person from whom the child was removed.
- (2) Reunification services are provided to the person from whom the child was removed, the mother presumed father biological father who is ordered to participate in the services stated in the case plan. Family maintenance services are not ordered for the parent indicated in item 9a.
- (3) Reunification services are provided to the person from whom the child was removed, the mother presumed father biological father and family maintenance services are to be provided to the parent indicated in item 9a. The parents are ordered to participate in the services stated in the case plan. The court will determine at a scheduled court hearing which parent, if either, will have custody of the child without court supervision.
10. The factual basis for the findings and orders in item 9 is stated on the record.

Siblings

11. The child does not have siblings under the court's jurisdiction.
12. The child has siblings under the court's jurisdiction. *Sibling Attachment: Contact and Placement* (form JV-403) is attached and incorporated by reference.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Education

13. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

b. A limitation on the right of the parents to make educational decisions for the child is necessary and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

14. a. The child's educational needs are are not being met.
 b. The child's physical needs are are not being met.
 c. The child's mental health needs are are not being met.
 d. The child's developmental needs are are not being met.

15. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 14 or other concerns are:

- a. stated in the social worker's report.
 b. specified here:

16. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 15:

- a. Social worker.
 b. Parent (*name*):
 c. Surrogate parent (*name*):
 d. Educational representative (*name*):
 e. Other (*name*):

17. The mother presumed father biological father must ensure the child's regular school attendance and make reasonable efforts to obtain the education services necessary to meet the child's specific needs.

Advisement

18. **At the next status review hearing**, custody may be given to the parent with whom the child is currently placed and the jurisdiction of the court dismissed. If the child is removed from the parent with whom the child is currently placed and ordered placed in foster care, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.**

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

**DISPOSITIONAL ATTACHMENT:
REMOVAL FROM CUSTODIAL PARENT—PLACEMENT WITH NONPARENT
(Welf. & Inst. Code, §§ 361, 361.2)**

1. The child is a person described by Welf. & Inst. Code, § 300 (check all that apply):
 300(a) 300(c) 300(e) 300(g) 300(i)
 300(b) 300(d) 300(f) 300(h) 300(j)

and is adjudged a dependent of the court.

Circumstances justifying removal from custodial parent

2. There is clear and convincing evidence of the circumstances stated in Welf. and Inst. Code, § 361 regarding the persons specified below (check all that apply):
- | | 361(c)(1) | 361(c)(2) | 361(c)(3) | 361(c)(4) | 361(c)(5) |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> |

3. The child is may be an Indian child, and, by clear and convincing evidence, including testimony of a qualified expert witness, continued physical custody by the following person is likely to cause the child serious emotional or physical damage:

- mother biological father legal guardian
 presumed father Indian custodian
 other (specify):

4. Reasonable efforts were were not made to prevent or eliminate the need for removal from the home.

5. The child is may be an Indian child, and,
- a. by clear and convincing evidence, active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
- b. active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.
- c. there has been consultation with the child's identified Indian tribe regarding whether tribal customary adoption is an appropriate permanent plan for the child if reunification is unsuccessful.

6. **Based on the facts stated on the record, continuance in the home is contrary to the child's welfare and physical custody is removed from** (check all that apply):

- mother biological father legal guardian
 presumed father Indian custodian
 other (specify):

Family finding and engagement

7. a. The county agency has made diligent efforts to identify, locate, and contact the child's relatives.
- b. The county agency has not made diligent efforts to identify, locate, and contact the child's family members.
- (1) The county agency is ordered to make such diligent efforts, except for individuals the agency has determined to be inappropriate to contact because of their involvement with family or domestic violence.
- (2) The county agency must submit a report to the court on or before (date):
detailing the diligent efforts made and the results of such efforts.

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| CHILD'S NAME: _ | CASE NUMBER: |
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Case plan development

8. a. The county agency solicited and integrated into the case plan the input of the child mother father representative of child's identified Indian tribe other (specify): _____.
- b. The county agency did not solicit and integrate into the case plan the input of the child mother father representative of child's identified Indian tribe other (specify): _____, and the agency is ordered to do so and submit an updated case plan within 30 days of the date of this hearing.
- c. The county agency did not solicit and integrate into the case plan the input of the child mother father representative of child's identified Indian tribe other (specify): _____, and the county agency is not required to do so because these persons are unable, unavailable, or unwilling to participate.

Custody and placement

9. The mother presumed father biological father did not reside with the child at the time the petition was filed and does does not desire custody of the child.
- a. By clear and convincing evidence, placement with the following parent would be detrimental to the safety, protection, or physical or emotional well-being of the child:
 Mother Presumed father Biological father
- b. The factual basis for the findings in this item 10 is stated on the record.
10. **The care, custody, control, and conduct of the child is under the supervision of the county agency for placement**
- a. in the approved home of a relative.
- b. in the approved home of a nonrelative extended family member.
- c. in the foster home in which the child was placed before an interruption in foster care because that placement is in the child's best interest and space is available.
- d. with a foster family agency for placement in a foster family home.
- e. in a suitable licensed community care facility.
- f. in a home or facility in accordance with the federal Indian Child Welfare Act.
11. **Placement with the child's relative, (name):**
has been independently considered by the court and is denied for the reasons stated on the record.
12. **The statutory preference order for placement in a suitable Indian home is modified for good cause as**
- a. stated on the record.
- b. described in the social worker's report.
- c. other (specify): _____
13. **The child's out-of-home placement is necessary.**
14. **The child's current placement is appropriate.**
15. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a. The matter is continued to the date and time indicated in form JV-415, item 17 for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (specify): _____

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| CHILD'S NAME: | CASE NUMBER: |
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16. **The child is placed outside the state of California and that out-of-state placement**
- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
 - b. is not the most appropriate placement for the child and is not in the best interest of the child.
 The matter is continued to the date and time indicated in form JV-415, item 17 for a written oral report by the county agency on the progress made toward
 - (1) returning the child to California and locating an appropriate placement within California.
 - (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - (3) other (*specify*):

Reunification services

17. **Provision of reunification services to the biological father** will will not benefit the child.
18. **The mother is incarcerated** and is seeking to participate in the Department of Corrections and Rehabilitation community treatment program.
- a. Participation in the program is is not in the child's best interest.
 - b. The program is is not suitable to meet the needs of the mother and child.
19. **The following person is incarcerated:**
 mother legal guardian other (*specify*):
 presumed father Indian custodian
 and reasonable reunification services are
- a. granted.
 - b. denied, because, by clear and convincing evidence, providing reunification services would be detrimental to the child.

20. **As provided in Welf. & Inst. Code, § 361.5(b), by clear and convincing evidence:**
- a. The mother legal guardian other (*specify*):
 presumed father Indian custodian
 is a person described in Welf. & Inst. Code, § (*specify*):
 361.5(b)(3) 361.5(b)(7) 361.5(b)(9) 361.5(b)(11) 361.5(b)(13)
 361.5(b)(4) 361.5(b)(8) 361.5(b)(10) 361.5(b)(12) 361.5(b)(15)
 and reunification services are
 - (1) granted, because, by clear and convincing evidence, reunification is in the best interest of the child.
 - (2) denied.
 - b. The mother legal guardian other (*specify*):
 presumed father Indian custodian
 is a person described in Welf. & Inst. Code, § 361.5(b)(1), and a reasonably diligent search has failed to locate the person. Reunification services are denied.
 - c. The mother legal guardian other (*specify*):
 presumed father Indian custodian
 is a person described in Welf. & Inst. Code, § 361.5(b)(2), and reunification services are
 - (1) granted.
 - (2) denied, because the person, even with the provision of services, is unlikely to be capable of adequately caring for the child within the statutory time limits.

| | |
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| CHILD'S NAME: _____ | CASE NUMBER: _____ |
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20. d. The mother legal guardian other (*specify*):
 presumed father Indian custodian
 is a person described in Welf. & Inst. Code, § 361.5(b)(5), and reunification services are
 (1) granted, because
 (a) reunification services are likely to prevent reabuse or neglect.
 (b) the failure to try reunification will be detrimental to the child because the child is closely and positively bonded to the person.
 (2) denied.
- e. The mother legal guardian
 presumed father Indian custodian
 other person who is a legal parent of the child (*name*):
 is a person described in Welf. & Inst. Code, § 361.5(b)(6), and reunification services are
 (1) granted, because, by clear and convincing evidence, reunification is in the best interest of the child.
 (2) denied, because the child or the child's sibling suffered severe sexual abuse or the infliction of severe physical harm by the person, and it would not benefit the child to pursue reunification with that person.
 (3) The factual basis for the findings in this item 21(e) is stated on the record.
- f. The mother legal guardian other (*specify*):
 presumed father Indian custodian
 is a person described in Welf. & Inst. Code, § 361.5(b)(14). The court advised the person of any right to services and the possible consequences of a waiver. The person executed the *Waiver of Reunification Services (Juvenile Dependency)* (form JV-195), and the court accepts the waiver, the person having knowingly and intelligently waived the right to services. Reunification services are denied.

21. a. **The county agency must provide reunification services**, and the following must participate in the reunification services stated in the case plan:
 Mother Biological father Legal guardian Other (*specify*):
 Presumed father Indian custodian
- b. **The likely date** by which the child may be returned to and safely maintained in the home or placed for adoption, in legal guardianship, or in an identified placement with a specific goal is (*specify*):

Efforts

22. **The county agency**
 a. has
 b. has not
 complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete any steps necessary to finalize the permanent placement of the child.

23. **The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:**

| | <u>None</u> | <u>Minimal</u> | <u>Adequate</u> | <u>Substantial</u> | <u>Excellent</u> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (<i>specify</i>): | <input type="checkbox"/> |

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Siblings

24. **The child does not have siblings under the court's jurisdiction.**
25. **The child has siblings under the court's jurisdiction. Sibling Attachment: Contact and Placement (form JV-403) is attached and incorporated by reference.**

Health and education

26. The mother biological father Indian custodian
 presumed father legal guardian other (*specify*):
 is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

27. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
- b. A limitation on the right of the parents to make educational decisions for the child is necessary and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

28. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.

29. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 28 or other concerns are:
- a. stated in the social worker's report.
- b. specified here:

30. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 29:
- a. Social worker.
- b. Parent (*name*):
- c. Surrogate parent (*name*):
- d. Educational representative (*name*):
- e. Other (*name*):

31. The child's education placement has changed since the date the child was physically removed from the home.
- a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
- b. The child is enrolled in school.
- c. The child is attending school.

