

**California Fostering Connections to Success Act
California Rules of Court and Judicial Council Forms (effective 1/1/2012)**

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1 **Title 5. Family and Juvenile Rules**

2
3 **Division 3. Juvenile Rules**

4
5 **Chapter 1. Preliminary Provisions—Title and Definitions**

6
7 **Rule 5.502. Definitions and use of terms**

8
9 Definitions (§§ 202(e), 319, 361, 361.5(a)(3), 628.1, 636, 726, 727.3(c)(2), 727.4(d),
10 11400(v), 11400(y); 20 U.S.C. § 1415; 25 U.S.C. § 1903(2))

11
12 As used in these rules, unless the context or subject matter otherwise requires:

13
14 (1)–(15) ***

15
16 (16) “General jurisdiction” means the jurisdiction the juvenile court retained over a
17 nonminor at the time of the dismissal of dependency jurisdiction, delinquency
18 jurisdiction, or transition jurisdiction for the purpose of considering a request to
19 resume its dependency jurisdiction or to assume or resume its transition jurisdiction
20 over the person as a nonminor dependent.

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22 ~~(16)~~(17) ***

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24 ~~(17)~~(18) ***

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26 ~~(18)~~(19) ***

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28 ~~(19)~~(20) ***

29
30 ~~(20)~~(21) ***

31
32 (22) “90-day Transition Plan” means the personalized plan developed at the direction of
33 a child currently in a foster care placement during the 90-day period before the
34 child’s planned exit from foster care when she or he attains 18 years of age or, if
35 applicable, developed at the direction of a nonminor during the 90-day period prior
36 to his or her anticipated exit from foster care. A 90-day Transition Plan must also
37 be developed for and at the direction of a former foster child who remains eligible
38 for Independent Living Program services during the 90-day period before he or she
39 attains 18 years of age. The plan is as detailed as the child or nonminor chooses and
40 includes information about a power of attorney for health care and specific options
41 regarding housing, health insurance, education, local opportunities for mentors and
42 continuing support services, workforce supports, and employment services.

1 Inclusion of information in the plan relating to sexual health, services, and
2 resources to ensure the child or nonminor is informed and prepared to make healthy
3 decisions about his or her life is encouraged.
4

5 (23) “Nonminor dependent” means a person at least 18 years of age and no more than
6 20 years of age who was under an order for a foster care placement on his or her
7 18th birthday and is currently in foster care under the placement and care of the
8 county welfare department, county probation department, or Indian tribe that
9 entered into an agreement under Welfare and Institutions Code section 10553.1;
10 who is participating in a Transitional Independent Living Case Plan; and who is
11 meeting at least one of the education, training, or work requirements in Welfare and
12 Institutions Code section 11403(b) or is incapable of meeting one of those
13 requirements due a medical condition.
14

15 ~~(21)~~(24) ***

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17 ~~(22)~~(25) ***

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19 ~~(23)~~(26) ***

20
21 ~~(24)~~(27) ***

22
23 ~~(25)~~(28) ***

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25 ~~(26)~~(29) ***

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27 ~~(27)~~(30) ***

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29 ~~(28)~~(31) ***

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31 ~~(29)~~(32) ***

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33 ~~(30)~~(33) ***

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35 ~~(31)~~(34) ***

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37 ~~(32)~~(35) ***

38
39 ~~(33)~~(36) ***

40
41 ~~(34)~~(37) ***

42

- 1 (38) “Transition jurisdiction” means the juvenile court’s jurisdiction over a child or
2 nonminor described in Welfare and Institutions Code section 450.
3
- 4 (39) "Transitional independent living case plan" means the a child’s case plan submitted
5 for the last review hearing held before he or she turns 18 years of age or a
6 nonminor dependent's case plan, developed with the child or nonminor dependent
7 and individuals identified as important to him or her, signed by the child or
8 nonminor dependent and updated every six months, that describes the goals and
9 objectives of how the child or nonminor will make progress in the transition to
10 living independently and assume incremental responsibility for adult decision
11 making; the collaborative efforts between the child or nonminor dependent and the
12 social worker, probation officer, or Indian tribe and the supportive services as
13 described in the Transitional Independent Living Plan (TILP) to ensure the child’s
14 or nonminor dependent’s active and meaningful participation in one or more of the
15 eligibility criteria described in subdivision (b) of section 11403; the child or
16 nonminor dependent's appropriate supervised placement setting; the child or
17 nonminor dependent's permanent plan for transition to living independently; and
18 the steps the social worker, probation officer, or Indian tribe is taking to ensure the
19 child or nonminor dependent achieves permanence, including maintaining or
20 obtaining permanent connections to caring and committed adults, as set forth in
21 paragraph (16) of subdivision (f) of section 16501.1.
22
- 23 (40) “Transitional Independent Living Plan” means the written unique, individualized
24 service delivery plan for a child or nonminor mutually agreed upon by the child or
25 nonminor and the social worker or probation officer that identifies the child’s or
26 nonminor’s current level of functioning, emancipation goals, and the specific skills
27 needed to prepare the child or nonminor to live independently upon leaving foster
28 care.
29

30 ~~(35)~~(41) ***
31

32 **Chapter 3. General Conduct of Juvenile Court Proceedings**

34 **Rule 5.555. Hearing to consider termination of juvenile court jurisdiction over a** 35 **nonminor—Dependents or wards of the juvenile court in a foster care** 36 **placement and nonminor dependents (§§ 224.1(b), 303, 366.31, 391, 607.3,** 37 **16501.1(f)(16))** 38

39 **(a) Applicability** 40

- 41 (1) This rule applies to any hearing during which the termination of the juvenile
42 court’s jurisdiction over the following nonminors will be considered:
43

- (A) A nonminor dependent as defined in section 11400(v); and
- (B) A ward or dependent of the juvenile court who is a nonminor 18 years of age or older, and subject to an order for a foster care placement.

(2) Nothing in the Welfare and Institutions Code or in the California Rules of Court restricts the ability of the juvenile court to maintain dependency jurisdiction or delinquency jurisdiction over a person, 18 years of age and older, who does not meet the eligibility requirements for status as a nonminor dependent and to proceed as to that person under the relevant sections of the Welfare and Institutions Code and California Rules of Court.

(b) Setting a hearing

- (1) A court hearing placed on the appearance calendar must be held prior to terminating juvenile court jurisdiction.
- (2) The hearing under this rule may be held during a hearing required under section 366(f), 366.21, 366.22, 366.25, 366.3, 727.2, or 727.3 or rule 5.903.
- (3) Notice of the hearing to the parents of a nonminor dependent as defined in section 11400(v) is not required.
- (4) If juvenile court jurisdiction was previously terminated with the juvenile court retaining general jurisdiction for the purpose of resuming its jurisdiction, and subsequently jurisdiction was resumed, a hearing under this rule must be held if the nonminor dependent wants juvenile court jurisdiction terminated again. The social worker or probation officer is not required to file the 90-day Transition Plan, and the court need not make the findings included in (d)(1)(L)(iii) or (d)(2)(E)(vi).
- (5) The hearing must be continued for no more than five court days for the submission of additional information as ordered by the court, if the court determines that the report, the Transitional Independent Living Plan, the Transitional Independent Living Case Plan (TILCP) if required, or the 90-day Transition Plan submitted by the social worker or probation officer do not provide the information required by (c) and the court is unable to make the findings and orders required by (d).

(c) Reports

- (1) In addition to complying with all other statutory and rule requirements applicable to the report prepared by the social worker or probation officer for

1 any hearing during which termination of the court’s jurisdiction will be
2 considered, the report must include:

- 3
- 4 (A) Whether remaining under juvenile court jurisdiction is in the
5 nonminor’s best interests and the facts supporting the conclusion
6 reached;
- 7
- 8 (B) The specific criteria in section 11403(b) met by the nonminor that
9 makes him or her eligible to remain under juvenile court jurisdiction as
10 a nonminor dependent defined in section 11400(v);
- 11
- 12 (C) For an Indian child to whom the Indian Child Welfare Act applies,
13 when and how the nonminor was provided with information about the
14 right to continue to be considered an Indian child for the purposes of
15 the ongoing application of the Indian Child Welfare Act to him or her
16 as a nonminor;
- 17
- 18 (D) Whether the nonminor has applied for and, if so, the status of any in-
19 progress application pending for title XVI Supplemental Security
20 Income benefits and whether remaining under juvenile court
21 jurisdiction until a final decision has been issued is in the nonminor’s
22 best interests;
- 23
- 24 (E) Whether the nonminor has applied for and, if so, the status of any in-
25 progress application pending for Special Juvenile Immigration Status or
26 other applicable application for legal residency and whether an active
27 juvenile court case is required for that application;
- 28
- 29 (F) When and how the nonminor was provided with information about the
30 potential benefits of remaining under juvenile court jurisdiction as a
31 nonminor dependent, and the social worker’s or probation officer’s
32 assessment of the nonminor’s understanding of those benefits;
- 33
- 34 (G) When and how the nonminor was informed that if juvenile court
35 jurisdiction is terminated with the court retaining general jurisdiction
36 for the purpose of resuming jurisdiction, he or she has the right to file a
37 request to return to foster care and have the juvenile court resume
38 jurisdiction over him or her as a nonminor dependent until he or she has
39 attained the age of 21 years or the age of 20 years if the Legislature
40 does not appropriate funding to extend the availability of foster care
41 placement to the age of 21 years;
- 42

- 1 (H) When and how the nonminor was informed that if juvenile court
2 jurisdiction is continued over him or her, he or she has the right to have
3 juvenile court jurisdiction terminated;
4
- 5 (I) For a nonminor who is not present for the hearing:
6
 - 7 (i) Documentation of the nonminor’s statement that the he or she did
8 not wish to appear in court for the scheduled hearing; or
9
 - 10 (ii) Documentation of the reasonable efforts made to locate the
11 nonminor when his or her current location is unknown;
12
- 13 (J) Verification that the nonminor was provided with the information,
14 documents, and services as required under section 391(e)(1)–(8); and
15
- 16 (K) Verification for a nonminor who is under delinquency jurisdiction that
17 the notices and information required under section 607.5 were
18 provided.
19

20 (2) The social worker or probation officer must file with the report a completed
21 *Termination of Juvenile Court Jurisdiction—Nonminor* (form JV-365).
22

23 (3) The social worker or probation officer must file with the report the
24 nonminor’s:

25 (A) Transitional Independent Living Case Plan when recommending
26 continuation of juvenile court jurisdiction;
27

28 (B) Most recent Transitional Independent Living Plan (TILP); and
29

30 (C) Completed 90-day Transition Plan.
31

32 (4) The social worker or probation officer’s report and all documents required by
33 (c)(2)–(3) must be filed with the court at least 10 calendar days before the
34 hearing, and the social worker or probation officer must provide copies of the
35 report and other documents to the nonminor, the nonminor’s parents, and all
36 attorneys of record. If the nonminor is under juvenile court jurisdiction as a
37 nonminor dependent, the social worker or probation officer is not required to
38 provide copies of the report and other documents to the nonminor
39 dependent’s parents.
40

41
42 **(d) Findings and orders**
43

1 In addition to complying with all other statutory and rule requirements applicable
2 to the hearing, the following judicial findings and orders must be made on the
3 record and included in the written, signed court documentation of the hearing:
4

5 (1) *Findings*
6

- 7 (A) Whether the nonminor had the opportunity to confer with his or her
8 attorney about the issues currently before the court;
9
- 10 (B) Whether remaining under juvenile court jurisdiction is in the
11 nonminor's best interests and the facts in support of the finding made;
12
- 13 (C) Whether the nonminor meets the eligibility criteria in section 11403(b)
14 to remain in foster care as a nonminor dependent under juvenile court
15 jurisdiction and, if so, the specific criteria in section 11403(b) met by
16 the nonminor;
17
- 18 (D) For an Indian child to whom the Indian Child Welfare Act applies,
19 whether the nonminor was provided with information about the right to
20 continue to be considered an Indian child for the purposes of the
21 ongoing application of the Indian Child Welfare Act to him or her;
22
- 23 (E) Whether the nonminor has an in-progress application pending for title
24 XVI Supplemental Security Income benefits and, if such an application
25 is pending, whether it is in the nonminor's best interests to continue
26 juvenile court jurisdiction until a final decision has been issued to
27 ensure that the nonminor receives continued assistance with the
28 application process;
29
- 30 (F) Whether the nonminor has an in-progress application pending for
31 Special Juvenile Immigration Status or other applicable application for
32 legal residency and whether an active juvenile court case is required for
33 that application;
34
- 35 (G) Whether the nonminor understands the potential benefits of remaining
36 in foster care under juvenile court jurisdiction;
37
- 38 (H) Whether the nonminor has been informed that if juvenile court
39 jurisdiction is continued, he or she may have the right to have juvenile
40 court jurisdiction terminated with the court retaining general
41 jurisdiction for the purpose of resuming dependency jurisdiction or
42 assuming or resuming transition jurisdiction over him or her as a
43 nonminor dependent;