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| CHILD'S NAME: _ | CASE NUMBER: |
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32. **Child 16 years of age or older:**

- a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to independent living.
- b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to independent living.
- c. To assist the child in making the transition to independent living, the county agency must add to the case plan and provide the services
- (1) stated on the record.
- (2) as follows:

Advisements33. **Child under the age of three years or member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(1)(C)**

The court informed all parties present at the time of the hearing and further advises all parties that, because the child was under the age of three years on the date of initial removal or is a member of a sibling group:

- a. **Failure to participate regularly and make substantive progress in court-ordered treatment programs may result in the termination of reunification services** for all or some members of the sibling group at the hearing scheduled on a date within six months from the date the child entered foster care under Welf. & Inst. Code, § 366.21(e).

| |
|--------------------------------|
| Six-month hearing date: |
|--------------------------------|

- b. **At the six-month hearing** under Welf. & Inst. Code, § 366.21(e), the court will consider the following factors in deciding whether to limit reunification services to six months for all or some members of the sibling group:
- Whether the sibling group was removed from parental care as a group;
 - The closeness and strength of the sibling bond;
 - The ages of the siblings;
 - The appropriateness of maintaining the sibling group;
 - The detriment to the child if sibling ties are not maintained;
 - The likelihood of finding a permanent home for the sibling group;
 - Whether the sibling group is currently placed in the same preadoptive home or has a concurrent plan goal of legal permanency in the same home;
 - The wishes of each child whose age and physical and emotional condition permits a meaningful response; and
 - The best interest of each child in the sibling group.
- c. **At the six-month hearing** under Welf. & Inst. Code, § 366.21(e), if the child is not returned to the custody of a parent, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.**

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| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

35. **Child three years of age or older who is not a member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(1)(C).** The court informed all parties present at the time of the hearing and further advises all parties that, because the child was three years of age or older with no siblings under the age of three years at the time of initial removal, if the child is not returned to the custody of a parent at the Welf. & Inst. Code, § 366.21(f) permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and adoption of the child or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child.**

| |
|---------------------------------------|
| Twelve-month permanency hearing date: |
|---------------------------------------|

36. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence, the court found that reunification services were not to be provided to the to the child's parents, legal guardian, or Indian custodian under Welf. & Inst. Code, § 361.5(b).
- c. The county agency and the licensed county adoption agency or the California Department of Social Services acting as an adoption agency will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as stated in rule 5.695(f)(19) of the California Rules of Court to any party not present.
- e. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) (name):
- (2) (name):
- (3) (name):
- (4) (name):
- f. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is (*specify date*):

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <hr/> <p style="text-align: center;">TELEPHONE NO.: FAX NO. (Optional):</p> <p>E-MAIL ADDRESS (Optional):</p> <p>ATTORNEY FOR (Name):</p> | FOR COURT USE ONLY DRAFT 8 08/12/10 xyz Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER IN-HOME STATUS REVIEW HEARING (Welf. & Inst. Code, § 364) | CASE NUMBER: |

1. In-home status review hearing

- | | |
|-----------------------------|-------------------------------------|
| a. Date: | e. Court reporter (name): |
| b. Department: | f. Bailiff (name): |
| c. Judicial officer (name): | g. Interpreter (name and language): |
| d. Court clerk (name): | |

h. Party (name):

| | Present | Attorney (name): | Present | Appointed today |
|----------------------------------|--------------------------|------------------|--------------------------|--------------------------|
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other (specify): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

i. Others present in courtroom:

- (1) Court Appointed Special Advocate (CASA) volunteer (name):
- (2) Other (name):
- (3) Other (name):

2. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- b. Report of CASA volunteer dated:
- c. Case plan dated:
- d. Other (specify):
- e. Other (specify):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

3. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.
4. A Court Appointed Special Advocate is appointed for the child.

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| CHILD'S NAME: | CASE NUMBER: |
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5. Parentage

- a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
 (1) alleged parent (*name*):
 (2) alleged parent (*name*):
 (3) alleged parent (*name*):

Advisements and waivers

6. The court has informed and advised the

- mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

7. The mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

Efforts

8. Services offered to the family by the county agency to eliminate the conditions or factors requiring court intervention were
 none minimal adequate substantial excellent

Case plan development

9. a. The following were actively involved in the case plan development, including the child's plan for permanent placement.
 child mother father representative of child's identified Indian tribe
 other (*specify*):
- b. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.
 child mother father representative of child's identified Indian tribe
 other (*specify*):
- c. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
 child mother father representative of child's identified Indian tribe
 other (*specify*):

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Education

10. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education including those in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the social worker. The parents must ensure the child's regular school attendance and make reasonable efforts to obtain the education services necessary to meet the child's specific needs.
- b. A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are found in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the social worker.

11. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.

12. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 11 or other concerns are:
- a. stated in the social worker's report.
- b. specified here:

13. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 12:
- a. Social worker.
- b. Parent (*name*):
- c. Surrogate parent (*name*):
- d. Educational representative (*name*):
- e. Other (*name*):

14. The mother biological father Indian custodian
 presumed father legal guardian
 other (*specify*):

must ensure the child's regular school attendance and make reasonable efforts to obtain the education services necessary to meet the child's specific needs.

15. **Child 16 years of age or older:** The child was in foster care at 16 years of age and remains eligible for independent living services. The county agency will provide those services as stated in the child's case plan and Transitional Independent Living Plan.
- a. The services stated in the case plan include those needed to assist the child in making the transition to independent living.
- b. The services stated in the case plan do not include those needed to assist the child in making the transition to independent living.
- c. To assist the child in making the transition to independent living, the county agency must add to the child's case plan and provide the services
- (1) stated on the record.
- (2) specified here:

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
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16. Supervision continued

- a. By a preponderance of the evidence, conditions that would justify the initial assumption of jurisdiction under Welf. & Inst. Code, § 300 still exist, or those conditions are likely to exist if supervision is withdrawn. Family maintenance services are continued
 - (1) as previously ordered.
 - (2) as modified
 - (a) on the record.
 - (b) in the updated case plan.

- b. Contact with the child is ordered as stated in *(check appropriate boxes and attach indicated forms)*:
 - (1) *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
 - (2) *Visitation Attachment: Sibling* (form JV-401).
 - (3) *Visitation Attachment: Grandparent* (form JV-402).

17. Supervision terminated

- a. Conditions that would justify the initial assumption of jurisdiction under Welf. & Inst. Code, § 300 no longer exist, and those conditions are not likely to recur if supervision is withdrawn. Family maintenance services are terminated.
- b. The mother presumed father biological father other *(specify)*:
 is granted custody of the child under the custody order and final judgment entered this day Visitation with the child is as ordered in *Visitation Order—Juvenile* (form JV-205). The clerk of the juvenile court must file with the family court a completed *Custody Order—Juvenile—Final Judgment* (form JV-200) and *Visitation Order—Juvenile* (form JV-205).

18. All prior orders not in conflict with this order remain in full force and effect.

19. Other findings and orders:

- a. See attached.
- b. *(Specify)*:

20. The next hearing is scheduled as follows:

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. In-home status review hearing (Welf. & Inst. Code, § 364)
- b. Other *(specify)*:

21. The petition is dismissed. Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

22. Number of pages attached: _____

Date:

| | | | |
|-------|-------------------|--------------|---------|
| | | | |
| JUDGE | JUDGE PRO TEMPORE | COMMISSIONER | REFEREE |

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <hr/> TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____ | FOR COURT USE ONLY DRAFT 8 08/12/10 xyz Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER IN-HOME STATUS REVIEW HEARING— CHILD PLACED WITH PREVIOUSLY NONCUSTODIAL PARENT (Welf. & Inst. Code, §§ 364, 366.21) | CASE NUMBER: |

1. In-home status review hearing

- | | |
|-----------------------------|-------------------------------------|
| a. Date: | e. Court reporter (name): |
| b. Department: | f. Bailiff (name): |
| c. Judicial officer (name): | g. Interpreter (name and language): |
| d. Court clerk (name): | |

| | Present | Attorney (name): | Present | Appointed today |
|----------------------------------|--------------------------|------------------|--------------------------|--------------------------|
| h. <u>Party (name):</u> | | | | |
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other (specify): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
- (1) Court Appointed Special Advocate (CASA) volunteer (name):
 - (2) Other (name):
 - (3) Other (name):

2. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- b. Report of CASA volunteer dated:
- c. Case plan dated:
- d. Other (specify):
- e. Other (specify):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

- 3. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.
- 4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

5. A Court Appointed Special Advocate is appointed for the child.

6. Parentage

- a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
 (1) alleged parent (*name*):
 (2) alleged parent (*name*):
 (3) alleged parent (*name*):

Advisements and waivers

7. The court informed and advised the

- mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

Case plan development

9. a. The following were actively involved in the case plan development, including the child's plan for permanent placement.

- child mother father representative of child's identified Indian tribe
 other (*specify*):

b. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.

- child mother father representative of child's identified Indian tribe
 other (*specify*):

c. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.

- child mother father representative of child's identified Indian tribe
 other (*specify*):

CHILD'S NAME:

CASE NUMBER:

Custody of the child and services

10. By prior order of the court, the child was removed from the

- mother presumed father biological father
 legal guardian Indian custodian other (*specify*):

and placed with a previously noncustodial parent, the

- mother presumed father biological father

11. Family maintenance services were ordered for the previously noncustodial parent, and regarding that parent,

- a. the extent of progress toward eliminating the conditions or factors requiring court supervision has been
 none minimal adequate substantial excellent
- b. the services offered by the county agency to eliminate the conditions or factors requiring court supervision were
 adequate inadequate
- c. By a preponderance of the evidence, conditions that would justify the initial assumption of jurisdiction under Welf. & Inst. Code, § 300 still exist or those conditions are likely to recur if supervision is withdrawn. Family maintenance services are continued
(1) as previously ordered.
(2) as modified
(a) on the record.
(b) in the case plan.
- d. Conditions that would justify the initial assumption of jurisdiction under Welf. & Inst. Code, § 300 no longer exist. Those conditions are not likely to exist if supervision is withdrawn. Family maintenance services are terminated.
- e. The previously noncustodial parent indicated in item 10 is granted custody of the child under the custody order and final judgment entered this day. Visitation with the child is as ordered in *Visitation Order—Juvenile* (form JV-205). The clerk of the juvenile court must file with the family court a completed *Custody Order—Juvenile—Final Judgment* (form JV-200) and *Visitation Order—Juvenile* (form JV-205).

12. By prior order of the court, reunification services were ordered for the

- mother presumed father biological father
 other (*specify*):

Regarding that person:

- a. The extent of progress made toward alleviating or mitigating the causes necessitating the removal has been
 none minimal adequate substantial excellent
- b. Services offered by the county agency designed to aid in overcoming the problems that led to the initial removal were
 adequate inadequate
- c. Reunification services are
(1) terminated.
(2) continued
(a) as previously ordered.
(b) as modified
(i) on the record.
(ii) in the case plan.
- d. The return of the child would not create a substantial risk of detriment to the child's safety, protection, or physical or emotional well-being and is in the child's best interest. The child is ordered returned to the custody of the person. The county agency will provide family maintenance services, and the person will participate in the services as specified in the case plan. The factual basis for this order is
(1) as stated on the record.
(2) as follows:

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

Education

13. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
- b. A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

14. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.

15. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 14 or other concerns are:
- a. stated in the social worker's report.
- b. specified here:

16. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 15:
- a. Social worker.
- b. Parent (*name*):
- c. Surrogate parent (*name*):
- d. Educational representative (*name*):
- e. Other (*name*):

17. The mother biological father Indian custodian
 presumed father legal guardian
 other (*specify*):

must ensure the child's regular school attendance and make reasonable efforts to obtain the education services necessary to meet the child's specific needs.

18. **Child 16 years of age or older:** The child was in foster care at 16 years of age and remains eligible for independent living services. The county agency will provide those services as stated in the child's case plan and Transitional Independent Living Plan.

- a. The services stated in the case plan include those needed to assist the child in making the transition to independent living.
- b. The services stated in the case plan do not include those needed to assist the child in making the transition to independent living.
- c. To assist the child in making the transition to independent living, the county agency must add to the child's case plan and provide the services
- (1) stated on the record.
- (2) specified here:

| | |
|---------------|--------------|
| CHILD'S NAME: | CASE NUMBER: |
|---------------|--------------|

Visitation

19. Contact with the child is ordered as stated in *(check appropriate box and attach indicated form)*:

- a. *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400).*
- b. *Visitation Attachment: Sibling (form JV-401).*
- c. *Visitation Attachment: Grandparent (form JV-402).*

20. **All prior orders not in conflict with this order remain in full force and effect.**

21. **Other findings and orders:**

- a. See attached.
- b. *(Specify):*

22. **The next hearing is scheduled as follows:**

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. In-home status review hearing (Welf. & Inst. Code, §§ 364, 366.21)
- b. Other *(specify):*

23. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

24. Number of pages attached: _____

Date: _____

JUDGE
 JUDGE PRO TEMPORE
 COMMISSIONER
 REFEREE

| | |
|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____ | FOR COURT USE ONLY DRAFT 13 09/15/10 amb Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER SIX-MONTH PREPERMANENCY HEARING (Welf. & Inst. Code, § 366.21(e)) | CASE NUMBER: |

1. Six-month prepermanency hearing

- a. Date:
- b. Department:
- c. Judicial officer (*name*):
- d. Court clerk (*name*):
- e. Court reporter (*name*):
- f. Bailiff (*name*):
- g. Interpreter (*name and language*):

| h. <u>Party (<i>name</i>):</u> | Present | <u>Attorney (<i>name</i>):</u> | Present | <u>Appointed today</u> |
|----------------------------------|--------------------------|--------------------------------|--------------------------|--------------------------|
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other (<i>specify</i>): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
 - (1) Court Appointed Special Advocate (CASA) volunteer (*name*):
 - (2) Other (*name*):
 - (3) Other (*name*):

2. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- b. Report of CASA volunteer dated:
- c. Case plan dated:
- d. Other (*specify*):
- e. Other (*specify*):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

- 3. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5. A Court Appointed Special Advocate is appointed for the child.

6. Parentage

- a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
 (1) alleged parent (*name*):
 (2) alleged parent (*name*):
 (3) alleged parent (*name*):

Advisements and waivers

7. The court has informed and advised the

- mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Case plan development

9. a. The following were actively involved in the case plan development, including the child's plan for permanent placement.
 child mother father representative of child's identified Indian tribe
 other (specify):
- b. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.
 child mother father representative of child's identified Indian tribe
 other (specify):
- c. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
 child mother father representative of child's identified Indian tribe
 other (specify):

Efforts

10. The county agency

- a. has
b. has not

complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.

11. The child is may be an Indian child, and
a. by clear and convincing evidence active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
b. active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

12. The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:

| | None | Minimal | Adequate | Substantial | Excellent |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> |

Siblings

13. **The child does not have siblings under the court's jurisdiction.**

14. **The child has siblings under the court's jurisdiction.** *Sibling Attachment: Contact and Placement (form JV-403) is attached and incorporated by reference.*

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Education

15. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

b. A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

16. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.

17. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 16 or other concerns are:

a. stated in the social worker's report.

b. specified here:

18. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 17:

a. Social worker.

b. Parent (*name*):

c. Surrogate parent (*name*):

d. Educational representative (*name*):

e. Other (*name*):

19. The child's education placement has changed since the last review hearing.

a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll and, those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.

b. The child is enrolled in school.

c. The child is attending school.

20. **Child 16 years of age or older:**

a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to independent living.

b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to independent living.

c. To assist the child in making the transition to independent living, the county agency must add to the case plan and provide the services

(1) stated on the record.

(2) as follows:

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

21. **Placement and services are ordered as stated in** (check appropriate boxes and attach indicated forms):
- a. Six-Month Prepermanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.21(e)) (form JV-431), which is attached and incorporated by reference.
 - b. Six-Month Prepermanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.21(e)) (form JV-432), which is attached and incorporated by reference.
 - c. Six-Month Prepermanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.21(e)) (form JV-433), which is attached and incorporated by reference.

22. **Contact with the child is ordered as stated in** (check appropriate box and attach indicated form):
- a. Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400).
 - b. Visitation Attachment: Sibling (form JV-401).
 - c. Visitation Attachment: Grandparent (form JV-402).

23. **All prior orders not in conflict with this order remain in full force and effect.**

24. **Other findings and orders:**
- a. See attached.
 - b. (Specify):

25. **The next hearing is scheduled as follows:**

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. In-home status review hearing (Welf. & Inst. Code, § 364)
- b. 12-month permanency hearing (Welf. & Inst. Code, § 366.21(f))
- c. Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- d. Other (specify):

26. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

27. Number of pages attached: _____

Date:

| | | | | |
|--|--------------------------------|--|---------------------------------------|----------------------------------|
| | <input type="checkbox"/> JUDGE | <input type="checkbox"/> JUDGE PRO TEMPORE | <input type="checkbox"/> COMMISSIONER | <input type="checkbox"/> REFEREE |
|--|--------------------------------|--|---------------------------------------|----------------------------------|

| | |
|------------------------|-----------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|------------------------|-----------------------|

SIX-MONTH PREPERMANENCY ATTACHMENT: CHILD REUNIFIED
(Welf. & Inst. Code, § 366.21(e))

1. The return of the child to his or her parent or legal guardian would not create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child, and the child's placement in foster care is no longer necessary or appropriate. The factual basis for this conclusion is stated on the record.

Permanent plan

2. The permanent plan of reunification is appropriate and is ordered as the permanent plan.
- a. The child is placed, effective immediately, in the care and custody of the
 mother biological father Indian custodian
 presumed father legal guardian
 other (*specify*):
- b. The county agency will provide family maintenance services, and the family will participate in those services, as stated in the family's case plan.
- c. The family is not in need of further services, and the person specified in item 2a is granted physical and legal custody of the child under the custody order and final judgment entered this day. Visitation with the child will be as stated in the *Visitation Order—Juvenile* (form JV-205). The clerk of the juvenile court must file with the family court a completed *Custody Order—Juvenile—Final Judgment* (form JV-200) and *Visitation Order—Juvenile* (form JV-205).

Education

3. The mother biological father Indian custodian
 presumed father legal guardian
 other (*specify*):
- must ensure the child's regular school attendance and make reasonable efforts to obtain the education services necessary to meet the child's specific needs.
4. **Child 16 years of age or older:** The child was in foster care at 16 years of age and remains eligible for independent living services. The county agency will provide those services as stated in the child's case plan and Transitional Independent Living Plan.

| | |
|------------------------|-----------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|------------------------|-----------------------|

SIX-MONTH PREPERMANENCY ATTACHMENT: REUNIFICATION SERVICES CONTINUED
(Welf. & Inst. Code, § 366.21(e))

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.

Placement

2. **The child's out-of-home placement is necessary.**
3. **The child's current placement is appropriate.**
4. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a. The matter is continued to the date and time indicated in form JV-430, item 25 for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (*specify*): _____
5. **The child is placed outside the state of California and that out-of-state placement**
- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-430, item 25 for a written oral report by the county agency on the progress made toward
- (1) returning the child to California and locating an appropriate placement within California.
- (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3) Other (*specify*): _____

Reunification services

6. **For child under the age of three years at time of initial removal or a member of a sibling group**
- a. Having considered the relevant evidence, including the following factors
- (1) Whether there has been significant progress in resolving the problems that led to the removal;
- (2) Whether the capacity and ability to complete the objectives of the treatment plan and to provide for the child's safety, protection, physical and emotional health, and special needs has been demonstrated
- (3) Whether there has been consistent and regular contact and visitation with the child.
- The court finds there is a substantial probability that the child may be returned to the
- mother biological father Indian custodian
- presumed father legal guardian other (*specify*): _____
- within six months of the date of this hearing or within 12 months of the date the child entered foster care, whichever is sooner.
- b. Reasonable services have not been provided to the
- mother biological father Indian custodian
- presumed father legal guardian other (*specify*): _____

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

7. Reunification services are continued for the _____

- | | | |
|--|--|---|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> Indian custodian |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> legal guardian | <input type="checkbox"/> other (specify): |

- a. as previously ordered.
- b. as modified
- (1) on the record.
- (2) in the case plan.

8. **The likely date** by which the child may be returned to and safely maintained in the home or placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is (specify date):

Important individuals

9. **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a. The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationship with those individuals, consistent with the child's best interest.
- b. The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationship with those individuals, consistent with the child's best interest.
- c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
- (1) stated on the record.
- (2) specified here:

Health

10. The mother biological father Indian custodian
 presumed father legal guardian other (specify):

is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

Advisement

11. The court informed all parties present at the time of the hearing and further advises all parties that if the child is not returned to the home at the permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26 **that may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan, modification of parental rights and the adoption of the child and other members of the sibling group.**

Twelve-month permanency hearing date:

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

**SIX-MONTH PREPERMANENCY ATTACHMENT:
REUNIFICATION SERVICES TERMINATED
(Welf. & Inst. Code, § 366.21(e))**

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.

Placement

2. **The child's out-of-home placement is necessary.**
3. **The child's current placement is appropriate.**
4. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a. The matter is continued to the date and time indicated in form JV-430, item 25 for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (*specify*):
5. **The child is placed outside the state of California and that out-of-state placement**
- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-430, item 25 for a written oral report by the county agency on the progress made toward
- (1) returning the child to California and locating an appropriate placement within California.
- (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3) other (*specify*):

Reunification services

6. **Reunification services terminated: Child under age of three years at time of removal or member of sibling group**
- a. The child was under the age of three years on the date of the initial removal from the home.
- b. The child and the child's siblings listed below form a sibling group in which one child in the sibling group was under the age of three years at the time of the initial removal, and all children in the sibling group were removed from parental custody at the same time.
- (1)
- (2)
- (3)
- (4)
- (5)
- (6)
- c. By clear and convincing evidence the
- mother biological father Indian custodian
- presumed father legal guardian
- other (*specify*):
- failed to participate regularly and make substantive progress in a court-ordered treatment plan. Reunification services are terminated.
- d. Scheduling a hearing under Welf. & Inst. Code, § 366.26 for this child and some or all members of the sibling group is in the child's best interest. The factual basis for this finding is stated on the record.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

7. **Reunification services terminated: Child of any age**
- a. Reunification services are terminated for the
 mother biological father Indian custodian
 presumed father legal guardian
 other (*specify*):
because, by clear and convincing evidence,
(1) the child was initially removed from the person indicated under Welf. & Inst. Code, § 300(g) and the person's whereabouts remain unknown.
(2) the person has not had contact with the child for six months.
- b. Reunification services are terminated for the
 mother biological father Indian custodian
 presumed father legal guardian
 other (*specify*):
because, by clear and convincing evidence, that person has been convicted of a felony indicating parental unfitness.
- c. Reunification services are terminated for the
 mother biological father Indian custodian
 presumed father legal guardian
 other (*specify*):
because it is determined that the person is deceased.
8. Reunification services were not ordered for the
 mother legal guardian
 presumed father Indian custodian
 other (*specify*):
because the child was removed initially under Welf. & Inst. Code, § 300(g) and, by clear and convincing evidence, the person's whereabouts are still unknown.

Important individuals

9. **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a. The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationship with those individuals, consistent with the child's best interest.
- b. The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationship with those individuals, consistent with the child's best interest.
- c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
(1) as stated on the record.
(2) as follows:

Health

10. The mother biological father other (*specify*):
 presumed father legal guardian
is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

| | |
|------------------------|-----------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|------------------------|-----------------------|

Setting for selection of permanent plan

11. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
- c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ (Juvenile Dependency)* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.
- e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or an identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.
- f. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) (name):
- (2) (name):
- (3) (name):
- (4) (name):
- g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is (*specify date*):

| | |
|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____ | FOR COURT USE ONLY DRAFT 10 09/15/10 amb Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER 12-MONTH PERMANENCY HEARING (Welf. & Inst. Code, § 366.21(f)) | CASE NUMBER: |

1. Twelve-month permanency hearing

- | | |
|---|--|
| a. Date: b. Department: c. Judicial officer (name): d. Court clerk (name): | e. Court reporter (name): f. Bailiff (name): g. Interpreter (name and language): |
|---|--|

| | Present | Attorney (name): | Present | Appointed today |
|----------------------------------|--------------------------|------------------|--------------------------|--------------------------|
| h. Party (name): | | | | |
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other (specify): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
- (1) Court Appointed Special Advocate (CASA) volunteer (name):
- (2) Other (name):
- (3) Other (name):

2. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- b. Report of CASA volunteer dated:
- c. Case plan dated:
- d. Other (specify):
- e. Other (specify):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

3. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5. A Court Appointed Special Advocate is appointed for the child.

6. **Parentage**

- a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
 (1) alleged parent (*name*):
 (2) alleged parent (*name*):
 (3) alleged parent (*name*):

Advisements and waivers

7. **The court has informed and advised the**

- mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Case plan development

9. a. The following were actively involved in the case plan development, including the child's plan for permanent placement.
 child mother father representative of child's identified Indian tribe
 other (specify):
- b. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.
 child mother father representative of child's identified Indian tribe
 other (specify):
- c. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
 child mother father representative of child's identified Indian tribe
 other (specify):

Efforts

10. The county agency

- a. has
b. has not

complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.

11. The child is may be an Indian child, and
a. by clear and convincing evidence active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
b. active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

12. The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:

| | None | Minimal | Adequate | Substantial | Excellent |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> |

Siblings

13. **The child does not have siblings under the court's jurisdiction.**
14. **The child has siblings under the court's jurisdiction.** *Sibling Attachment: Contact and Placement (form JV-403) is attached and incorporated by reference.*

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Education

15. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

b. A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

16. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.

17. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 16 or other concerns are:
- a. stated in the social worker's report.
- b. specified here:

18. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 17:
- a. Social worker.
- b. Parent (*name*):
- c. Surrogate parent (*name*):
- d. Educational representative (*name*):
- e. Other (*name*):

19. The child's education placement has changed since the last review hearing.
- a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll and, those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
- b. The child is enrolled in school.
- c. The child is attending school.

20. **Child 16 years of age or older:**
- a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to independent living.
- b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to independent living.
- c. To assist the child in making the transition to independent living, the county agency must add to the case plan and provide the services
- (1) stated on the record.
- (2) as follows:

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

21. **Placement and services are ordered as stated in** (check appropriate boxes and attach indicated forms):
- a. *Twelve-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.21(f))* (form JV-436), which is attached and incorporated by reference.
 - b. *Twelve-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.21(f))* (form JV-437), which is attached and incorporated by reference.
 - c. *Twelve-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.21(f))* (form JV-438), which is attached and incorporated by reference.

22. **Contact with the child is ordered as stated in** (check appropriate box and attach indicated form):
- a. *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
 - b. *Visitation Attachment: Sibling* (form JV-401).
 - c. *Visitation Attachment: Grandparent* (form JV-402).

23. **All prior orders not in conflict with this order remain in full force and effect.**

24. **Other findings and orders:**
- a. See attached.
 - b. (Specify): _____

25. **The next hearing is scheduled as follows:**

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. In-home status review hearing (Welf. & Inst. Code, § 364)
- b. 18-month permanency hearing (Welf. & Inst. Code, § 366.22)
- c. Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- d. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- e. Other (specify): _____

26. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

27. Number of pages attached: _____

Date: _____

JUDGE
 JUDGE PRO TEMPORE
 COMMISSIONER
 REFEREE

| | |
|------------------------|-----------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|------------------------|-----------------------|

TWELVE-MONTH PERMANENCY ATTACHMENT: CHILD REUNIFIED
(Welf. & Inst. Code, § 366.21(f))

1. The return of the child to his or her parent or legal guardian would not create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child, and the child's placement in foster care is no longer necessary or appropriate. The factual basis for this conclusion is stated on the record.

Permanent plan

2. **The permanent plan of reunification is appropriate and is ordered as the permanent plan.**

- a. The child is placed, effective immediately, in the care and custody of the
 - mother biological father Indian custodian
 - presumed father legal guardian
 - other (*specify*):
- b. The county agency will provide family maintenance services, and the family will participate in those services, as stated in the family's case plan.
- c. The family is not in need of further services, and the person specified in item 2a is granted physical and legal custody of the child under the custody order and final judgment entered this day. Visitation with the child will be as stated in the *Visitation Order—Juvenile* (form JV-205). The clerk of the juvenile court must file with the family court a completed *Custody Order—Juvenile—Final Judgment* (form JV-200) and *Visitation Order—Juvenile* (form JV-205).

Education

- 3. The mother biological father Indian custodian
 - presumed father legal guardian
 - other (*specify*):

must ensure the child's regular school attendance and make reasonable efforts to obtain the education services necessary to meet the child's specific needs.

4. **Child 16 years of age or older:** The child was in foster care at 16 years of age and remains eligible for independent living services. The county agency will provide those services as stated in the child's case plan and Transitional Independent Living Plan.

| | |
|------------------------|-----------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|------------------------|-----------------------|

TWELVE-MONTH PERMANENCY ATTACHMENT: REUNIFICATION SERVICES CONTINUED
(Welf. & Inst. Code, § 366.21(f))

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.

Placement

2. **The child's out-of-home placement is necessary.**
3. **The child's current placement is appropriate.**
4. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a. The matter is continued to the date and time indicated in form JV-435, item 25 for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (*specify*): _____
5. **The child is placed outside the state of California and that out-of-state placement**
- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-435, item 25 for a written oral report by the county agency on the progress made toward
- (1) returning the child to California and locating an appropriate placement within California.
- (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3) Other (*specify*): _____

Reunification services

6. a. **There is a substantial probability that the child may be returned to the**
 mother biological father Indian custodian
 presumed father legal guardian other (*specify*): _____
 by the date set for the 18-month permanency hearing under Welf. & Inst. Code, § 366.22 because the person has
- (1) made significant progress in resolving the problems that led to the removal;
- (2) demonstrated the capacity and ability to complete the objectives of the treatment plan and to provide for the safety, protection, physical and emotional health, and special needs of the child; and
- (3) consistently and regularly contacted and visited the child.
- b. Reasonable services have not been provided to the
 mother biological father Indian custodian
 presumed father legal guardian other (*specify*): _____
7. Reunification services are continued for the _____
- mother biological father Indian custodian
 presumed father legal guardian other (*specify*): _____
- a. as previously ordered.
- b. as modified
- (1) on the record.
- (2) in the case plan.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

8. **The likely date** by which the child may be returned to and safely maintained in the home or placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is (*specify date*):

Important individuals

9. **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a. The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - b. The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
 - (1) as stated on the record.
 - (2) as follows:

Health

10. The mother biological father Indian custodian
 presumed father legal guardian other (*specify*):
 is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

Advisement

11. The court informed all parties present at the time of the hearing and further advises all parties that if the child is not returned to the home at the 18-month permanency hearing set on a date within 18 months from the date the child was initially removed from his or her home, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26 **that may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.**

Eighteen-month permanency hearing date: _____

| | |
|------------------------|-----------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|------------------------|-----------------------|

**TWELVE-MONTH PERMANENCY ATTACHMENT:
REUNIFICATION SERVICES TERMINATED
(Welf. & Inst. Code, § 366.21(f))**

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.

2. **Reunification services are terminated.**

Placement

3. **The child's out-of-home placement is necessary.**

4. **The child's current placement is appropriate.**

5. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.

a. The matter is continued to the date and time indicated in form JV-435, item 25 for a written oral report by the county agency on the progress made in locating an appropriate placement.

b. Other (*specify*):

6. **The child is placed outside the state of California and that out-of-state placement**

a. continues to be the most appropriate placement for the child and is in the best interest of the child.

b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-435, item 25 for a written oral report by the county agency on the progress made toward

(1) returning the child to California and locating an appropriate placement within California.

(2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.

(3) other (*specify*):

Important individuals

7. **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**

a. The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.

b. The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.

c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services

(1) as stated on the record.