- 1 (I) Whether the nonminor has been informed that if juvenile court
2 jurisdiction is terminated with the court retaining general jurisdiction,
3 he or she has the right to file a request to return to foster care and have
4 the juvenile court resume jurisdiction over him or her as a nonminor
5 dependent until he or she has attained the age of 21 years or the age of
6 20 years if the Legislature does not appropriate funding to extend the
7 availability of nonminor foster care placement to the age of 21 years;
8
- 9 (J) Whether the nonminor was provided with the information, documents,
10 and services as required under section 391(e) and, if not, whether
11 juvenile court jurisdiction should be continued to ensure that all
12 information, documents, and services are provided;
13
- 14 (K) Whether verification was submitted that the requirements of section
15 607.5 have been completed for a nonminor who is subject to
16 delinquency jurisdiction; and
17
- 18 (L) Whether the nonminor's:
19
- 20 (i) Transitional Independent Living Case Plan, if required, includes a
21 plan for a placement the nonminor believes is consistent with his
22 or her need to gain independence, reflects the agreements made
23 between the nonminor and social worker or probation officer to
24 obtain independent living skills, and sets out the benchmarks that
25 indicate how both will know when independence can be
26 achieved;
27
- 28 (ii) Transitional Independent Living Plan identifies the nonminor's
29 level of functioning, emancipation goals, and the specific skills
30 he or she needs to prepare to live independently upon leaving
31 foster care; and
32
- 33 (iii) 90-day Transition Plan is a concrete individualized plan that
34 specifically covers the following areas: housing, health insurance,
35 education, local opportunities for mentors and continuing support
36 services, workforce supports and employment services, and
37 information that explains how and why to designate a power of
38 attorney for health care.
39
- 40 (M) For a nonminor who is not present for the hearing, whether the reason
41 for his or her failure to appear was:
42

- (i) The nonminor's expressed wish to not appear in court for the scheduled hearing; or
- (ii) The nonminor's current location remains unknown although reasonable efforts were made to locate the nonminor.

(2) *Orders*

(A) Order the continuation of juvenile court jurisdiction for a nonminor who meets the eligibility criteria in section 11403(b) to remain in placement under dependency jurisdiction as a nonminor dependent or under transition jurisdiction as a nonminor dependent, unless the court finds that:

- (i) The nonminor does not wish to remain under juvenile court jurisdiction as a nonminor dependent;
- (ii) The nonminor is not participating in a reasonable and appropriate Transitional Independent Living Case Plan; or
- (iii) Reasonable efforts were made to locate the nonminor whose current location is unknown.

(B) When juvenile court jurisdiction is continued for the nonminor to remain in placement as a nonminor dependent:

- (i) Order a permanent plan consistent with the nonminor's Transitional Independent Living Plan or Transitional Independent Living Case Plan;
- (ii) Continue the nonminor's status as an Indian child for the purposes of the ongoing application of the Indian Child Welfare Act to him or her unless he or she has elected not to have his or her status as an Indian child continued; and
- (iii) Set a status review hearing under rule 5.903 within six months of the date of his or her most recent status review hearing.

(C) For a nonminor who does not meet and does not intend to meet the eligibility requirements for nonminor dependent status but who is otherwise eligible to and will remain under juvenile court's jurisdiction in a foster care placement, the court must set a hearing under section

1 366.21, 366. 2, 366.25, 366.3, 727.2, or 727.3 within six months of the
2 date of the nonminor’s most recent status review hearing.

3
4 (D) For a nonminor whose current location is unknown the court may enter
5 an order for termination of juvenile court jurisdiction only after finding
6 that reasonable efforts were made to locate the nonminor whose current
7 location is unknown;

8
9 (E) For a nonminor (1) who does not meet the eligibility criteria of section
10 11403(b) and is not otherwise eligible to remain under juvenile court
11 jurisdiction, (2) who does meet the eligibility criteria of section
12 11403(b) but does not wish to remain under the jurisdiction of the
13 juvenile court as a nonminor dependent, or (3) who does meet the
14 eligibility criteria of section 11403(b) but is not participating in a
15 reasonable and appropriate Transitional Independent Living Case Plan,
16 the court may enter an order for the termination of juvenile court
17 jurisdiction only after entering the following findings and orders:

18
19 (i) The nonminor was provided with the information, documents,
20 and services as required under section 391(e);

21
22 (ii) The nonminor was informed of the options available to him or
23 her to assist with the transition from foster care to independence;

24
25 (iii) The nonminor was informed that if juvenile court jurisdiction is
26 terminated, he or she has the right to return to foster care and to
27 file a request to have the juvenile court resume jurisdiction over
28 him or her as a nonminor dependent until he or she has attained
29 the age of 21 years or the age of 20 years if the Legislature does
30 not appropriate funding to extend the availability of nonminor
31 foster care placement to the age of 21 years;

32
33 (iv) The nonminor was provided with a copy of *How to Return to*
34 *Juvenile Court Jurisdiction and Foster Care* (form JV-464-
35 *INFO*), *Request to Return to Juvenile Court Jurisdiction and*
36 *Foster Care* (form JV-466), *Confidential Information— Request*
37 *to Return to Juvenile Court Jurisdiction and Foster Care* (form
38 *JV-468*), and an endorsed, filed copy of the *Termination of*
39 *Juvenile Court Jurisdiction—Nonminor* (form JV-365);

40
41 (v) The nonminor had an opportunity to confer with his or her
42 attorney regarding the issues currently before the court;

43

1 (vi) The nonminor’s 90-day Transition Plan includes specific options
2 regarding housing, health insurance, education, local
3 opportunities for mentors and continuing support services,
4 workforce supports and employment services, and information
5 that explains how and why to designate a power of attorney for
6 health care;

7
8 (F) An order retaining general jurisdiction over the nonminor for the
9 purpose of considering a request filed under section 388(e) to resume
10 dependency jurisdiction or to assume or resume transition jurisdiction
11 over him or her as a nonminor dependent must be made when juvenile
12 court jurisdiction is terminated under this rule.

13
14 **Chapter 12. Cases Petitioned Under Section 300**

15
16 **Article 4. Reviews, Permanent Planning**

17
18 **Rule 5.707. Review hearing requirements for child approaching majority (§§ 224.1,**
19 **366(a)(1)(F), 366.3(l), 366.3(n), 16501.1(f)(16))**

20
21 **(a) Reports**

22
23 At the last review hearing before the child attains 18 years of age held under
24 section 366.21, 366.22, 366.25, or 366.3, in addition to complying with all other
25 statutory and rule requirements applicable to the report prepared by the social
26 worker for the hearing, the report must include a description of:

- 27
28 (1) The child’s plans to remain under juvenile court jurisdiction as a nonminor
29 dependent including the criteria in section 11403(b) that he or she plans to
30 meet;
- 31
32 (2) The efforts made by the social worker to help the child meet the criteria in
33 section 11403(b);
- 34
35 (3) For an Indian child to whom the Indian Child Welfare Act applies, his or her
36 plans to continue to be considered an Indian child for the purposes of the
37 ongoing application of the Indian Child Welfare Act to him or her as a
38 nonminor dependent;
- 39
40 (4) Whether the child has applied for and, if so, the status of any in-progress
41 application pending for title XVI Supplemental Security Income benefits and,
42 if such an application is pending, whether it will be the child’s best interest to

1 continue juvenile court jurisdiction until a final decision is issued to ensure
2 that the child receives continued assistance with the application process;

3
4 (5) Whether the child has an in-progress application pending for Special Juvenile
5 Immigration Status or other applicable application for legal residency and
6 whether an active dependency case is required for that application;

7
8 (6) The efforts made by the social worker toward providing the child with the
9 written information described in section 391(e)(1), and to the extent that the
10 child has not yet been provided with the information, the barriers to providing
11 that information, and the steps that will be taken to overcome those barriers
12 by the date the child attains 18 years of age;

13
14 (7) The efforts made by the social worker toward completing and providing the
15 child with the documents and services described in section 391(e)(2), and to
16 the extent that the child has not yet been provided with them, the barriers to
17 providing documents and services, and the steps that will be taken to
18 overcome those barriers by the date the child attains 18 years of age;

19
20 (8) When and how the child was informed of his or her right to have juvenile
21 court jurisdiction terminated when he or she attains 18 years of age;

22
23 (10) When and how the child was provided with information about the potential
24 benefits of remaining under juvenile court jurisdiction as a nonminor
25 dependent and the social worker's assessment of the child's understanding of
26 those benefits; and

27
28 (11) When and how the child was informed that if juvenile court jurisdiction is
29 terminated, he or she has the right to file a request to return to foster care and
30 have the juvenile court resume jurisdiction over him or her as a nonminor
31 dependent.

32
33 **(b) Transitional Independent Living Case Plan**

34
35 At the last review hearing before the child attains 18 years of age held under
36 section 366.21, 366.22, 366.25, or 366.3, the child's Transitional Independent
37 Living Case Plan:

38
39 (1) Must be submitted with the social worker's report prepared for the hearing at
40 least 10 calendar days before the hearing; and

41
42 (2) Must include:
43

- 1 (A) The individualized plan for the child to satisfy one or more of the
2 criteria in section 11403(b) and the child’s anticipated placement as
3 specified in section 11402; and
4
5 (B) The child’s alternate plan for his or her transition to independence,
6 including housing, education, employment, and a support system in the
7 event the child does not remain under juvenile court jurisdiction after
8 attaining 18 years of age.
9

10 **(c) Findings**

- 11
12 (1) At the last review hearing before the child attains 18 years of age held under
13 section 366.21, 366.22, 366.25, or 366.3, in addition to complying with all
14 other statutory and rule requirements applicable to the hearing, the court must
15 find on the record and in the written, signed orders:
16
17 (A) Whether the child’s Transitional Independent Living Case Plan
18 includes a plan for the child to satisfy one or more of the criteria in
19 section 11403(b) and the specific criteria it is anticipated the child will
20 satisfy;
21
22 (B) Whether there is included in the child’s Transitional Independent
23 Living Case Plan an alternative plan for the child’s transition to
24 independence, including housing, education, employment, and a
25 support system in the event the child does not remain under juvenile
26 court jurisdiction after attaining 18 years of age;
27
28 (C) For an Indian child to whom the Indian Child Welfare Act applies,
29 whether he or she intends to continue to be considered an Indian child
30 for the purposes of the ongoing application of the Indian Child Welfare
31 Act to him or her as a nonminor dependent;
32
33 (D) Whether the child has an in-progress application pending for title XVI
34 Supplemental Security Income benefits and, if such an application is
35 pending, whether it is in the child’s best interest to continue juvenile
36 court jurisdiction until a final decision has been issued to ensure that
37 the child receives continued assistance with the application process;
38
39 (E) Whether the child has an in-progress application pending for Special
40 Juvenile Immigration Status or other applicable application for legal
41 residency and whether an active dependency case is required for that
42 application;
43

- 1 (F) Whether all the information, documents, and services in sections 391(e)
2 were provided to the child, and
3
4 (i) Whether the barriers to providing any missing information,
5 documents, or services can be overcome by the date the child
6 attains 18 years of age; and
7
8 (ii) Whether juvenile court jurisdiction should be continued to ensure
9 that all information, documents, and services are provided to the
10 child if the barriers cannot be overcome by the date the child
11 attains 18 years of age;
12
13 (G) Whether the child has been informed of his or her right to have juvenile
14 court jurisdiction terminated when he or she attains 18 years of age;
15
16 (H) Whether the child understands the potential benefits of remaining under
17 juvenile court jurisdiction as a nonminor dependent; and
18
19 (I) Whether the child has been informed that if juvenile court jurisdiction
20 is terminated, he or she has the right to file a request to return to foster
21 care and have the juvenile court resume jurisdiction over him or her as
22 a nonminor dependent.
23
24 (2) The hearing must be continued for no more than five court days for the
25 submission of additional information as ordered by the court if the court finds
26 that the report and Transitional Independent Living Case Plan submitted by
27 the social worker do not provide the information required by (a) and (b) and
28 the court is unable to make all the findings required by (c)(1).
29