(2) as follows:

Health

8. The mother biological father other (*specify*):
 presumed father legal guardian

is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

Selection of permanent plan

9. **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and has no one currently willing or appropriate to accept legal guardianship. The child's permanent plan is
- a. placement with (*name*): _____, a fit and willing relative with a specific goal of adoption guardianship and termination of dependency. **The likely date** by which the child's specific goal will be achieved is (*specify date*): _____
- The relative is authorized to provide consent for the child's medical, surgical, and dental care as provided in *Order Granting Authority to Consent to Medical, Surgical, and Dental Care* (form JV-448).
- b. placement with (*name of placement*): _____ with a specific goal of (*specify*):
- (1) return home.
 - (2) adoption.
 - (3) legal guardianship.
 - (4) permanent placement with a fit and willing relative.
 - (5) a less restrictive foster care setting.
 - (6) independent living with identification of a caring adult to serve as a lifelong connection for the youth.
 - (7) assisted adult living with identification of a caring adult to serve as a lifelong connection for the youth.
- The likely date** by which the child's specific goal will be achieved is (*specify date*): _____
- c. The county agency made diligent efforts to locate an appropriate relative for the child's placement, and each relative whose name was submitted to the county agency was evaluated as a possible caregiver for the child.
10. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence, reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
- c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.
- e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.
- f. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) (*name*): _____
 - (2) (*name*): _____
- g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is (*specify date*): _____

| | |
|---|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____ | FOR COURT USE ONLY DRAFT 9 08/12/10 xyz Not approved by Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER 18-MONTH PERMANENCY HEARING (Welf. & Inst. Code, § 366.22) | CASE NUMBER: |

1. Eighteen-month permanency hearing

- a. Date: _____
- b. Department: _____
- c. Judicial officer (*name*): _____
- d. Court clerk (*name*): _____
- e. Court reporter (*name*): _____
- f. Bailiff (*name*): _____
- g. Interpreter (*name and language*): _____

| | Present | <u>Attorney (<i>name</i>):</u> | Present | Appointed today |
|--------------------------------------|--------------------------|--------------------------------|--------------------------|--------------------------|
| h. <u>Party (<i>name</i>):</u> | | | | |
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Other (<i>specify</i>): _____ | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
 - (1) Court Appointed Special Advocate (CASA) volunteer (*name*): _____
 - (2) Other (*name*): _____
 - (3) Other (*name*): _____

2. The court has read and considered and admits into evidence:

- a. Report of social worker dated: _____
- b. Report of CASA volunteer dated: _____
- c. Case plan dated: _____
- d. Other (*specify*): _____
- e. Other (*specify*): _____

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

- 3. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5. A Court Appointed Special Advocate is appointed for the child.

6. **Parentage**

- a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
 (1) alleged parent (*name*):
 (2) alleged parent (*name*):
 (3) alleged parent (*name*):

Advisements and waivers

7. **The court has informed and advised the**

- mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The mother biological father legal guardian child
 presumed father alleged father Indian custodian
 other (*specify*):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Case plan development

9. a. The following were actively involved in the case plan development, including the child's plan for permanent placement.
 child mother father representative of child's identified Indian tribe
 other (specify):
- b. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.
 child mother father representative of child's identified Indian tribe
 other (specify):
- c. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
 child mother father representative of child's identified Indian tribe
 other (specify):

Efforts

10. The county agency

- a. has
b. has not

complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.

11. The child is may be an Indian child, and
a. by clear and convincing evidence active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
b. active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

12. The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:

| | None | Minimal | Adequate | Substantial | Excellent |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> |

Siblings

13. **The child does not have siblings under the court's jurisdiction.**
14. **The child has siblings under the court's jurisdiction. Sibling Attachment: Contact and Placement (form JV-403) is attached and incorporated by reference.**

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Education

15. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
- b. A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.

16. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.

17. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 16 or other concerns are:
- a. stated in the social worker's report.
- b. specified here:

18. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 17:
- a. Social worker.
- b. Parent (*name*):
- c. Surrogate parent (*name*):
- d. Educational representative (*name*):
- e. Other (*name*):

19. The child's education placement has changed since the last review hearing.
- a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
- b. The child is enrolled in school.
- c. The child is attending school.

20. **Child 16 years of age or older:**
- a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to independent living.
- b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to independent living.
- c. To assist the child in making the transition to independent living, the county agency must add to the case plan and provide the services
- (1) stated on the record.
- (2) as follows:

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

21. **Placement and services are ordered as stated in** (check appropriate box and attach indicated form):
- a. *Eighteen-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.22)* (form JV-441), which is attached and incorporated by reference.
 - b. *Eighteen-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.22)* (form JV-442), which is attached and incorporated by reference.
 - c. *Eighteen-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.25)* (form JV-443), which is attached and incorporated by reference.

22. **Contact with the child is ordered as stated in** (check appropriate box and attach indicated form):
- a. *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
 - b. *Visitation Attachment: Sibling* (form JV-401).
 - c. *Visitation Attachment: Grandparent* (form JV-402).

23. **All prior orders not in conflict with this order remain in full force and effect.**

24. **Other findings and orders:**
- a. See attached.
 - b. (Specify):

25. **The next hearing is scheduled as follows:**

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. In-home status review hearing (Welf. & Inst. Code, § 364)
- b. **Twenty-four-month permanency hearing (Welf. & Inst. Code, § 366.25)**
- c. Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- d. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- e. Other (specify):

26. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

27. Number of pages attached: _____

Date:

JUDGE
 JUDGE PRO TEMPORE
 COMMISSIONER
 REFEREE

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

EIGHTEEN-MONTH PERMANENCY ATTACHMENT: CHILD REUNIFIED
(Welf. & Inst. Code, § 366.22)

- The return of the child to his or her parent or legal guardian would not create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child, and the child's placement in foster care is no longer necessary or appropriate. The factual basis for this conclusion is stated on the record.

Permanent plan

- The permanent plan of reunification is appropriate and is ordered as the permanent plan.
 - The child is placed, effective immediately, in the care and custody of the

| | | |
|--|--|---|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> Indian custodian |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> legal guardian | |
| <input type="checkbox"/> other (<i>specify</i>): | | |
 - The county agency will provide family maintenance services, and the family will participate in those services, as stated in the family's case plan.
 - The family is not in need of further services, and the person specified in item 2a is granted physical and legal custody of the child under the custody order and final judgment entered this day. Visitation with the child will be as stated in the *Visitation Order—Juvenile* (form JV-205). The clerk of the juvenile court must file with the family court a completed *Custody Order—Juvenile—Final Judgment* (form JV-200) and *Visitation Order—Juvenile* (form JV-205).

Education

- The mother biological father Indian custodian presumed father legal guardian other (*specify*):
 must ensure the child's regular school attendance and make reasonable efforts to obtain the education services necessary to meet the child's specific needs.
- Child 16 years of age or older:** The child was in foster care at 16 years of age and remains eligible for independent living services. The county agency will provide those services as stated in the child's case plan and Transitional Independent Living Plan.

| | |
|--------------------|--------------|
| CHILD'S NAME: — | CASE NUMBER: |
|--------------------|--------------|

**EIGHTEEN-MONTH PERMANENCY ATTACHMENT:
REUNIFICATION SERVICES TERMINATED
(Welf. & Inst. Code, § 366.22)**

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.

2. Reunification services are terminated.

Placement

3. The child's out-of-home placement is necessary.

4. The child's current placement is appropriate.

5. The child's current placement is not appropriate. The county agency must locate an appropriate placement for the child.

a. The matter is continued to the date and time indicated in form JV-440, item 25 for a written oral report by the county agency on the progress made in locating an appropriate placement.

b. Other (specify):

6. The child is placed outside the state of California and that out-of-state placement

a. continues to be the most appropriate placement for the child and is in the best interest of the child.

b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child.

The matter is continued to the date and time indicated in form JV-440, item 25 for a written oral report by the county agency on the progress made toward

(1) returning the child to California and locating an appropriate placement within California.

(2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.

(3) other (specify):

Important individuals

7. Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care

a. The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.

b. The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.

c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services

(1) as stated on the record.

(2) as follows:

Health

8. The mother biological father other (specify):
 presumed father legal guardian

is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Selection of permanent plan

9. **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and has no one currently willing or appropriate to accept legal guardianship. The child's permanent plan is
- a. placement with (*name*): _____, a fit and willing relative with a specific goal of adoption guardianship and termination of dependency.
The likely date by which the child's specific goal will be achieved is (*specify date*): _____
 The relative is authorized to provide consent for the child's medical, surgical, and dental care as provided in *Order Granting Authority to Consent to Medical, Surgical, and Dental Care* (form JV-448).
- b. placement with (*name of placement*): _____ with a specific goal of (*specify*):
- (1) return home.
 - (2) adoption.
 - (3) legal guardianship.
 - (4) permanent placement with a fit and willing relative.
 - (5) a less restrictive foster care setting.
 - (6) independent living with identification of a caring adult to serve as a lifelong connection for the youth.
 - (7) assisted adult living with identification of a caring adult to serve as a lifelong connection for the youth.
- The likely date** by which the child's specific goal will be achieved is (*specify date*): _____
- c. The county agency made diligent efforts to locate an appropriate relative for the child's placement, and each relative whose name was submitted to the county agency was evaluated as a possible caregiver for the child.
10. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
- c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.
- e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.
- f. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) (*name*): _____
 - (2) (*name*): _____
- g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is (*specify date*): _____

| | |
|--|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <hr/> <p style="text-align: center;">TELEPHONE NO.: _____ FAX NO. (Optional): _____</p> <p>E-MAIL ADDRESS (Optional): _____</p> <p>ATTORNEY FOR (Name): _____</p> | FOR COURT USE ONLY DRAFT 9 08/12/10 xyz Not Approved by the Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | CASE NUMBER: |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER POSTPERMANENCY HEARING— PARENTAL RIGHTS TERMINATED; PERMANENT PLAN OF ADOPTION (Welf. & Inst. Code, § 366.3) | |

1. Postpermanency hearing

- a. Date:
- b. Department:
- c. Judicial officer (name):
- d. Court clerk (name):
- e. Court reporter (name):
- f. Bailiff (name):
- g. Interpreter (name and language):

| <u>Party (name):</u> | <u>Present</u> | <u>Attorney (name):</u> | <u>Present</u> | <u>Appointed today</u> |
|----------------------------------|--------------------------|-------------------------|--------------------------|--------------------------|
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Other (specify): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
 - (1) Court Appointed Special Advocate (CASA) volunteer (name):
 - (2) Other (name):
 - (3) Other (name):

2. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- b. Report of CASA volunteer dated:
- c. Case plan dated:
- d. Other (specify):
- e. Other (specify):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

3. a. Notice of the date, time, and location of the hearing was given as required by law.

b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.

b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

5. A Court Appointed Special Advocate is appointed for the child.

Placement

6. **The child's out-of-home placement is necessary.**

7. **The child's current placement is appropriate.**

8. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.

a. The matter is continued to the date and time indicated in item 28 for a written oral report by the county agency on the progress made in locating an appropriate placement.

b. Other (*specify*):

9. **The child is placed outside the state of California and that out-of-state placement**

a. continues to be the most appropriate placement for the child and is in the best interest of the child.

b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in item 28 for a written oral report by the county agency on the progress made toward

(1) returning the child to California and locating an appropriate placement within California.