30 **(d) Orders**

- 31
32 (1) For a child who intends to remain under juvenile court jurisdiction as a
33 nonminor dependent, as defined in section 11400(v), after attaining 18 years
34 of age, the court must set a nonminor dependent review hearing under rule
35 5.903 within six months from the date of the current hearing.
36
37 (2) For a child who does not intend to remain under juvenile court as a nonminor
38 dependent, as defined in section 11400(v), after attaining 18 years of age, the
39 court must:
40
41 (A) Set a hearing under rule 5.555 for a date within one month after the
42 child's 18th birthday, for the child who requests that the juvenile court
43 terminate its jurisdiction after he or she attains 18 years of age; or

- 1 (B) Set a hearing under section 366.21, 366.22, 366.25, or 366.3 no more
2 than six months from the date of the current hearing, for a child who
3 will remain under juvenile court jurisdiction in a foster care placement.
4

5 **Chapter 13. Case Petitioned Under Sections 601 and 602**

6
7 **Article 5. Reviews and Sealing**
8

9 **Rule 5.812. Additional requirements for any hearing to terminate jurisdiction over**
10 **child in foster care and for status review hearing for child approaching**
11 **majority (§§ 450, 451, 727.2(i)–(j), 778)**
12

13 **(a) Hearings subject to this rule**
14

15 The following hearings are subject to this rule:
16

- 17 (1) The last review hearing under section 727.2 or 727.3 before the child turns 18
18 years of age. This hearing must be set at least 90 days before the child attains
19 his or her 18th birthday and within six months of the previous hearing held
20 under section 727.2 or 727.3.
21
- 22 (2) Any review hearing held under section 727.2 or 727.3 for a child less than 18
23 years of age during which a recommendation to terminate juvenile court
24 jurisdiction will be considered;
25
- 26 (3) Any hearing to terminate juvenile court jurisdiction over a child less than 18
27 years of age who is subject to an order for foster care placement; and
28
- 29 (4) Any hearing to terminate juvenile court jurisdiction over a child less than 18
30 years of age who is not currently subject to an order for foster care
31 placement, but was previously removed from the custody of his or her parents
32 or legal guardian as a dependent of the juvenile court and an order for a foster
33 care placement as a dependent of the juvenile court was in effect at the time
34 the juvenile court adjudged the child to be a ward of the juvenile court under
35 section 725.
36

37 **(b) Conduct of the hearing**
38

- 39 (1) The hearing must be held before a judicial officer and recorded by a court
40 reporter.
41
- 42 (2) The hearing must be continued for no more than five court days for the
43 submission of additional information as ordered by the court if the court finds

1 that the report and, if required, the Transitional Independent Living Plan
2 submitted by the probation officer do not provide the information required by
3 (c) and the court is unable to make all the findings required by (d).
4

5 **(c) Reports**
6

7 (1) In addition to complying with all other statutory and rule requirements
8 applicable to the report prepared by the probation officer for a hearing
9 described in (a)(1)–(4), the report must include verification that the
10 requirements of section 607.5 have been completed and a description of:
11

12 (A) The child’s progress toward meeting the case plan goals that will
13 enable him or her to be a law-abiding and productive member of his or
14 her family and the community.
15

16 (B) If reunification services have not been previously terminated, the
17 progress of each parent or legal guardian toward participating in case
18 plan service activities and meeting the case plan goals developed to
19 assist in the efforts to resolve his or her issues that were identified and
20 contributed to the child’s removal from his or her custody.
21

22 (C) The current ability of each parent or legal guardian to provide the care,
23 custody, supervision, and support the child requires in a safe and
24 healthy environment.
25

26 (D) For a child previously determined to be a dual status child for whom
27 juvenile court jurisdiction as dependent was suspended under section
28 241.1(e)(5)(A), a joint assessment by the probation department and the
29 child welfare services agency under section 366.5 regarding the
30 detriment, if any, to the child of a return to the home of his or her
31 parents or legal guardian and a recommendation on the resumption of
32 dependency jurisdiction .The facts in support of the opinions expressed
33 and the recommendations made must be included in the joint
34 assessment section of the report. If the probation department and the
35 child welfare services agency do not agree, the child welfare services
36 agency must file a separate report with facts in support of its opinions
37 and recommendations.
38

39 (E) For a child previously determined to be a dual status child for whom
40 the probation department was designated the lead agency under section
41 241.1(e)(5)(B), the detriment, if any, to the child of a return to the
42 home of his or her parents or legal guardian and the probation officer’s
43 recommendation regarding the modification of the court’s jurisdiction

1 over the child from that of a dual status child to that of a child under
2 the court's jurisdiction as a dependent under section 300 and the facts
3 in support of the opinion expressed and the recommendation made.
4

5 (F) For a child other than a dual status child, the probation officer's
6 recommendation regarding the modification of the juvenile court's
7 jurisdiction over the child from that of a ward under section 601 or 602
8 to that of a dependent under section 300 or to that of a transition
9 dependent under section 450 and the facts in support of his or her
10 recommendation.

11
12 (2) For the review hearing held on behalf of a child approaching majority
13 described in (a)(1) and any hearing described in (a)(2) or (a)(3) held on
14 behalf of a child more than 17 years, 5 months old and less than 18 years of
15 age, in addition to complying with all other report requirements set forth in
16 (c)(1), the report prepared by the probation officer must include:

17
18 (A) The child's plans to remain under juvenile court jurisdiction as a
19 nonminor dependent including the criteria in section 11403(b) that he
20 or she plans to meet;

21
22 (B) The efforts made by the probation officer to help the child meet the
23 criteria in section 11403(b);

24
25 (C) For an Indian child, his or her plans to continue to be considered an
26 Indian child for the purposes of the ongoing application of the Indian
27 Child Welfare Act to him or her as a nonminor dependent;

28
29 (D) Whether the child has applied for and, if so, the status of any in-
30 progress application pending for title XVI Supplemental Security
31 Income benefits and, if such an application is pending, whether it is in
32 the child's best interest to continue juvenile court jurisdiction until a
33 final decision has been issued to ensure that the child receives
34 continued assistance with the application process;

35
36 (E) Whether the child has an in-progress application pending for Special
37 Juvenile Immigration Status or other applicable application for legal
38 residency and whether an active juvenile court case is required for that
39 application;

40
41 (F) The efforts made by the probation officer toward providing the child
42 with the written information described in section 391(e)(1), and to the
43 extent that the child has not yet been provided with the information, the

1 barriers to providing the information, and the steps that will be taken to
2 overcome those barriers by the date the child attains 18 years of age;

3
4 (G) The efforts made by the probation officer toward completing and
5 providing the child with the items described in section 391(e)(2), and to
6 the extent that the child has not yet been provided with each of the
7 documents and services, the barriers to providing those items, and the
8 steps that will be taken to overcome those barriers by the date the child
9 attains 18 years of age;

10
11 (H) When and how the child was informed that upon reaching 18 years of
12 age he or she may request the dismissal of juvenile court jurisdiction
13 over him or her under section 778;

14
15 (I) When and how the child was provided with information regarding the
16 potential benefits of remaining under juvenile court jurisdiction as a
17 nonminor dependent and the probation officer's assessment of the
18 child's understanding of those benefits;

19
20 (J) When and how the child was informed that if juvenile court jurisdiction
21 is terminated, he or she has the right to file a request to return to foster
22 care and have the juvenile court assume or resume transition
23 jurisdiction over him or her as a nonminor dependent; and

24
25 (K) The child's Transitional Independent Living Plan, which must include:

26
27 (i) The individualized plan for the child to satisfy one or more of the
28 criteria in section 11403(b) and the child's anticipated placement
29 as specified in section 11402; and

30
31 (ii) The child's alternate plan for his or her transition to
32 independence, including housing, education, employment, and a
33 support system in the event the child does not remain under
34 juvenile court jurisdiction after attaining 18 years of age.

35 **(d) Findings**

36
37 (1) At the hearing described in (a)(1)–(4), in addition to complying with all other
38 statutory and rule requirements applicable to the hearing, the court must find
39 on the record and in the written, signed orders:

40
41 (A) Whether the rehabilitative goals for this child have been met and
42 juvenile court jurisdiction over the child as a ward is no longer
43 required. The facts supporting the finding must be stated on the record.

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- (B) For a dual status child for whom dependency jurisdiction was suspended under section 241.1(e)(5)(A) whether the return to the home of the parent or legal guardian would be detrimental to the minor. The facts supporting the finding must be stated on the record.
- (C) For a child previously determined to be a dual status child for whom the probation department was designated the lead agency under section 241.1(e)(5)(B), whether the return to the home of the parent or legal guardian would be detrimental to the minor. The facts supporting the finding must be stated on the record.
- (D) For a child other than a dual status child:
 - (i) Whether the child is at risk of abuse or neglect. The facts supporting the finding must be stated on the record;
 - (ii) Whether the return to the home of the parent or legal guardian would create a substantial risk of detriment to the child’s safety, protection, or physical or emotional well-being. The facts supporting the finding must be stated on the record
 - (iii) Whether reunification services have been terminated;
 - (iv) Whether the matter has been set for a hearing to terminate parental rights or establish a guardianship; and
 - (v) Whether the minor intends to sign a mutual agreement for a placement in a supervised setting as a nonminor dependent.
- (2) At the review hearing held on behalf of a child approaching majority described in (a)(1) and any hearing under (a)(2) or (a)(3) held on behalf of a child more than 17 years, 5 months old and less than 18 years of age, in addition to complying with all other statutory and rule requirements applicable to the hearing, the court must find on the record and in the written, signed orders:
 - (A) Whether the child’s Transitional Independent Living Case Plan, if required, or Transitional Independent Living Plan, includes:
 - (i) A plan specific to the child for him or her to satisfy one or more of the criteria in section 11403(b) and the specific criteria in section 11403(b) it is anticipated the child will satisfy; and

- 1 (ii) The child’s alternate plan for his or her transition to
2 independence, including, housing, education, employment, and a
3 support system, in the event the child does not remain under
4 juvenile court jurisdiction after attaining 18 years of age.
5
- 6 (B) For an Indian child to whom the Indian Child Welfare Act applies,
7 whether he or she intends to continue to be considered an Indian child
8 for the purposes of the ongoing application of the Indian Child Welfare
9 Act to him or her as a nonminor dependent;
10
- 11 (C) Whether the child has an in-progress application pending for title XVI
12 Supplemental Security Income benefits and, if such an application is
13 pending, whether it is in the child’s best interest to continue juvenile
14 court jurisdiction until a final decision has been issued to ensure that
15 the child receives continued assistance with the application process;
16
- 17 (D) Whether the child has an in-progress application pending for Special
18 Juvenile Immigration Status or other applicable application for legal
19 residency and an active juvenile court case is required for that
20 application;
21
- 22 (E) Whether the child has been informed that he or she may decline to
23 become a nonminor dependent;
24
- 25 (F) Whether the child has been informed that upon reaching 18 years of
26 age he or she may request the dismissal of juvenile court jurisdiction
27 over him or her under section 778;
28
- 29 (G) Whether the child understands the potential benefits of remaining under
30 juvenile court jurisdiction as a nonminor dependent; and
31
- 32 (H) Whether the child has been informed that if juvenile court jurisdiction
33 is terminated, he or she has the right to file a request to return to foster
34 care and have the juvenile court assume or resume transition
35 jurisdiction over him or her as a nonminor dependent;
36
- 37 (I) Whether all the information, documents, and services in sections 391(e)
38 were provided to the child, and
39
- 40 (i) Whether the barriers to providing any missing information,
41 documents or services can be overcome by the date the child
42 attains 18 years of age; and
43

1 (ii) Whether juvenile court jurisdiction should be continued to ensure
2 that all information, documents, and services are provided to the
3 child if the barriers cannot be overcome by the child attains 18
4 years of ages; and
5

6 (J) Whether verification was submitted that the notices and information
7 required under section 607.5 were provided to a child who is or was
8 subject to an order for foster care placement.
9

10 **(e) Orders**

11
12 (1) For a child previously determined to be a dual status child for whom
13 dependency jurisdiction was suspended under section 241.1(e)(5)(A),
14 dependency jurisdiction must be resumed if the court finds that the child's
15 rehabilitative goals have been achieved and a return to the home of the parent
16 or legal guardian would be detrimental to the child.
17

18 (2) For a child previously determined to be a dual status child for whom the
19 probation department was designated the lead agency under section
20 241.1(e)(5)(B), the court must terminate dual status, dismiss delinquency
21 jurisdiction and continue dependency jurisdiction with the child welfare
22 services department responsible for the child's placement if the court finds
23 that the child's rehabilitative have been achieved and a return to the home of
24 the parent or legal guardian would be detrimental to the child.
25

26 (3) For a child who comes within the description of section 450(a), other than a
27 child described in (e)(1) or (e)(2), the court must enter an order modifying its
28 jurisdiction over him or her from delinquency jurisdiction to transition
29 jurisdiction and set a nonminor dependent status review hearing under rule
30 5.903 within six months of the last hearing held under section 727.2.
31

32 (4) For a child who was not subject to the court's dependency jurisdiction at the
33 time he or she was adjudged a ward and is currently subject to an order for a
34 foster care placement the court must:
35

36 (A) Order the probation department or the child's attorney to submit an
37 application, under section 329, to the county child welfare services
38 department to commence a proceeding to declare the child a dependent
39 of the court by filing a petition under section 300 if the court finds:
40

41 (i) The child does not come within the description of section 450(a);
42

- 1 (ii) The rehabilitative goals for the child included in his or her case
2 plan have been met and delinquency jurisdiction is no longer
3 required; and
4
- 5 (iii) The child appears to come within the description of section 300
6 and a return to the home of the parent or legal guardian may be
7 detrimental to his or her safety, protection, or physical or
8 emotional well-being.
9
- 10 (B) Set a hearing to review the county child welfare services department's
11 decision within 20 court days of the date the order to file an application
12 under section 329 was entered and at that hearing:
13
- 14 (i) Affirm the county child welfare services department's decision
15 not to file a petition under section 300; or
16
- 17 (ii) Order the county child welfare services department to file a
18 petition under section 300.
19
- 20 (C) If the court affirms the decision not to file a petition under section 300
21 or a petition filed under section 300 is not sustained, the court may:
22
- 23 (i) Return the child to the home of the parent or legal guardian and
24 set a progress report hearing within the next six months;
25
- 26 (ii) Return the child to the home of the parent or legal guardian and
27 terminate juvenile court jurisdiction over the child; or
28
- 29 (iii) Continue the child's foster care placement and set a hearing
30 under section 727.2 no more than six months from the date of the
31 most recent hearing held under 727.2.
32
- 33 (5) For a child who was subject to an order for foster care placement as a
34 dependent of the court at the time he or she was adjudged a ward, the court
35 must modify its delinquency jurisdiction over the child by vacating the order
36 terminating jurisdiction over the child as a dependent of the court and
37 resuming dependency jurisdiction over him or her if the court finds:
38
- 39 (A) The child does not come within the description of section 450(a);
40
- 41 (B) The rehabilitative goals for the child included in his or her case plan
42 have been met and delinquency jurisdiction may not be required; and
43

- 1 (C) The child remains within the description of a dependent child under
2 section 300 and a return to the home of a parent or legal guardian
3 would create a substantial risk of detriment to his or her safety,
4 protection, or physical or emotional well-being.
5
- 6 (6) At a hearing described in (a)(1) for a child approaching majority or at any
7 hearing described in (a)(2) or (a)(3) held on behalf of a child more than 17
8 years, 5 months old and less than 18 years of age that did not result in
9 modification of jurisdiction over the child from delinquency jurisdiction to
10 dependency jurisdiction or transition jurisdiction, the court must:
11
- 12 (A) Return the child to the home of the parent or legal guardian and set a
13 progress report hearing within the next six months; or
14
- 15 (B) Return the child to the home of the parent or legal guardian and
16 terminate juvenile court jurisdiction over the child; or
17
- 18 (C) Continue the child’s foster care placement and:
19
- 20 (i) For the child who intends to meet the eligibility requirements for
21 status as a nonminor dependent after attaining 18 years of age,
22 the court must set a nonminor dependent review hearing under
23 rule 5.903 no more than six months from the most recent hearing
24 held under section 727.2; or
25
- 26 (ii) For the child who does not intend to meet the eligibility
27 requirements for nonminor dependent status after attaining 18
28 years of age, the court must:
29 a. Set a hearing to terminate delinquency jurisdiction under
30 section 607.2(b)(4) and section 607.3 for a date within one
31 month after the child’s 18th birthday; or
32
- 33 b. Set a hearing under section 727.2 no more than six months
34 from the date of the most recent hearing held under section
35 727.2 for the child who will remain under delinquency
36 jurisdiction in a foster care placement.
37
- 38 (7) At any hearing under (a)(2) or (a)(3) held on behalf of a child 17 years, 5
39 months old or less that did not result in modification of jurisdiction over the
40 child from delinquency jurisdiction to dependency jurisdiction, the court
41 must:
42

- 1 (A) Return the child to the home of the parent or legal guardian and set a
2 progress report hearing within the next six months;
3
4 (B) Return the child to the home of the parent or legal guardian and
5 terminate juvenile court jurisdiction over the child; or
6
7 (C) Continue the child’s out-of-home placement and set a hearing under
8 section 727.2 to occur within six months of the most recent hearing
9 under section 727.2.
10
11 (8) At any hearing under (a)(4) on behalf of a child less than 18 years of age that
12 did not result in modification of jurisdiction over the child from delinquency
13 jurisdiction to dependency jurisdiction, the court must:
14
15 (A) Return the child to the home of the parent or legal guardian and set a
16 progress report hearing within the next six months;
17
18 (B) Return the child to the home of the parent or legal guardian and
19 terminate juvenile court jurisdiction over the child; or
20
21 (C) Continue the child’s out-of-home placement and set a progress report
22 hearing within the next six months.
23

24 **(f) Modification of jurisdiction—conditions**
25

26 Whenever the court modifies its jurisdiction over a dependent or ward under section
27 241.1, 607.2, or 727.2, the court must ensure that all of the following conditions are
28 met:
29

- 30 (1) The petition under which jurisdiction was taken at the time the dependent or
31 ward was originally removed from his or her parents or legal guardian and
32 placed in foster care is not dismissed until after the new petition is sustained;
33 and
34
35 (2) The order modifying the court’s jurisdiction contains all of the following
36 provisions:
37
38 (A) A reference to the original removal findings, the date those findings
39 were made, and a statement that the finding, “continuation in the home
40 is contrary to the child’s welfare,” and the finding, “reasonable efforts
41 were made to prevent removal,” made at that hearing remain in effect;
42

- 1 (B) A statement that the child continues to be removed from the parents or
2 legal guardian from whom the child was removed under the original
3 petition; and
4
5 (C) Identification of the agency that is responsible for placement and care
6 of the child based upon the modification of jurisdiction.
7

8 **Chapter 14. Nonminor Dependent**

9 10 **Rule 5.900. Nonminor dependent—Preliminary provisions (§§ 224.1(b), 295, 303,** 11 **366, 366.3, 388, 391, 607(a))**

12 13 **(a) Applicability**

- 14
15 (1) The provisions of this chapter apply to nonminor dependents as defined in
16 section 11400(v).
17
18 (2) Nothing in the Welfare and Institutions Code or in the California Rules of
19 Court restricts the ability of the juvenile court to maintain dependency
20 jurisdiction or delinquency jurisdiction over a person, 18 years of age and
21 older, who does not meet the eligibility requirements for status as a nonminor
22 dependent and to proceed as to that person under the relevant sections of the
23 Welfare and Institutions Code and California Rules of Court.
24

25 **(b) Purpose**

26
27 Maintaining juvenile court jurisdiction under section 300,450, 601, or 602 over a
28 person as a nonminor dependent is the result of a consensual agreement between
29 the person and child welfare services agency or the probation department for a
30 voluntary placement in a supervised setting and includes the agreement between the
31 social worker or probation officer and the person to work together to facilitate the
32 implementation of the mutually developed supervised placement agreement or
33 reentry agreement and Transitional Independent Living Case Plan. Maintaining
34 juvenile court jurisdiction and supervision by the child welfare services agency or
35 probation department is for the purpose of providing support, guidance, and foster
36 care services to the person as a nonminor dependent so he or she is able to
37 successfully achieve independence.
38

39 **(c) Legal status**

- 40
41 (1) Nothing in the Welfare and Institutions Code, including sections 340, 366.2,
42 and 369.5, or in the California Rules of Court provides legal custody of a
43 nonminor dependent to the child welfare services agency or the probation

1 department or abrogates any right the nonminor dependent, as a person who
2 has attained 18 years of age, may have as an adult under California law.

- 3
4 (2) A nonminor dependent retains all his or her legal decision-making authority
5 as an adult.

6
7 **(d) Conduct of hearings**

- 8
9 (1) All hearings involving a person who is a nonminor dependent must be
10 conducted in a manner that respects the person’s legal status as an adult.
11
12 (2) Unless there is a contested issue of fact or law, the hearings must be informal
13 and nonadversarial and all parties must work collaboratively with the
14 nonminor dependent as he or she moves toward the achievement of his or her
15 Transitional Independent Living Case Plan goals.
16
17 (3) The nonminor dependent may designate his or her attorney to appear on his
18 or her behalf at a hearing under this chapter.

19
20 **(e) Telephone appearance**

- 21
22 (1) The person who is the subject of the hearing may appear, at his or her
23 request, by telephone at a hearing to terminate juvenile court jurisdiction held
24 under rule 5.555, a status review hearing under rule 5.903, or a hearing on a
25 request to have juvenile court jurisdiction resumed held under rule 5.906.
26 Rule 5.531 applies to telephone appearances under this paragraph.
27
28 (2) The court may require the nonminor dependent or the person requesting to
29 return to juvenile court jurisdiction and foster care to appear personally on a
30 showing of good cause and a showing that the personal appearance will not
31 create an undue hardship for him or her.
32
33 (3) The telephone appearance must be permitted at no cost to the nonminor
34 dependent or the person requesting to return juvenile court jurisdiction and
35 foster care.
36

37 **Rule 5.903. Nonminor dependent status review hearing (§§ 224.1(b), 295, 366(f),**
38 **366.1, 366.3)**

39
40 **(a) Purpose**

41
42 The primary purpose of the nonminor dependent status review hearing is to focus
43 on the goals and services described in the nonminor dependent’s Transitional

1 Independent Living Case Plan and the efforts and progress made toward achieving
2 independence and establishing lifelong connections with caring and committed
3 adults.
4

5 **(b) Setting and conduct of a nonminor dependent status review hearing**
6

7 (1) A status review hearing for a nonminor dependent conducted by the court or
8 by a local administrative review panel must occur no less frequently than
9 once every 6 months.
10

11 (2) The hearing must be placed on the appearance calendar, held before a judicial
12 officer, and recorded by a court reporter under any of the following
13 circumstances:
14

15 (A) The hearing is the first hearing following the nonminor dependent's
16 18th birthday;

17
18 (B) The hearing is the first hearing following the resumption of juvenile
19 court jurisdiction over a person as a nonminor dependent under rule
20 5.906;

21
22 (C) The nonminor dependent or the nonminor dependent's attorney
23 requests that the hearing be conducted by the court; or
24

25 (D) It has been 12 months since the hearing was conducted by the court.
26

27 (3) The hearing may be attended, as appropriate, by participants invited by the
28 nonminor dependent in addition to those entitled to notice under (c).
29

30 (4) The nonminor dependent may appear by telephone as provided in rule 5.900
31 at a hearing conducted by the court.
32

33 (5) The hearing must be continued for no more than five court days for the social
34 worker, probation officer, or nonminor dependent to submit additional
35 information as ordered by the court if the court determines that the report and
36 Transitional Independent Living Case Plan submitted by the social worker or
37 probation officer do not provide the information required by (d)(1) and the
38 court is unable to make all the findings and orders required by (e).
39

40 **(c) Notice of hearing (§ 295)**
41

42 (1) The social worker or probation officer must serve written notice of the
43 hearing in the manner provided in section 295, and to all persons required to

1 receive notice under section 295, except notice to the parents of the nonminor
2 dependent is not required.

3
4 (2) The written notice served on the nonminor dependent must include:

5
6 (A) A statement that he or she may appear for the hearing by telephone; and

7
8 (B) Instructions about the local court procedures for arranging to appear
9 and appearing at the hearing by telephone.

10
11 (3) Proof of service of notice must be filed by the social worker or probation
12 officer at least five court days before the hearing.