(2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.

(3) Other (*specify*):

Case plan development

10. a. The child was actively involved in the case plan development, including the child's plan for permanent placement.

b. The child was not actively involved in the case plan development, including the child's plan for permanent placement, and

(1) the county agency is ordered to actively involve the child in the case plan development, including the plan for permanent placement, and to submit to the court an updated case plan within 30 days of the date of this hearing.

(2) the county agency is not required to actively involve the child because the child is unable, unavailable, or unwilling to participate.

11. **Child 12 years of age and over:**

a. The child was given the opportunity to review the case plan, sign it, and receive a copy.

b. The child was not given the opportunity to review the case plan, sign it, and receive a copy, and

(1) the county agency is ordered to provide the child with the opportunity to review the case plan, sign it, and receive a copy. The county agency is further ordered to submit to the court within 30 days of the date of this hearing written confirmation that the child was provided with this opportunity.

(2) the county agency is not required to actively involve the child because the child is unable, unavailable, or unwilling to participate.

Efforts

12. **The county agency**

a. has

b. has not

complied with the case plan by making reasonable efforts, including whatever steps are necessary to make and to finalize the permanent placement of the child.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

13. **Child not yet placed with prospective adoptive parent or a guardian**
- a. The child has identified the following as an individual important to him or her:
 - (1) *(name)*:
 - (2) *(name)*:
 - b. The county agency has has not made efforts to identify individuals who are important to the child, consistent with the child's best interest.
 - c. The county agency has has not made efforts to maintain the child's relationships with the individuals who are important to the child, consistent with the child's best interest.
 - d. The county agency has has not made efforts to identify a prospective adoptive parent or a legal guardian for the child.
 - e. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
 - (1) as stated on the record.
 - (2) as follows:
 - f. To identify a prospective adoptive parent or a legal guardian for the child, the county agency must provide the services
 - (1) as stated on the record.
 - (2) as follows:

14. The services provided to the child have been
- a. adequate.
 - b. not adequate.

Education

15. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.

16. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 15 or other concerns are:
- a. stated in the social worker's report.
 - b. specified here:

17. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 16:
- a. Social worker.
 - b. Surrogate parent *(name)*:
 - c. Educational representative *(name)*:
 - d. Other *(name)*:

18. The child's education placement has changed since the last review hearing.
- a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
 - b. The child is enrolled in school.
 - c. The child is attending school.

| | |
|----------------------------|---------------------------|
| CHILD'S NAME: _____ | CASE NUMBER: _____ |
|----------------------------|---------------------------|

19. **Child 16 years of age and over:**
- a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to independent living.
 - b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to independent living.
 - c. To assist the child in making the transition to independent living, the county agency must add to the case plan and provide the services
 - (1) as stated on the record.
 - (2) as follows:

Siblings

20. **The child does not have siblings under the court's jurisdiction.**
21. **The child has siblings under the court's jurisdiction.** *Sibling Attachment: Contact and Placement (form JV-403) is attached and incorporated by reference.*

Permanent plan

22. a. The permanent plan of adoption is appropriate and is ordered to continue as the permanent plan.
 b. **The likely date** by which the child's adoption will be finalized is *(specify date)*:
23. a. The permanent plan of tribal customary adoption is appropriate and is ordered to continue as the permanent plan.
 b. **The likely date** by which the child's tribal customary adoption will be finalized is *(specify date)*:
24. a. The child's permanent plan of adoption may or may not be appropriate, and the matter is ordered set for a hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.22(b).
 b. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is *(specify date)*:
25. **Contact with the child is ordered as follows** *(check appropriate box and attach indicated form)*:
- a. *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400)*
 - b. *Visitation Attachment: Sibling (form JV-401)*
 - c. *Visitation Attachment: Grandparent (form JV-402)*

26. **All prior orders not in conflict with this order remain in full force and effect.**

27. Other findings and orders:
- a. See attached.
 - b. *(Specify)*:

28. **The next hearing is scheduled as follows:**

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- b. Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- c. Other *(specify)*:

29. Number of pages attached: _____

Date:

JUDGE
 JUDGE PRO TEMPORE
 COMMISSIONER
 REFEREE

| | |
|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____ | FOR COURT USE ONLY DRAFT 10 09/15/10 amb Not approved by the Judicial Council |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: | |
| CHILD'S NAME: | |
| FINDINGS AND ORDERS AFTER POSTPERMANENCY HEARING— PERMANENT PLAN OTHER THAN ADOPTION (Welf. & Inst. Code, § 366.3) | CASE NUMBER: |

1. Postpermanency hearing

- | | |
|-----------------------------|-------------------------------------|
| a. Date: | e. Court reporter (name): |
| b. Department: | f. Bailiff (name): |
| c. Judicial officer (name): | g. Interpreter (name and language): |
| d. Court clerk (name): | |

| | Present | Attorney (name): | Present | Appointed today |
|----------------------------------|--------------------------|------------------|--------------------------|--------------------------|
| h. Party (name): | | | | |
| (1) Child: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) Mother: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) Father—presumed: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) Father—biological: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (5) Father—alleged: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (6) Legal guardian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (7) Indian custodian: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (8) De facto parent: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (9) County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (10) Other (specify): | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |
| (11) Tribal representative: | <input type="checkbox"/> | | <input type="checkbox"/> | <input type="checkbox"/> |

- i. Others present in courtroom:
- (1) Court Appointed Special Advocate (CASA) volunteer (name):
- (2) Other (name):
- (3) Other (name):

2. The court has read and considered and admits into evidence:

- a. Report of social worker dated:
- b. Report of CASA volunteer dated:
- c. Case plan dated:
- d. Other (specify):
- e. Other (specify):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

3. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.
4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

5. A Court Appointed Special Advocate is appointed for the child.

6. **Parentage**

a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.

b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
(1) alleged parent (*name*):
(2) alleged parent (*name*):
(3) alleged parent (*name*):

Advisements and waivers

7. **The court informed and advised the**

- mother biological father legal guardian Indian custodian child
 presumed father alleged father other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The mother biological father legal guardian Indian custodian child
 presumed father alleged father other (*specify*):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

Placement

9. **Continued out-of-home care is in the best interest of the child.**

10. **The child's out-of-home placement is necessary.**

11. **The child's current placement is appropriate.**

12. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.

a. The matter is continued to the date and time indicated in item 34 for a written oral report by the county agency on the progress made in locating an appropriate placement.

b. Other (*specify*):

13. **The child is placed outside the state of California and that out-of-state placement**

a. continues to be the most appropriate placement for the child and is in the best interest of the child.

b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in item 34 for a written oral report by the county agency on the progress made toward

(1) returning the child to California and locating an appropriate placement within California.

(2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.

(3) Other (*specify*):

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Case plan development

14. a. The child was actively involved in the case plan development, including the child's plan for permanent placement.
- b. The child was not actively involved in the case plan development, including the child's plan for permanent placement, and
- (1) the county agency is ordered to actively involve the child in the case plan development, including the plan for permanent placement, and to submit to the court an updated case plan within 30 days of the date of this hearing.
- (2) the county agency was not required to actively involve the child in the case plan development because the child was unable, unavailable, or unwilling to participate.

15. **Child 12 years of age and over:**

- a. The child was given the opportunity to review the case plan, sign it, and receive a copy.
- b. The child was not given the opportunity to review the case plan, sign it, and receive a copy, and
- (1) the county agency is ordered to provide the child with the opportunity to review the case plan, sign it, and receive a copy. The agency is further ordered to submit to the court within 30 days of the date of this hearing written confirmation that the child was provided with this opportunity.
- (2) the county agency was not required to give the child this opportunity because the child was unable, unavailable, or unwilling to participate.

Efforts

16. **The county agency**
- a. has
- b. has not
- complied with the case plan by making reasonable efforts, including whatever steps are necessary to make and to finalize the permanent placement of the child.

17. The services provided to the child have been
- a. adequate.
- b. not adequate.

18. **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**

- a. The child has identified the following as an individual important to him or her:
- (1) (name):
- (2) (name):
- b. The county agency has has not made efforts to identify individuals who are important to the child, consistent with the child's best interest.
- c. The county agency has has not made efforts to maintain the child's relationships with the individuals who are important to the child, consistent with the child's best interest.
- d. The county agency has has not made efforts to identify a prospective adoptive parent or a legal guardian for the child.
- e. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
- (1) as stated on the record.
- (2) as follows:
- f. To identify a prospective adoptive parent or a legal guardian for the child, the county agency must provide the services
- (1) as stated on the record.
- (2) as follows:

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

Siblings

19. **The child does not have siblings under the court's jurisdiction.**
20. **The child has siblings under the court's jurisdiction. Sibling Attachment: Contact and Placement (form JV-403) is attached and incorporated by reference.**

Education

21. a. The child's educational needs are are not being met.
 b. The child's physical needs are are not being met.
 c. The child's mental health needs are are not being met.
 d. The child's developmental needs are are not being met.
22. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 21 or other concerns are:
 a. stated in the social worker's report.
 b. specified here:

23. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 22:
 a. Social worker.
 b. Surrogate parent (name):
 c. Educational representative (name):
 d. Other (name):

24. The child's education placement has changed since the last review hearing.
 a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
 b. The child is enrolled in school.
 c. The child is attending school.

25. **Child 16 years of age or older:**
 a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to independent living.
 b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to independent living.
 c. To assist the child in making the transition to independent living, the county agency must add to the child's case plan and provide the services
 (1) as stated on the record.
 (2) as follows:

Health

26. The mother biological father Indian custodian presumed father legal guardian other (specify):
 is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

| | |
|---------------|--------------|
| CHILD'S NAME: | CASE NUMBER: |
|---------------|--------------|

Permanent Plan

27. The child's permanent plan is

- a. legal guardianship with a specific goal of termination of dependency adoption.

The likely date by which the child's specific goal will be achieved is (*specify date*):

- b. placement with (*name*): _____, a fit and willing relative with a specific goal of adoption guardianship and termination of dependency.

The likely date by which the child's specific goal will be achieved is (*specify date*):

The relative is authorized to provide consent for the child's medical, surgical, and dental care as provided in *Order Granting Authority to Consent to Medical, Surgical, and Dental Care* (form JV-448).

- c. placement with (*name of placement*): _____ with a specific goal of (*specify*):

(1) return home.