13
14 **(d) Reports**

15
16 (1) The social worker or probation officer must submit a report to the court that
17 includes information regarding:

18
19 (A) The continuing necessity for the nonminor dependent's placement and
20 the facts supporting the conclusion reached;

21
22 (B) The appropriateness of the nonminor dependent's current foster care
23 placement;

24
25 (C) The nonminor dependent's plans to remain under juvenile court
26 jurisdiction including the criteria in section 11403(b) that he or she
27 meets;

28
29 (D) The efforts made by the social worker or probation officer to help the
30 nonminor dependent meet the criteria in section 11403(b);

31
32 (E) Verification that the nonminor dependent was provided with the
33 information, documents, and services as required under section 391(e);

34
35 (F) How and when the Transitional Independent Living Case Plan was
36 developed, including the nature and the extent of the nonminor
37 dependent's participation in its development, and for the nonminor
38 dependent who has elected to have the Indian Child Welfare Act
39 continue to apply, the extent of consultation with the tribal
40 representative;

41
42 (G) The efforts made by the social worker or probation officer to comply
43 with the nonminor dependent's Transitional Independent Living Case

1 Plan, including efforts to finalize the permanent plan and prepare him
2 or her for independence;

3
4 (H) Progress made toward meeting the Transitional Independent Living
5 Case Plan goals and the need for any modifications to assist the
6 nonminor dependent in attaining the goals;

7
8 (I) The efforts made by the social worker or probation officer to maintain
9 relationships between the nonminor dependent and individuals who are
10 important to him or her, including the efforts made to establish and
11 maintain relationships with caring and committed adults who can serve
12 as a lifelong connection;

13
14 (J) The efforts made by the social worker or probation officer to establish
15 or maintain the nonminor dependent's relationship with his or her
16 siblings who are under the juvenile court's jurisdiction as required in
17 section 366(a)(1)(D).
18

19 (2) The social worker or probation officer must submit with his or her report the
20 Transitional Independent Living Case Plan.

21
22 (3) The social worker or probation officer must file with the court the report
23 prepared for the hearing and the Transitional Independent Living Case Plan at
24 least 10 calendar days before the hearing, and provide copies of the report
25 and other documents to the nonminor dependent, all attorneys of record, and
26 for the nonminor dependent who has elected to have the Indian Child Welfare
27 Act continue to apply, the tribal representative.
28

29 **(e) Findings and orders**

30
31 The court must consider the safety of the nonminor dependent, and the following
32 judicial determinations and orders must be made on the record and included in the
33 written, signed court documentation of the hearing:
34

35 (1) *Findings*

36
37 (A) Whether notice was given as required by law;

38
39 (B) Whether the nonminor dependent's continuing placement is necessary;

40
41 (C) Whether the nonminor dependent's current placement is appropriate;
42

- 1 (D) Whether the Transitional Independent Living Case Plan includes a plan
2 for the nonminor dependent to satisfy one or more of the criteria in
3 section 11403(b);
4
- 5 (E) The specific criteria in section 11403(b) the nonminor dependent
6 satisfied since the last hearing held under this rule;
7
- 8 (F) The specific criteria in section 11403(b) it is anticipated the nonminor
9 dependent will satisfy during the next six months;
10
- 11 (G) Whether reasonable efforts were made and assistance provided by the
12 social worker or probation officer to help the nonminor dependent
13 establish and maintain compliance with section 11403(b);
14
- 15 (H) Whether the nonminor dependent was provided with the information,
16 documents, and services as required under section 391(e);
17
- 18 (I) Whether the Transitional Independent Living Case Plan was developed
19 jointly by the nonminor dependent and the social worker or probation
20 officer, reflects the living situation and services that are consistent in
21 the nonminor dependent's opinion with what he or she needs to gain
22 independence, and sets out the benchmarks that indicate how both will
23 know when independence can be achieved;
24
- 25 (J) For the nonminor dependent who has elected to have the Indian Child
26 Welfare Act continue to apply, whether the representative from his or
27 her tribe was consulted during the development of the Transitional
28 Independent Living Case Plan;
29
- 30 (K) Whether reasonable efforts were made by the social worker or
31 probation officer to comply with the Transitional Independent Living
32 Case Plan, including efforts to finalize the nonminor dependent's
33 permanent plan and prepare him or her for independence;
34
- 35 (L) Whether the Transitional Independent Living Case Plan includes
36 appropriate and meaningful independent living skill services that will
37 assist him or her with the transition from foster care to independent
38 living;
39
- 40 (M) Whether the nonminor dependent signed and received a copy of his or
41 her Transitional Independent Living Case Plan;
42

- 1 (N) The extent of progress made by the nonminor dependent toward
2 meeting the Transitional Independent Living Case Plan goals and any
3 modifications needed to assist in attaining the goals;
4
- 5 (O) Whether reasonable efforts were made by the social worker or
6 probation officer to maintain relationships between the nonminor
7 dependent and individuals who are important to him or her, including
8 the efforts made to establish and maintain relationships with caring and
9 committed adults who can serve as lifelong connections; and
10
- 11 (P) Whether reasonable efforts were made by the social worker or
12 probation officer to establish or maintain the nonminor dependent's
13 relationship with his or her siblings who are under the juvenile court's
14 jurisdiction as required in section 366(a)(1)(D).
15

16 (2) *Orders*
17

- 18 (A) Order the continuation of juvenile court jurisdiction and set a nonminor
19 dependent review hearing under this rule within six months and:
20
 - 21 (i) Order a permanent plan consistent with the nonminor
22 dependent's Transitional Independent Living Case Plan and
23
 - 24 (ii) Specify the likely date by which independence is anticipated to
25 be achieved; or
26
- 27 (B) Order the continuation of juvenile court jurisdiction and set a hearing to
28 consider termination of juvenile court jurisdiction over a nonminor
29 under rule 5.555 within 30 days; or
30
- 31 (C) Order termination of juvenile court jurisdiction pursuant to rule 5.555 if
32 this nonminor dependent status review hearing was heard at the same
33 time as a hearing under rule 5.555.
34

35 **Rule 5.906. Request by nonminor for the juvenile court to resume jurisdiction (§§**
36 **224.1(b), 303, 388(e))**
37

38 **(a) Purpose**
39

40 This rule provides the procedures that must be followed when a nonminor wants to
41 have juvenile court jurisdiction resumed over him or her as a nonminor dependent
42 described in section 11400(v).
43

1 (b) **Contents of the request**

2
3 (1) The request to have the juvenile court resume jurisdiction must be made on
4 the *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form
5 JV-466).

6
7 (2) The request must be liberally construed in favor of its sufficiency. It must be
8 verified by the nonminor or the nonminor’s designee and, to the extent
9 known to the nonminor, must include the following information:

10
11 (A) The nonminor’s name and date of birth;

12
13 (B) The nonminor’s address and contact information, unless the nonminor
14 requests that this information be kept confidential from those persons
15 entitled to access to the juvenile court file, including his or her parents,
16 by filing *Confidential Information—Request to Return to Juvenile*
17 *Court Jurisdiction and Foster Care* (form JV-468). Form JV-468 must
18 be kept in the court file under seal, and only the court, the child welfare
19 services agency, the probation department, or the Indian tribe with an
20 agreement under section 10553.1 to provide child welfare services to
21 Indian children (Indian tribal agency), and the nonminor’s attorney may
22 have access to this information;

23
24 (C) The name and action number or court file number of the nonminor’s
25 case and the name of the juvenile court that terminated its dependency
26 jurisdiction, delinquency jurisdiction, or transition jurisdiction and
27 retained general jurisdiction for the purpose of considering a request to
28 assume or resume its jurisdiction over him or her as a nonminor
29 dependent;

30
31 (D) The date the juvenile court entered the order terminating its
32 dependency jurisdiction, delinquency jurisdiction, or transition
33 jurisdiction and retained general jurisdiction over him or her.

34
35 (E) If the nonminor wants his or her parents or former legal guardians to
36 receive notice of the filing of the request and the hearing, the name and
37 residence addresses of the nonminor’s parents or former guardians;

38
39 (F) The name and telephone number of the court-appointed attorney who
40 represented the nonminor at the time the juvenile court terminated its
41 dependency jurisdiction, delinquency jurisdiction, or transition
42 jurisdiction and retained general jurisdiction if the nonminor wants that

1 attorney to be the attorney appointed to represent him or her for the
2 purposes of the hearing on the request;

3
4 (G) If the nonminor is an Indian child within the meaning of the Indian
5 Child Welfare Act and he or she chooses to have the Indian Child
6 Welfare Act apply to him or her, the name of the tribe and the name,
7 address, and telephone number of his or her tribal representative;

8
9 (H) If the nonminor had a Court Appointed Special Advocate (CASA)
10 when he or she was a dependent or ward of the court and wants the
11 CASA to receive notice of the filing of the request and the hearing, the
12 CASA's name;

13
14 (I) The condition or conditions under section 11403(b) that the nonminor
15 intends to satisfy; and

16
17 (J) Whether the nonminor requires assistance to maintain or secure an
18 appropriate, supervised placement, or is in need of immediate
19 placement and will agree to a supervised placement under a voluntary
20 reentry agreement.

21
22 (3) The court may dismiss without prejudice a request filed under this rule that is
23 not verified.

24
25 **(c) Filing the request**

26
27 (1) The form JV-466 may be filed by the nonminor or the county child welfare
28 services, probation department, or Indian tribe (placing agency) on behalf of
29 the nonminor.

30
31 (2) For the convenience of the nonminor, the form JV-466 and, if the nonminor
32 wishes to keep his or her contact information confidential, the *Confidential*
33 *Information—Request to Return to Juvenile Court Jurisdiction and Foster*
34 *Care* (form JV-468) may be:

35
36 (A) Filed with the juvenile court that retained general jurisdiction in the
37 same action in which the nonminor was found to be a dependent or
38 ward of the court, or

39
40 (B) Submitted to the juvenile court in the county in which the nonminor
41 currently resides:

- 1 (i) The court clerk must record the date and time received on the
2 face of the originals submitted and provide a copy of the originals
3 marked as received to the nonminor at no cost to the him or her.
4
- 5 (ii) To ensure receipt of the original JV-466 and, if submitted the JV-
6 468, by the court that retained general within five court days as
7 required in section 388(e), the court clerk must forward those
8 originals to the clerk of the court that retained general jurisdiction
9 within two court days of submission of the originals by the
10 nonminor.
11
- 12 (iii) The court in the county in which the nonminor resides is
13 responsible for all costs of processing, copying, and forwarding
14 the form JV-466 and form JV-468 to the clerk of the court that
15 retained general jurisdiction.
16
- 17 (iv) The court clerk in the county in which the nonminor resides must
18 retain a copy of the documents submitted.
19
- 20 (v) The form JV-466 and, if submitted, the form JV-468 must be
21 filed immediately upon receipt by the clerk of the juvenile court
22 that retained general jurisdiction.
23
- 24 (C) For a nonminor living outside the state of California, the form JV-466
25 and, if the nonminor wishes to keep his or her contact information
26 confidential, the form JV-468 must be filed with the juvenile court that
27 retained general jurisdiction.
28
- 29 (3) If form JV-466 is filed by the nonminor, within two court days of its filin
30 with the clerk of the court in the county that retained general jurisdiction, the
31 clerk of that court must notify the placing agency that was supervising the
32 nonminor when juvenile court jurisdiction was terminated that the nonminor
33 has filed form JV-466 and provide the placing agency with the nonminor's
34 contact information. The notification must be by telephone, fax, e-mail, or
35 other method approved by the presiding juvenile court judge that will ensure
36 prompt notification and inform the placing agency that a copy of form JV-
37 466 will be served on the agency and that one is currently available in the
38 office of the juvenile court clerk.
39
- 40 (4) If form JV-466 has not been filed at the time the nonminor completes th
41 voluntary reentry agreement described in section 11400(z), the placing
42 agency must file form JV-466 on the nonminor's behalf within 15 court days

1 of the date the voluntary reentry agreement was signed, unless the nonminor
2 files form JV-466 prior to the expiration of the 15 court days.

- 3
4 (5) No filing fees are required for the filing of form JV-466 and, if filed, for
5 JV-468. An endorsed, filed copy of each form filed must be provided at no
6 cost to the nonminor or the placing agency that filed the request on the
7 nonminor's behalf.
8

9 **(d) Determination of prima facie showing**

- 10
11 (1) Within three court days of the filing of form JV-466 with the clerk of the
12 juvenile court that retained general jurisdiction, a juvenile court judicial
13 officer must review form JV-466 and determine whether a prima facie
14 showing has been made that the nonminor meets all of the criteria set forth
15 below in (d)(1)(A)–(D) and enter an order as set forth in (d)(2) or (d)(3).
16
17 (A) The nonminor was previously under juvenile court jurisdiction subject
18 to an order for foster care placement when he or she attained 18 years
19 of age;
20
21 (B) On and after January 1, 2012, the nonminor will not have not attained
22 19 years of age; or commencing January 1, 2013, he or she will not
23 have attained 20 years of age; or commencing on January 1, 2014, he or
24 she will not have attained 21 years of age;
25
26 (C) The nonminor wants assistance to maintain or secure an appropriate,
27 supervised placement or is in need of immediate placement and agrees
28 to a supervised placement under a voluntary reentry agreement; and
29
30 (D) The nonminor intends to satisfy at least one of the conditions as
31 described in section 11403(b) and set forth below:
32
33 (i) Complete secondary education or a program leading to an
34 equivalent credential.
35
36 (ii) Enroll in an institution that provides postsecondary or vocational
37 education.
38
39 (iii) Participate in a program or activity designed to promote or
40 remove barriers to employment.
41
42 (iv) Be employed for at least 80 hours per month.
43

- 1 (v) Incapable of doing any of the activities described in
2 subparagraphs (i) to (iv), inclusive, due to a medical condition;
3
- 4 (2) If the court determines that a prima facie showing has not been made, the
5 court must enter a written order denying the request, listing the issues that
6 resulted in the denial and informing the nonminor that a new JV-466 may be
7 filed when those issues are resolved.
8
- 9 (A) The court clerk must serve on the nonminor:
- 10
- 11 (i) A copy of the written order;
12
- 13 (ii) A blank copy of *Request to Return to Juvenile Court Jurisdiction*
14 *and Foster Care* (form JV-466) and *Confidential Information—*
15 *Request to Return to Juvenile Court Jurisdiction and Foster*
16 *Care* (form JV-466);
17
- 18 (iii) A copy of *How to Ask the to Return to Juvenile Court*
19 *Jurisdiction and Foster Care* (form JV-464-INFO); and
20
- 21 (iv) The names and contact information for those attorneys approved
22 by the court to represent children in juvenile court proceedings
23 who have agreed to provide a consultation to any nonminor
24 whose request was denied due to the failure to make a prima facie
25 showing.
26
- 27 (B) The court clerk must serve on the placing agency a copy of the written
28 order.
29
- 30 (C) Service must be by personal service or first-class mail within two court
31 days of the issuance of the order.
32
- 33 (D) A proof of service must be filed.
34
- 35 (3) If the judicial officer determines that a prima facie showing has been made,
36 the judicial officer must issue a written order:
37
- 38 (A) Directing the court clerk to set the matter for a hearing and
39
- 40 (B) Appointing an attorney to represent the nonminor for the sole purpose
41 of the hearing on the request.
42

1 (e) **Appointment of attorney**

- 2
- 3 (1) If the nonminor included on the form JV-466 a request for the appointment of
- 4 the court-appointed attorney who represented the nonminor during the period
- 5 of time he or she was a ward or dependent or nonminor dependent, the
- 6 judicial officer must appoint that attorney for the sole purpose of the hearing
- 7 on the request, if the attorney is available to accept such an appointment.
- 8
- 9 (2) If the nonminor did not request the appointment of his or her former court-
- 10 appointed attorney, the judicial officer must appoint an attorney to represent
- 11 the nonminor for the sole purpose of the hearing on the request. The attorney
- 12 must be selected from the panel or organization of attorneys approved by the
- 13 court to represent children in juvenile court proceedings.
- 14
- 15 (3) In addition to complying with the requirements in (g)(1) for service of notice
- 16 of the hearing, the juvenile court clerk must notify the attorney of his or her
- 17 appointment as soon as possible, but no later than one court day from the date
- 18 the order for his or her appointment was issued under (d)(3). This notification
- 19 must be made by telephone, fax, e-mail, or other method approved by the
- 20 presiding juvenile court judge that will ensure prompt notification. The notice
- 21 must also include the nonminor's contact information and inform the attorney
- 22 that a copy of the JV-466 will be served on him or her and that one is
- 23 currently available in the office of the juvenile court clerk.
- 24
- 25 (4) If the request is granted, the court must continue the attorney's appointment
- 26 to represent the nonminor regarding matters related to his or her status as a
- 27 nonminor dependent until the jurisdiction of the juvenile court is terminated,
- 28 unless the court finds that the nonminor would not benefit from the
- 29 appointment of an attorney.
- 30
- 31 (A) In order to find that a nonminor would not benefit from the
- 32 appointment of an attorney, the court must find all of the following:
- 33
- 34 (i) The nonminor understands the nature of the proceedings;
- 35
- 36 (ii) The nonminor is able to communicate and advocate effectively
- 37 with the court, other attorneys, and other parties, including social
- 38 workers, probation officers, and other professionals involved in
- 39 the case; and
- 40
- 41 (iii) Under the circumstances of the case, the nonminor would not
- 42 gain any benefit from representation by an attorney.
- 43

1 (B) If the court finds that the nonminor would not benefit from
2 representation by an attorney, the court must make a finding on the
3 record as to each of the criteria in (e)(4)(A) and state the reasons for
4 each finding.
5

6 (5) Representation of the nonminor by the court-appointed attorney for the
7 hearing on the request to return to juvenile court jurisdiction and for matters
8 related to his or her status as a nonminor dependent must be at no cost to the
9 nonminor.
10

11 (6) If the nonminor chooses to be represented by an attorney other than a court-
12 appointed attorney, the fees for an attorney retained by the nonminor are the
13 nonminor's responsibility.
14

15 **(f) Setting the hearing**
16

17 (1) Within two court days of the issuance of the order directing the court clerk to
18 do so, the court clerk must set a hearing on the juvenile court's calendar
19 within 15 court days from the date the JV-466 was filed with the court that
20 retained general jurisdiction.
21

22 (2) The hearing must be placed on the appearance calendar, heard before a
23 juvenile court judicial officer, and recorded by a court reporter.
24

25 **(g) Notice of hearing**
26

27 (1) The juvenile court clerk must serve notice as soon as possible but no later
28 than five court days before the date the hearing is set, as follows:
29

30 (A) The notice of the date, time, place, and purpose of the hearing and a
31 copy of the JV-466 must be served on the nonminor, the nonminor's
32 attorney, and the child welfare services agency, the probation
33 department, or the Indian tribal agency that was supervising the
34 nonminor when the juvenile court entered the order retaining general
35 jurisdiction over the nonminor.
36

37 (B) The notice of the date, time, place, and purpose of the hearing must be
38 served on the nonminor's parents only if the nonminor included in the
39 JV-466 a request that notice be provided to his or her parents.
40

41 (C) The notice of the date, time, place, and purpose of the hearing must be
42 served on the nonminor's tribal representative if the nonminor is an

1 Indian child and indicated on the JV-466 his or her choice to have the
2 Indian Child Welfare Act apply to him or her as a nonminor dependent.

3
4 (D) The notice of the date, time, place, and purpose of the hearing must be
5 served on the local CASA office if the nonminor had a CASA and
6 included on the JV-466 a request that notice be provided to his or her
7 former CASA.

8
9 (2) The written notice served on the nonminor dependent must include:

10
11 (A) A statement that the nonminor may appear for the hearing by
12 telephone; and

13
14 (B) Instructions regarding the local juvenile court procedures for arranging
15 to appear and appearing at the hearing by telephone.

16
17 (3) Service of the notice must be by personal service or by first-class mail.

18
19 (4) Proof of service of notice must be filed by the juvenile court clerk at least two
20 court days prior to the hearing.

21
22 **(h) Reports**

23
24 (1) The social worker, probation officer, or Indian tribal agency case worker
25 (tribal case worker) must submit a report to the court that includes:

26
27 (A) Confirmation that the nonminor was previously under juvenile court
28 jurisdiction subject to an order for foster care placement when he or she
29 attained 18 years of age, that the juvenile court retained general
30 jurisdiction over the nonminor, and that on and after January 1, 2012,
31 the nonminor will not have not attained 19 years of age; or
32 commencing January 1, 2013, he or she will not have attained 20 years
33 of age; or commencing on January 1, 2014, he or she will not have
34 attained 21 years of age;

35 (B) The condition or conditions under section 11403(b) that the nonminor
36 intends to satisfy;

37
38 (C) The social worker, probation officer, or tribal case worker's opinion as
39 to whether continuing in a foster care placement is in the nonminor's
40 best interests and recommendation about the resumption of juvenile
41 court jurisdiction over the nonminor as a nonminor dependent;

- 1 (D) Whether the nonminor and the placing agency have entered into a
2 reentry agreement for placement in a supervised setting under the
3 placement and care responsibility of the placing agency;
4
5 (E) The type of placement recommended if the request to return to juvenile
6 court jurisdiction and foster care is granted;
7
8 (F) If the type of placement recommended is a placement in a setting where
9 minor dependents also reside, the results of the background check of
10 the nonminor under section 16504.5.
11
12 (i) The background check under section 16504.5 is required only if a
13 minor dependent resides in the placement under consideration for
14 the nonminor.
15
16 (ii) A criminal conviction is not a bar to a return to foster care and
17 the resumption of juvenile court jurisdiction over the nonminor as
18 a nonminor dependent.
19

- 20 (2) At least two court days before the hearing, the social worker, probation
21 officer, or tribal case worker must file the report and any supporting
22 documentation with the court and provide a copy to the nonminor and to his
23 or her attorney of record; and
24
25 (3) If the court determines that the report and other documentation submitted by
26 the social worker, probation officer, or tribal case worker does not provide
27 the information required by (h)(1) and the court is unable to make the
28 findings and orders required by (i), the hearing must be continued for no
29 more than five court days for the social worker, probation officer, tribal case
30 worker, or nonminor to submit additional information as ordered by the court.
31

32 **(i) Findings and orders**
33

34 The court must read and consider, and state on the record that it has read and
35 considered, the report; supporting documentation submitted by the social worker,
36 probation officer, or tribal case worker; the evidence submitted by the nonminor;
37 and any other evidence. The following judicial findings and orders must be made
38 on the record and included in the written, signed court documentation of the
39 hearing:
40

41 (1) *Findings*
42

- 43 (A) Whether notice was given as required by law;

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- (B) Whether the nonminor was previously under juvenile court jurisdiction subject to an order for foster care placement when he or she attained 18 years of age;
- (C) Whether the juvenile court retained general jurisdiction over the nonminor;
- (D) Whether on and after January 1, 2012, the nonminor will not have not attained 19 years of age; or commencing January 1, 2013, he or she will not have attained 20 years of age; or commencing on January 1, 2014, he or she will not have attained 21 years of age;
- (E) Whether the nonminor intends to satisfy a condition or conditions under section 11403(b);
- (F) The condition or conditions that the nonminor intends to satisfy under section 11403(b);
- (G) Whether continuing in a foster care placement is in the nonminor’s best interests;
- (H) Whether the nonminor and the placing agency have entered into a reentry agreement for placement in a supervised setting under the placement and care responsibility of the placing agency; and
- (I) Whether a nonminor who is an Indian child chooses to have the Indian Child Welfare Act apply to him or her as a nonminor dependent.