(2) adoption.

(3) tribal customary adoption.

(4) legal guardianship.

(5) permanent placement with a fit and willing relative.

(6) a less restrictive foster care setting.

(7) independent living with identification of a caring adult to serve as a lifelong connection for the youth.

(8) assisted adult living with identification of a caring adult to serve as a lifelong connection for the youth.

The likely date by which the child's specific goal will be achieved is (*specify date*):

- d. The county agency made diligent efforts to locate an appropriate relative for the child's placement and each relative whose name was submitted to the county agency was evaluated as a possible caregiver for the child.

28. By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child because the child is not a proper subject for adoption at this time and has no one currently willing or appropriate to accept legal guardianship.

29. The child's permanent plan identified in item 28 is appropriate and continues as the permanent plan.

30. a. The child's permanent plan identified in item 28 may not be appropriate, and the matter is ordered set for a hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.
- b. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.22(b).
- c. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.
- d. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.

| | |
|-----------------------|----------------------|
| CHILD'S NAME: | CASE NUMBER: |
|-----------------------|----------------------|

30. e. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).

- (1) (name):
- (2) (name):
- (3) (name):
- (4) (name):

31. **Contact with the child is ordered as stated in** (check appropriate box and attach indicated form):

- a. Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400).
- b. Visitation Attachment: Sibling (form JV-401).
- c. Visitation Attachment: Grandparent (form JV-402).

32. All prior orders not in conflict with this order remain in full force and effect.

33. **Other findings and orders:**

- a. See attached.
- b. (Specify):

34. **The next hearing is scheduled as follows:**

| | | | |
|---------------|-------|-------|-------|
| Hearing date: | Time: | Dept: | Room: |
|---------------|-------|-------|-------|

- a. Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- b. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- c. Other (specify):

35. Number of pages attached: _____

Date: _____

JUDGE
 JUDGE PRO TEMPORE
 COMMISSIONER
 REFEREE

NEW AND REVISED DEPENDENCY FORMS LIST—SPRING 2010

- JV-365 *Termination of Juvenile Court Jurisdiction—Child Attaining Age of Majority*
JV-403 *Sibling Attachment: Contact and Placement* NEW FORM
JV-405 *Continuance—Dependency Detention Hearing*
JV-406 *Continuance—Dependency General*
JV-410 *Findings and Orders After Detention Hearing (Welf. & Inst. Code, § 319)*
JV-412 *Findings and Orders After Jurisdictional Hearing (Welf. & Inst. Code, § 356)*
JV-415 *Findings and Orders After Dispositional Hearing (Welf. & Inst. Code, § 361 et seq.)*
JV-416 *Dispositional Attachment: Dismissal of Petition With or Without Informal Supervision (Welf. & Inst. Code, § 360(b))*
JV-417 *Dispositional Attachment: In-Home Placement With Formal Supervision (Welf. & Inst. Code, § 361)*
JV-418 *Dispositional Attachment: Appointment of Guardian (Welf. & Inst. Code, § 360(a))*
JV-420 *Dispositional Attachment: Removal From Custodial Parent—Placement With Previously Noncustodial Parent (Welf. & Inst. Code, §§ 361, 361.2)*
JV-421 *Dispositional Attachment: Removal From Custodial Parent—Placement With Nonparent (Welf. & Inst. Code, §§ 361, 361.2).*
JV-425 *Findings and Orders After In-Home Status Review Hearing (Welf. & Inst. Code, § 364)*
JV-426 *Findings and Orders After In-Home Status Review Hearing—Child Placed With Previously Noncustodial Parent (Welf. & Inst. Code, §§ 364, 366.21)*
JV-430 *Findings and Orders After Six-Month Prepermanency Hearing (Welf. & Inst. Code, § 366.21(e))*
JV-431 *Six-Month Prepermanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.21(e))*
JV-432 *Six-Month Prepermanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.21(e))*
JV-433 *Six-Month Prepermanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.21(e))*
JV-435 *Findings and Orders After 12-Month Permanency Hearing (Welf. & Inst. Code, § 366.21(f))*
JV-436 *Twelve-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.21(f))*
JV-437 *Twelve-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.21(f))*
JV-438 *Twelve-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.21(f))*
JV-440 *Findings and Orders After 18-Month Permanency Hearing (Welf. & Inst. Code, § 366.22)*
JV-441 *Eighteen-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.22)*
JV-442 *Eighteen-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.22)*
JV-443 *Eighteen-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.22)*
NEW FORM
JV-445 *Findings and Orders After Postpermanency Hearing—Parental Rights Terminated; Permanent Plan of Adoption (Welf. & Inst. Code, § 366.3(f))*
JV-446 *Findings and Orders After Postpermanency Hearing—Permanent Plan Other Than Adoption (Welf. & Inst. Code, § 366.3)*
JV-455 *Findings and Orders After 24-Month Permanency Hearing (Welf. & Inst. Code, § 366.25)*
NEW FORM
JV-456 *Twenty-four-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.25)*
NEW FORM
JV-457 *Twenty-four-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.25)* NEW FORM

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

All comments are verbatim unless indicated by an asterisk (*).

| | Commentator | Position | Comment | Committee Response |
|----|---|-----------------|--|--|
| 1. | Child Welfare Services San Diego County Corey Kissel Policy Analyst | A | No comment. | No response required. |
| 2. | Jenna Connor ER Court Unit Supervisor Mendocino Cty Children & Family System of Care | AM | <p>The forms for the 6 mo. FR, JV-432 and 433, 12 mo. FR, JV-437 and 438, 18 mo. FR, JV-442 and 443, 24 mo. FR JV- 457 and PP review for permanent plan other than adoption, JV-446, all contain *a finding related to the county agency’s efforts to identify and maintain the child’s relationships with important individuals for a child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care.</p> <p>However, I reviewed the WIC codes and Rules of Court pertaining to these reviews- All of these WIC and ROC sections specify efforts to maintain relationships between a child who is 10 years of age or older and who has been in out-of-home placement for 6 months or longer and individuals who are important to the child... This would apply then to ALL foster placements, not just group home placements. So, I’m not sure why the FR and PP JV forms specify the finding is only for kids in group homes.</p> | The finding currently applies only to a child in a group home placement. Welf. & Inst. Code § 366.35 provides for the phase in of the implementation and operation of the amendments to the sections applicable to a child in a placement other than a group home, with all implementation and operation of all phases subject to appropriations through the budget process. The appropriations have not occurred. |
| 3. | Kern County Dept. of Social Services Monique Hawkins | A | No comment. | No response required. |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

All comments are verbatim unless indicated by an asterisk (*).

| | Commentator | Position | Comment | Committee Response |
|----|---|-----------------|--|--|
| | Program Director | | | |
| 4. | Orange County Bar Association Lei Lei Wang Ekvall President | AM | Form JV-455 provides boxes and advisements to appoint free attorneys (subject to court reimbursement) for alleged and biological fathers when case law supports appointing free attorneys only for presumed fathers. We recommend item 7 on page 2 of 7 (page 94 in the materials) be modified to delete the boxes for and references to alleged and biological fathers. | The committee has revised the language in the “advisement” paragraph to eliminate the implication and to delete references to the ‘alleged father’ in items related to provision of services and placement to comply with current state of the law. |
| 5. | Jo Ann Iwasaki Parker Deputy County Counsel Solano County Counsel | AM | As a general comment, our county has been using the optional judicial council forms for a little over a year. The forms are not user friendly and require a high volume of paper. Bold headers that group together Title IVe findings, case plan requirements, visitation, educational and sibling issues need to be added. The findings and orders in the attachments need to be folded into the main form to avoid the use of multiple attachments. We have had to develop a Solano County specific form to address our needs to supplement the optional forms. | The committee has included additional bold headings and groupings for clarity and ease of use. One form must be used for each child as the court must consider the facts and make findings and orders specific to each child. Numerous complex issues are addressed during dependency proceedings including the child’s status as a dependent, the child’s placement, the provision of family maintenance services or family reunification services, and the termination of parental rights. The specific findings and orders required at a given hearing type vary depending on the circumstances of the individual case. Each |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

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| | | | <p>Perhaps a study should be undertaken to determine how many counties are using these optional forms and find out in detail the problems they are having and their suggestions.</p> | <p>form is designed for a specific hearing type and depending on the complexity of the findings and orders, a single form or a cover sheet with attachments is used.</p> <p>The committee is aware that operational issues have been raised and is considering various alternatives to address and resolve the concerns.</p> |
| 6. | <p>Superior Court of San Diego County Michael M. Roddy Executive Officer</p> | AM | <p>A. ICWA (1) ICWA notice findings need to be added to JV-445.</p> <p>(2) ICWA notice findings do not provide for situations in which the county agency has failed to provide notice as required by law: Form JV-412 (item 5), JV-415 (item 5), JV-426 (item 4), JV-430 (item 4), JV-435 (item 4), JV-440 (item 4), JV-455 (item 4), JV-526 (item 5).</p> <p>(3) JV-415 includes “Testimony of qualified expert under the Indian Child Welfare Act” in item 3 (“The court has read and considered ...”). Shouldn’t this be added to item 2 on JV-430, JV-435, JV-440, JV-455, JV-445, and JV-446 as well?</p> | <p>A. ICWA (1) The committee has added the findings as suggested.</p> <p>(2) A continuance will be required if there is a failure by the county agency to provide notice as required by law. The court’s minute order format or the optional <i>Continuance-General</i> (form JV-406) may be used to document the findings and orders including the reason for the continuance.</p> <p>(3) The committee declined to make the suggested addition. The testimony of a qualified expert witness is required at the time of the child’s removal from the custody of a parent or Indian custodian or at a hearing during which parental rights are terminated. The referenced forms are used for hearings under Welf. & Inst. Code, §§ 366.21, 366.22, 366.26, and 366.3 to review the status of a child who has been previously removed from the home. Termination of parental</p> |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

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| | | | <p>B. Parentage (1) JV-410 (item 8b), JV-412 (item 11b), JV-415 (item 7b), JV-425 (item 5b), JV-426 (item 6b), JV-430 (item 6b), JV-435 (item 6b), JV-440 (item 6b), JV-445 (new) -- Under “Parentage”: “The clerk of the court is ordered to provide the notice required by [WIC] § 316.2 to the [alleged parents named by court].” (2) WIC § 316.2(b) requires service of this notice to alleged parents, but does not state that the service must be provided by the court. “If, after the court inquiry, one or more men are identified as an alleged father, each alleged father shall be provided notice at his last and usual place of abode by certified mail return receipt requested alleging that he is or could be the father of the child.” Arguably, this task could be delegated to the Agency, as it is more likely to have address information on alleged parents (if any is available).</p> <p>C. Education (1) Form JV-410 (Findings and Orders after Detention Hearing) does not contain findings and orders related to educational rights (see CRC rule 5.651(a), (b)). If such findings and</p> | <p>rights would not occur at such a hearing.</p> <p>B. Parentage The responsibility for providing the notice required under Welf. & Inst. Code § 316.2 is with the clerk of the court under rule 5.635 of the California Rules of Court. Rule 5.635(g) provides, “If, after inquiry by the court or through other information obtained by the county welfare department or probation department, one or more persons are identified as alleged parents of a child...the clerk must provide to each named alleged parent, at the last known address, by certified mail, return receipt requested a copy of the petition, notice of the next scheduled hearing, and Statement Regarding Parentage (Juvenile) (form JV-505)...”</p> <p>C. Education (1) Although the court is required to consider a number of factors related to the child’s education including who holds educational rights and the child’s educational placement, rule 5.651(b) does not require specific findings related to these</p> |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

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| | | | <p>orders are added to the form, add reference to CRC rule 5.651 to lower right corner of page 1.</p> <p>(2) Forms JV-417 (item 8), JV-420 (item 14), JV-421 (item 23), JV-425 (item 10), JV-426 (item 12), JV-430 (item 15), JV-440 (item 15), JV-455 (item 15), JV-446 (item 22): Why is it necessary to include the sentence “A copy of rule 5.650(e) and (f) may be obtained from the social worker”? Although it would be good practice for parents and educational representatives to receive this information, there is no authority requiring the court to make this advisement. Given the amount of verbiage in these forms, consideration should be given to deleting this sentence.</p> <p>(3) There also is inconsistent usage of “5.650(e) and (f)” and “5.650(e)-(f)” among the various forms listed above.</p> | <p>factors at the initial or detention hearing.</p> <p>(2) Under rule 5.651 (2)(e)(i) if the court does not limit a parent’s or legal guardian’s educational rights, the “...court must direct the parent to his or her rights and responsibilities in regard to the child’s education as provided in rule 5.650(e) and (f). Under rule 5.651(2)(e)(ii), if the court does limit a parent’s or guardian’s educational rights, the “...court must direct the parent or guardian to the rights and responsibilities of the educational representative as provided in rule 5.650(e) and (f).” The committee determined that providing the parent or guardian with a copy of rule 5.650(e)-(f) is the most efficient method of complying with rule 5.651 (2)(e)(i)-(ii) and including the sentence will facilitate compliance.</p> <p>After further consideration, the committee modified the sentence to provide that a copy of rule 5.650(e)-(f) may be obtained from the court clerk as it is the court’s responsibility to direct the parent or guardian to the contents of rule 5.650(e)-(f).</p> <p>(3) The committee has modified the proposal to use a consistent format.</p> <p>D. Family Finding & Engagement</p> |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

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| | | | <p>D. Family Finding & Engagement (1) Change JV-420, -421, -430, -435, -440, -445 (if added as suggested), -446, -455 as follows: “The county agency must submit a report to the court detailing the diligent efforts made and the results of such efforts on <u>or before</u> (date):” Also, as currently worded, this sentence can be interpreted to mean the date refers to when the efforts were made, rather than the date when the agency must submit the report. <i>Suggestion:</i> Change sentence to “The county agency must submit a report to the court on <u>or before</u> (date) detailing the diligent efforts made and the results of such efforts.”</p> <p>(2) Add citation to WIC § 309 to forms containing FFE findings.</p> <p>E. Advisements and waivers (1) Add citation to CRC rule 5.534 to all forms that contain “Advisements and waivers” items.</p> | <p>(1) The committee has made this change.</p> <p>(2) The committee declined to make this change. The commentator suggested adding numerous citations to a number of Welf. & Inst. Code sections and California Rules of Court regarding many of the specific findings and orders included on the forms. Citations to the Welf. & Inst. Code and court rules generally applicable to a given hearing type are included in the footer on the first page of each form, providing guidance to the reader.</p> <p>E. Advisements and waivers (1) See response to comment regarding citation to Welfare and Institutions Code section 309 above. (2) The committee determined that a check box</p> |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

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| | | | <p>(2) Forms JV-415, JV-425, JV-426, JV-446 – include the language “The ___ has knowingly and intelligently waived the right...” and have a check box for the child, but other forms do not. Note also that JV-190 (Waiver of Rights) does not provide for a waiver of rights by the child. If it is determined that a check box for the child should be included in this item, it should be added to the forms that do not include it (JV-430, JV-435, JV-440, JV-455).</p> <p>F. Case plan input</p> <p>(1) The findings required by CRC rule 5.690(c)(2) (“The county agency solicited and integrated into the case plan the input of ...”) are included on all four dispositional attachments in SPR10-34 (JV-416, -417, -420, -421). Would it be better to place these findings in form JV-415? If they are not moved to form JV-415, should they be added to JV-418 (Dispositional Attachment: Appointment of Guardian) as well?</p> <p>(2) The findings and order required by CRC rule 5.690(c)(3) (child 12 years of age or older – opportunity to review and sign case plan and receive copy) are not on any forms for use at the disposition hearing. <i>Suggestion:</i> Add these findings to JV-415 (or to (JV-416, -417, -420, -421).</p> | <p>for the child should be included in this item and added the item to the forms that did not include it.</p> <p>F. Case plan input</p> <p>(1) The committee added the case plan finding to the <i>Dispositional Attachment: Appointment of a Guardian</i> (form JV-418). The case plan finding was not included on the JV-415 due to formatting and space related issues.</p> <p>(2) The committee declined to make this change. Rule 5.690 provides for the general conduct of a disposition hearing. Rule 5.690(c)(3) provides that the court must make a finding regarding a child’s opportunity to review, sign, and receive a copy of the case plan for “...a child 12 years of age or older and in a permanent placement.” The circumstances under which a child will be “in a permanent placement” at the time of a disposition</p> |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

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| | | | <p>(3) The findings and order required by CRC rule 5.708(g)(5) (child 12 years of age or older – opportunity to review and sign case plan and receive copy) are not on any forms for use at review hearings. <i>Suggestion:</i> Add these findings to JV-426 (item 17), JV-430 (item 11), JV-435 (item 11), JV-440 (item 11), JV-455 (item 11).</p> <p>G. Other</p> <p>(1) JV-415 (item 18) provides a check box for dismissal of the petition but does not provide space for the specific reasons that the court is required to state in the minutes (see CRC rule 5.695(a)(1).) Although the requirement to state the reasons arguably is satisfied by item 6 on JV-416, it is <i>suggested</i> that the first sentence of item 18 on JV-415 be revised to read: “The petition is dismissed <u>for the reason(s) stated on the record.</u>”</p> <p>(2) JV-420 and JV-421 (Dispositional Attachments) have findings under the heading</p> | <p>hearing are extremely limited and the inclusion of the finding on the forms as suggested is unnecessary and could be confusing.</p> <p>(3) The committee has not made this change because rule 5.708(g)(5) a child in a permanent placement. The child will not be in a permanent placement at a six month prepermanency hearing (JV-430), a twelve month permanency hearing (JV-435), an eighteen month permanency hearing (JV-440), or a twenty-four month permanency hearing (JV-455). JV-426 is form used for a review hearing held for a child who is in the home of a parent.</p> <p>G. Other</p> <p>(1) The committee has made this revision to item on JV-415.</p> <p>(2) The committee agrees with the suggestion and has included the statement on JV-420 and JV-421.</p> |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

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| | | | <p>“Circumstances justifying removal from custodial parent,” but there is nothing on these forms to indicate the factual basis for these findings. (See §§ 361(d) [“The court shall state the facts on which the decision to remove the minor is based”], 361.2(c) [“The court shall make a finding ... of the basis for its determination under subdivisions (a) and (b)”].) <i>Suggestion:</i> After Item 5, insert language similar to Item 7c, e.g., “The factual basis for the findings in items 2 through 5 are stated on the record.”</p> <p>H. The proposed Judicial Council forms pose issues for Juvenile Court Operations: *(1)Implementation of these forms in San Diego County would require additional staff time and increase copying and mailing costs because: (a) The antiquated Dependency Case Management System (DCMS) will not support the production of the JV forms requiring both the completion of a word version of the JV form and the production of a minute order to update the DCMS used by various San Diego County agencies. (b) Some of the forms are lengthy multi-page, but do not include room for local codes which would require the attaching of additional sheets of paper for the local</p> | <p>H. The committee is aware of the issues raised and is considering various alternatives to address and resolve the concerns.</p> |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

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| | | | <p>codes (c) Mailing the multi-page forms would require use of 9" by 11" manila envelopes.</p> <p>(2) The forms are not dynamic. Parents would see what was ordered and what could have been ordered which might be confusing. Parents might also not think to look for county specific orders included on the additional sheets which would have to be attached as discussed above. In addition, findings are not always made at the same time as reflected on the form.</p> <p>(3) These forms will not allow court staff to do real time minutes.</p> <p><i>Suggestion:</i> Continue to keep these forms as optional.</p> | <p>Numerous complex issues are addressed during the course of a dependency proceeding, including the child’s status as a dependent, the child’s placement, and the provision of family maintenance services or family reunification services. The specific findings and orders required at a given hearing type vary depending on the circumstances of the individual case. Each form is designed specifically for a hearing type. Depending on the complexity of the findings and orders, a single form or a cover sheet with attachments is used. For example, there are five possible outcomes at a dispositional hearing. The set of forms for a disposition hearing include a cover sheet with the findings and order applicable to all possible outcomes and five attachments, one for each potential outcome. Using this approach, it is not necessary to include as part of the documentation of the hearing, the findings and orders required for a child’s removal and placement in foster care (JV-421), if the child is returned to the parent and jurisdiction is dismissed (JV-416).</p> <p>Except for the <i>Termination of Juvenile Court Jurisdiction—Child Attaining Age of Majority</i></p> |

SPR10-34

Juvenile Law: Findings and Orders After Hearing and Termination of Juvenile Court Jurisdiction (approve Judicial Council forms JV-403, JV-443, JV-455, JV-456, and JV-457; revise forms JV-365, JV-405, JV-406, JV-410, JV-412, JV-415, JV-416, JV-417, JV-420, JV-421, JV-425, JV-426, JV-430, JV-431, JV-432, JV-433, JV-435, JV-436, JV-437, JV-438, JV-440, JV-441, JV-442, JV-445, and JV-446)

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| | | | Numerous copyediting suggestions including punctuation, spacing, and word choice. | (form JV-365) which was previously adopted by the Judicial Council for mandatory use and is proposed to continue as a mandatory form, all forms included in the invitation to comment are recommended for approval for optional use. Suggestions will be incorporated as appropriate. |
| 7. | Cynthia J. Wojan Juvenile Court Coordinator Superior Court of Solano County | A | No comment. | No response required. |