(2) *Orders*

- (A) If the court finds that the nonminor comes within the age requirements under (i)(1)(D), that the juvenile court entered an order retaining general jurisdiction over the nonminor, that the nonminor does intend to satisfy at least one condition under section 11403(b), and that the nonminor and placing agency have entered into a reentry agreement, the court must:
 - (i) Grant the request and enter an order resuming juvenile court jurisdiction over the nonminor as a nonminor dependent and vesting responsibility for the nonminor’s placement and care with the placing agency;

- 1 (ii) Order the social worker, probation officer, or tribal case worker
2 to develop with the nonminor and file with the court within 60
3 days a new Transitional Independent Living Case Plan;
4
- 5 (iii) Order the social worker or probation officer to consult with the
6 tribal representative regarding a new Transitional Independent
7 Living Case Plan for the nonminor who chooses to have the
8 Indian Child Welfare Act apply to him or her as a nonminor
9 dependent and who is not under the supervision of a tribal case
10 worker;
11
- 12 (iv) Set a nonminor dependent review hearing under rule 5.903 within
13 the next six months; and
14
- 15 (v) Make the findings and enter the appropriate orders under (e)(4)
16 regarding appointment of an attorney for the nonminor.
17
- 18 (B) If the court finds that the nonminor comes within the age requirements
19 under (i)(1)(D) and that the juvenile court entered an order retaining
20 general jurisdiction over the nonminor, but the nonminor does not
21 intend to satisfy at least one of the conditions under section 11403(b)
22 and/or the nonminor and placing agency have not entered into a reentry
23 agreement, the court must:
24
- 25 (i) Enter an order denying the request, listing the reasons for the
26 denial, and informing the nonminor that a new JV-466 may be
27 filed when those circumstances change;
28
- 29 (ii) Enter an order terminating the appointment of the attorney
30 appointed by the court to represent the nonminor, effective seven
31 calendar days after the hearing; and
32
- 33 (iii) In addition to the service of a copy of the written order as
34 required in (i)(3), the juvenile court clerk must cause to be served
35 on the nonminor a blank copy of the *Request to Return to*
36 *Juvenile Court Jurisdiction and Foster Care* (form JV-466) and
37 *Confidential Information— Request to Return to Juvenile Court*
38 *Jurisdiction and Foster Care* (form JV-468), and a copy of *How*
39 *to Ask to Return to Juvenile Court Jurisdiction and Foster Care*
40 (form JV-464-INFO).
41

- 1 (C) If the court finds that the nonminor does not come within the age
2 requirements under (i)(1)(D) and/or the juvenile court did not retain
3 general jurisdiction over the nonminor, the court must:
4
5 (i) Enter an order denying the request to have juvenile court
6 jurisdiction resumed; and
7
8 (ii) Enter an order terminating the appointment of the attorney
9 appointed by the court to represent the nonminor, effective seven
10 calendar days after the hearing.
11

12 (3) *Findings and orders: service*

- 13
14 (A) The written findings and order must be served by the juvenile court
15 clerk on all persons provided with notice of the hearing under (g)(1).
16
17 (B) Service must be by personal service or first-class mail within three
18 court days of the issuance of the order.
19
20 (C) A proof of service must be filed.
21

22 **Advisory Committee Comment**

23
24 Assembly Bill 12 (Beall; Stats. 2010, ch. 559), the California Fostering Connections to Success
25 Act and Assembly Bill 212 (Beall; Stats. 2011, ch. 459), implement the federal Fostering
26 Connections to Success and Increasing Adoptions Act, Pub.L. No. 110-351, which provides
27 funding resources to extend the support of the foster care system to children who are still in a
28 foster care placement on their 18th birthday. Every effort was made in the development of the
29 rules and forms to provide an efficient framework for the implementation of this important and
30 complex legislation.
31

32 The extension of benefits for nonminors up to 18 years of age during the first year and for
33 nonminors up to 19 years of age during the following year is fully provided for in Assembly Bill
34 12 and does not require further action by the Legislature; however, extension of those benefits to
35 nonminors between 20 and 21 years of age is contingent upon an appropriation by the
36 Legislature. (Welf. & Inst. Code, § 11403(k).)

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
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
NONMINOR'S NAME:	
<p style="text-align: center;">NOTICE OF HEARING</p> <input type="checkbox"/> NONMINOR DEPENDENT REVIEW HEARING <input type="checkbox"/> OTHER	CASE NUMBER:

NOTICE TO (name and address):

1. A hearing will be held

on (date):	at (time):	in Dept.:	Room:
------------	------------	-----------	-------

located at court address above other (specify address):

2. At the hearing, the court will:

- a. Review the nonminor dependent's goals and services as described in the Transitional Independent Living Case Plan and the efforts and progress made toward achieving independence.
- b. Other (specify):

3. **THE** **SOCIAL WORKER** **PROBATION OFFICER RECOMMENDS:**

- a. A change in orders, services, placement, custody, or status (specify):
- b. No change in orders, services, placement, custody, or status.
- c. Other (specify):

4. **TO THE NONMINOR:**

- a. **You have the right to be present at the hearing, to present evidence, and to be represented by an attorney.** You may invite other persons to attend the hearing.
- b. **You may appear for the hearing by telephone.** Instructions about the local court procedures for arranging to appear and appearing at the hearing by telephone are included with this notice.
- c. Prior to the hearing, the social worker or probation officer will prepare a report with recommendations. You must be provided with a copy of this report.
- d. The court will proceed with this hearing whether or not you are present.

5. **TO THE PRESENT SUPERVISOR OF THE NONMINOR DEPENDENT'S RESIDENCE, IF ANY:**

- a. You may be present at the hearing.
- b. You may submit relevant written material to the court.

Date:

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



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms.htm for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civil Code, § 54.8.)

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
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
NONMINOR'S NAME:	
PROOF OF SERVICE—NONMINOR	CASE NUMBER:

I served a copy of the *(name of document)*

on the following persons or entities by personally delivering a copy to the person served, OR by delivering a copy to a competent adult at the usual place of residence or business of the person served and thereafter mailing a copy by first-class mail to the person served at the place where the copy was delivered, OR by placing a copy in a sealed envelope and depositing the envelope directly in the United States mail with postage prepaid or at my place of business for same-day collection and mailing with the United States mail, following our ordinary business practices with which I am readily familiar:

- | | |
|--|---|
| 1. <input type="checkbox"/> Nonminor
a. Name and address:

b. Date of service:
c. Method of service: | <input type="checkbox"/> Attorney
a. Name and address:

b. Date of service:
c. Method of service: |
| 2. <input type="checkbox"/> Social worker <input type="checkbox"/> Probation officer
a. Name and address:

b. Date of service:
c. Method of service: | <input type="checkbox"/> Attorney
a. Name and address:

b. Date of service:
c. Method of service: |
| 3. <input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal guardian
Notice provided only if requested by nonminor dependent
a. Name and address:

b. Date of service:
c. Method of service: | <input type="checkbox"/> Attorney
a. Name and address:

b. Date of service:
c. Method of service: |
| 4. <input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Former legal guardian
Notice provided only if requested by nonminor dependent
a. Name and address:

b. Date of service:
c. Method of service: | <input type="checkbox"/> Attorney
a. Name and address:

b. Date of service:
c. Method of service: |

CASE NAME: 	CASE NUMBER:
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5. Nonminor dependent's sibling under juvenile court jurisdiction Attorney
 a. Name and address: a. Name and address:

 b. Date of service: b. Date of service:
 c. Method of service: c. Method of service:

6. Nonminor dependent's sibling under juvenile court jurisdiction Attorney
 a. Name and address: a. Name and address:

 b. Date of service: b. Date of service:
 c. Method of service: c. Method of service:

7. Supervisor of nonminor dependent's residence Attorney
 a. Name and address: a. Name and address:

 b. Date of service: b. Date of service:
 c. Method of service: c. Method of service:

8. Other Attorney
 a. Name and address: a. Name and address:

 b. Date of service: b. Date of service:
 c. Method of service: c. Method of service:

9. Other Attorney
 a. Name and address: a. Name and address:

 b. Date of service: b. Date of service:
 c. Method of service: c. Method of service:

10. At the time of service I was at least 18 years of age and not a party to this matter. I am a resident of or employed in the county where the mailing occurred. My residence or business address is (*specify*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME)


 (SIGNATURE)

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
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
NONMINOR'S NAME: _____ NONMINOR'S DATE OF BIRTH: _____ HEARING DATE AND TIME: _____ DEPT.: _____	
TERMINATION OF JUVENILE COURT JURISDICTION—NONMINOR	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 nonminor (if nonminor 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 the box. Sign your initials on the line after items 2a–h, items 3a–j, item 4, items 5a–b, and items 6a–g if you received the service or information. Then sign and date item 9. The form may be given to the judge on the day of the hearing if you didn't give it to your social worker, probation officer, or attorney before the hearing.

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

2. An attached report verifies that the nonminor has received written information concerning his or her juvenile court case, including (check all that apply):
 - a. Information known about the nonminor's Indian heritage or tribal connections, if applicable _____
 - b. The nonminor's family history _____
 - c. The nonminor's placement history _____
 - d. The nonminor's educational and medical history _____
 - e. Any photographs of the nonminor or his or her family in the possession of the county child welfare department or probation department, other than forensic photographs _____
 - f. The whereabouts of any siblings under the jurisdiction of the juvenile court except for those siblings for whom the juvenile court has found that sibling contact would jeopardize the safety or welfare of the sibling _____
 - g. The nonminor'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 his or her 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 _____

3. The nonminor 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 Passport maintained by the county welfare department or the probation department _____

NONMINOR'S NAME: _____	CASE NUMBER: _____
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- 3. g. An advance health care directive form _____
- h. Letter prepared by the county welfare department that includes the nonminor's name and date of birth, the dates during which the he or she was within the jurisdiction of the juvenile court, and a statement that the nonminor was a foster child in compliance with state and federal financial aid documentation requirements _____
- i. The nonminor's 90-day Transition Plan _____
- j. A blank copy of each of the following: *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-464-INFO), *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466), and *Confidential Information-Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468) _____
- 4. If the nonminor 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, he or she has been provided with his or her most recent service or accommodation plan. _____
- 5. The nonminor 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 nonminor has received his or her transition service plan. _____
 - b. the nonminor has been informed of the rights that will transfer to him or her under this act. _____
- 6. The nonminor 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 other educational or employment program _____
 - c. Assistance in obtaining financial aid for college, a vocational training program, or other educational or employment program _____
 - d. A referral to transitional housing, if available, or assistance in securing other housing _____
 - e. Assistance in obtaining employment or other financial support including the CalFresh Program _____
 - f. Assistance in maintaining relationships with individuals important to him or her, consistent with the his or her best interest *(required only if the nonminor has been in an out-of-home placement for six months or longer)*
 - g. Assistance in accessing the Independent Living Aftercare Program in the nonminor's county of residence
 - h. 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) (NONMINOR'S SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>):		FOR COURT USE ONLY
TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____		CASE NUMBER: _____
NONMINOR'S NAME: _____ NONMINOR'S DATE OF BIRTH: _____ HEARING DATE AND TIME: _____ DEPT.: _____		
FINDINGS AND ORDERS AFTER HEARING TO CONSIDER TERMINATION OF JUVENILE COURT JURISDICTION OVER A NONMINOR		
Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	Other Court Personnel:	Interpreter: Language: _____

- | | Present | | Present |
|---|--------------------------|--------------------------------|--------------------------|
| 1. Parties (<i>name</i>): | | <u>Attorney (<i>name</i>):</u> | |
| a. Nonminor: | <input type="checkbox"/> | | <input type="checkbox"/> |
| b. Probation officer: | <input type="checkbox"/> | | <input type="checkbox"/> |
| c. County agency social worker: | <input type="checkbox"/> | | <input type="checkbox"/> |
| d. Other (<i>specify</i>): | <input type="checkbox"/> | | <input type="checkbox"/> |
| 2. Parent: | | | |
| a. <input type="checkbox"/> Father <input type="checkbox"/> Mother (<i>name</i>): | <input type="checkbox"/> | | <input type="checkbox"/> |
| b. <input type="checkbox"/> Father <input type="checkbox"/> Mother (<i>name</i>): | <input type="checkbox"/> | | <input type="checkbox"/> |
| 3. Legal guardian (<i>name</i>): | <input type="checkbox"/> | | <input type="checkbox"/> |
| 4. Indian custodian (<i>name</i>): | <input type="checkbox"/> | | <input type="checkbox"/> |
| 5. Tribal representative (<i>name</i>): | <input type="checkbox"/> | | <input type="checkbox"/> |
| 6. Others present | | | |
| a. Other (<i>name</i>): | | | |
| b. Other (<i>name</i>): | | | |
| c. Other (<i>name</i>): | | | |
| 7. The court has read and considered and admits into evidence: | | | |
| a. <input type="checkbox"/> Report of social worker dated: | | | |
| b. <input type="checkbox"/> Report of probation officer dated: | | | |
| c. <input type="checkbox"/> Other (<i>specify</i>): | | | |
| d. <input type="checkbox"/> Other (<i>specify</i>): | | | |
| e. <input type="checkbox"/> Other (<i>specify</i>): | | | |

NONMINOR'S NAME: 	CASE NUMBER:
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BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

Findings:

8. Notice of the date, time, and location of the hearing was given as required by law.
9. Nonminor who is not present:
- a. The nonminor expressed a wish to not appear for hearing and did not appear.
- b. The nonminor's current location is unknown and reasonable efforts were made to locate the youth.
10. The nonminor had the opportunity to confer with his or her attorney about the issues currently before the court.
11. Remaining under juvenile court jurisdiction is is not in the nonminor's best interests. The facts supporting this determination were stated on the record.
12. a. The nonminor does not meet the eligibility criteria in Welf. & Inst. Code, § 11403(b) to remain in foster care as a nonminor dependent under juvenile court jurisdiction at this time.
- b. The nonminor does satisfy the following criteria in Welf. & Inst. Code, § 11403(b) to remain in foster care as a nonminor dependent under juvenile court jurisdiction:
- (1) The nonminor continues attending high school or a high school equivalency certificate (GED) program.
- (2) The nonminor attends a college, a community college, or a vocational education program.
- (3) The nonminor attends a program or takes part in activities that will promote employment or overcome barriers to employment.
- (4) The nonminor is employed at least 80 hours per month.
- (5) The nonminor is incapable of doing any of the activities in (b)(1)–(4) due to a medical condition.
13. The nonminor has an in-progress application pending for title XVI Supplemental Security Income benefits and the continuation of juvenile court jurisdiction until a final decision has been issued to ensure continued assistance with the application process is is not in the nonminor's best interest.
14. The nonminor has an in-progress application pending for title XVI Supplemental Security Income benefits or for Special Juvenile Immigration Status or other application for legal residency for which an active juvenile court case is required.
15. The nonminor was informed of the options available to assist with the transition from foster care to independence.
16. The potential benefits of remaining in foster care under juvenile court jurisdiction were explained to the nonminor and the nonminor has stated that he or she understands those benefits.
17. The nonminor was informed that if juvenile court jurisdiction is continued he or she may have the right to have that jurisdiction terminated with the court retaining general jurisdiction for the purpose of resuming jurisdiction over him or her as a nonminor dependent.
18. The nonminor was informed that if juvenile court jurisdiction is terminated with the court retaining general jurisdiction, he or she has the right to file a petition to have the court resume dependency jurisdiction or transition jurisdiction over him or her so long as he or she is within the eligible age range for status as a nonminor dependent.
19. a. The nonminor was provided with the information, documents, and services required under Welf. & Inst. Code, § 391(e) and a completed *Termination of Juvenile Court Jurisdiction—Nonminor* (form JV-365), was filed with this court.
- b. The nonminor cannot be located and reasonable efforts were made to locate him or her and, for that reason, the youth was not provided with the information, documents, services, and form specified in item 19a.
20. For a nonminor who is subject to delinquency jurisdiction the juvenile court was was not provided with verification that the requirements of Welf. & Inst. Code, § 607.5 were met.

NONMINOR'S NAME: 	CASE NUMBER:
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21. For a nonminor who is an Indian child under the Indian Child Welfare Act he or she was was not provided with information regarding the right to continue to be considered an Indian child for the purposes of the ongoing application of the Indian Child Welfare Act to him or her as a nonminor dependent.
22. a. The Transitional Independent Living Case Plan includes a plan for a placement the nonminor believes is consistent with his or her need to gain independence, reflects agreements made to obtain independent living skills, and sets out benchmarks that indicate how the nonminor and social worker or probation officer will know when independence can be achieved.
- b. The Transitional Independent Living Plan (TILP) identified the nonminor's level of functioning, emancipation goals, and the specific skills he or she needs to prepare to live independently upon leaving foster care.
- c. The 90-day Transition Plan is a concrete individualized plan that specifically covers the following areas: housing, health insurance, education, local opportunities for mentors and continuing support services, workforce supports and employment services, and information that explains how and why to designate a power of attorney for health care.

Orders:

23. The nonminor meets at least one of the conditions listed in item 12(b)(1)–(5) and juvenile court
- a. dependency jurisdiction termination jurisdiction over the nonminor as a nonminor dependent is ordered.
- b. The nonminor's permanent plan is:
- (1) Independence after a period of placement in supervised settings specified in Welf. & Inst. Code, § 11402.
- (2) Other (*specify*):
- c. The nonminor is an Indian child and has has not elected to have the Indian Child Welfare Act apply.
- d. The matter is continued for a hearing set under Welf. & Inst. Code, § 366(f) and Cal. Rules of Court, rule 5.903 within the next six months of the date indicated in item 29.
24. The nonminor does not meet and does not intend to meet the eligibility criteria for status as a nonminor dependent but is otherwise eligible to and will remain under the juvenile court's jurisdiction in a foster care placement and the matter is set for a status review hearing on the date indicated in item 29 which is within six months of the date of the nonminor's most recent status review hearing.
25. Reasonable efforts were made to locate the nonminor under the court's jurisdiction as a dependent, ward, or nonminor dependent and his or her current location remains unknown. The juvenile court's jurisdiction over the nonminor is terminated with the juvenile court retaining general jurisdiction over the nonminor for the purpose of considering a petition filed under Welf. & Inst. Code, § 388(e) to resume dependency jurisdiction or to assume or resume transition jurisdiction over him or her as a nonminor dependent.
26. The nonminor:
- a. Does not meet the eligibility criteria for status as a nonminor dependent and is not otherwise eligible to remain under juvenile court jurisdiction;
- b. Does meet the eligibility criteria for status as a nonminor dependent but does not wish to remain under juvenile court jurisdiction as a nonminor dependent; or
- c. Does meet the eligibility criteria for status as a nonminor dependent but is not participating in a reasonable and appropriate Transitional Independent Living Case Plan; and

the nonminor was given an endorsed, filed copy of the *Termination of Juvenile Court Jurisdiction—Nonminor* (form JV-365) and the findings required in items 10, 16, 19a, and 22c were made. The juvenile court's jurisdiction over the nonminor is terminated with the juvenile court retaining general jurisdiction over the nonminor for the purpose of considering a petition filed under Welf. & Inst. Code, § 388(e) to resume dependency jurisdiction or to assume or resume transition jurisdiction over him or her as a nonminor dependent.

NONMINOR;S NAME: 	CASE NUMBER:
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27. The nonminor is no longer within the eligible age range for status as a dependent, a ward, or a nonminor dependent subject to the jurisdiction of the juvenile court. The findings required by items 19 and 22c were made. Juvenile court jurisdiction over the nonminor is dismissed

28. **Other findings and orders:**
 a. See attachment 28a.
 b. Other (*specify*):

29. **A hearing is scheduled as follows:**

Hearing date:	Time:	Dept:	Room:
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a. Nonminor dependent review hearing (Welf. & Inst. Code, § 366(f); Cal. Rules of Court, rule 5.903)
 b. Other (*specify*):

30. Number of pages attached: _____

Date: _____

JUDICIAL OFFICER

CHILD'S NAME: _____	CASE NUMBER: _____
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ATTACHMENT: ADDITIONAL FINDINGS AND ORDERS FOR CHILD APPROACHING MAJORITY—DEPENDENCY

Use this form to document the juvenile court's findings and orders regarding the child's plans for independent living and his or her status as a nonminor dependent as set forth in Cal. Rules of Court, rule 5.707, at the last status review hearing held under Welf. & Inst. Code, § 366.21 or 366.3 before the child attains 18 years of age.

BASED ON THE REPORTS READ, CONSIDERED, AND ADMITTED INTO EVIDENCE AND ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

Findings:

1. The child's Transitional Independent Living Case Plan includes a plan for the child to satisfy the following conditions of eligibility to remain under juvenile court jurisdiction as a nonminor dependent:
 - a. The child plans to continue attending high school or a high school equivalency certificate (GED) program.
 - b. The child has made plans to attend a college, a community college, or a vocational education program.
 - c. The child plans to take part in a program or activities to promote employment or overcome barriers to employment.
 - d. The child has made plans to be employed at least 80 hours a month.
 - e. The child may not be able to attend school, college, a vocational program, a program or activities to promote employment or overcome barriers to employment, or to work 80 hours per month due to a medical condition.
2. The child's Transitional Independent Living Case Plan includes an alternative plan for the child's transition to independence, including housing, education, employment, and a support system in the event the child does not remain under juvenile court jurisdiction after attaining 18 years of age.
3. The child has an in-progress application pending for title XVI Supplemental Security Income benefits and the continuation of juvenile court jurisdiction until a final decision has been issued to ensure continued assistance with the application process
 - a. is in the child's best interest.
 - b. is not in the child's best interest.
4. The child has an in-progress application pending for title XVI Supplemental Security Income benefits or for Special Juvenile Immigration Status or other application for legal residency for which an active juvenile court case is required.
5. The child was informed that upon reaching 18 years of age he or she has the right to have juvenile court jurisdiction terminated following a hearing under California Rules of Court, rule 5.555.
6. The potential benefits of remaining under juvenile court jurisdiction as a nonminor dependent were explained to the child and the child has stated that he or she understands those benefit
7. The child has been informed that if juvenile court jurisdiction is terminated, he or she may have the right to file a request to return to foster care and have the court resume jurisdiction over him or her as a nonminor dependent.
8.
 - a. All the information, documents, and services included in Welf. & Inst. Code, § 391(e) have been provided to the child.
 - b. Not all the information, documents, and services included in Welf. & Inst. Code, § 391(e) have been provided to the child and the barriers to providing any missing information, documents or services can be overcome by the date the child attains 18 years of age.
 - c. Not all the information, documents, and services included in Welf. & Inst. Code, § 391(e) have been provided to the child. The barriers to providing any missing information, documents, or services may not be overcome by the date the child attains 18 years of age. Juvenile court jurisdiction must be continued to ensure that all information, documents, and services are provided to the child.
9. For an Indian child, he or she does does not intend to continue to be considered an Indian child for the purposes of the ongoing application of the Indian Child Welfare Act to him or her as a nonminor dependent.

CHILD'S NAME: _____	CASE NUMBER
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Orders:

- 10. The child does not currently intend to remain under juvenile court jurisdiction after attaining 18 years of age as a dependent of the court or as a nonminor dependent as described in Welf. & Inst. Code, §11402(v) and, at the child's request, a hearing is ordered set under California Rules of Court, rule 5.555 for a date no more than one month after the child's 18th birthday.
- 11. The child intends to remain under juvenile court jurisdiction as a nonminor dependent residing in a placement specified in Welf. & Inst. Code, § 11402 after attaining 18 years of age, and a hearing is ordered set under Cal. Rules of Court, rule 5.903 to occur within the next six months.
- 12. The child does not currently intend to remain under juvenile court jurisdiction as a nonminor dependent residing in a placement specified in Welf. & Inst. Code, § 11402 after attaining 18 years of age, but the child is otherwise eligible to and will remain under juvenile court jurisdiction in a foster care placement, and a hearing is ordered set under Welf. & Inst. Code, § 366.21 or 366.3 no more than six months from the date of the current hearing.

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> E-MAIL ADDRESS <i>(Optional):</i> ATTORNEY FOR <i>(Name):</i></p>		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
NONMINOR'S NAME: NONMINOR'S DATE OF BIRTH: HEARING DATE AND TIME: DEPT.:		
FINDINGS AND ORDERS AFTER NONMINOR DEPENDENT REVIEW HEARING		CASE NUMBER:
Judicial Officer:	Court Clerk:	Court Reporter:
Bailliff:	Other Court Personnel:	Interpreter: Language:

- | | | | | |
|---|--------------------------|--|-------------------------|--------------------------|
| | <u>Present</u> | | <u>Attorney (name):</u> | <u>Present</u> |
| 1. Parties <i>(name):</i> | | | | |
| a. Nonminor dependent: | <input type="checkbox"/> | | | <input type="checkbox"/> |
| b. Probation officer: | <input type="checkbox"/> | | | <input type="checkbox"/> |
| c. County agency social worker: | <input type="checkbox"/> | | | <input type="checkbox"/> |
| d. Other <i>(specify)</i> : | <input type="checkbox"/> | | | <input type="checkbox"/> |
| 2. Tribal representative <i>(name)</i> : | <input type="checkbox"/> | | | <input type="checkbox"/> |
| 3. Others present in courtroom: | | | | |
| a. Other <i>(specify)</i> : | | | | |
| b. Other <i>(specify)</i> : | | | | |
| c. Other <i>(specify)</i> : | | | | |
| d. Other <i>(specify)</i> : | | | | |
| 4. The court has read and considered and admits into evidence: | | | | |
| a. <input type="checkbox"/> Report of social worker dated: | | | | |
| b. <input type="checkbox"/> Report of probation officer dated: | | | | |
| c. <input type="checkbox"/> Other <i>(specify)</i> : | | | | |
| d. <input type="checkbox"/> Other <i>(specify)</i> : | | | | |

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

5. Notice of the date, time, and location of the hearing was given as required by law.
6. **The nonminor dependent's continued placement is necessary.**
7. **The nonminor dependent's continued placement is no longer necessary.**

NONMINOR'S NAME: 	CASE NUMBER:
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8. **The nonminor dependent's current placement is appropriate.**
9. **The nonminor dependent's current placement is not appropriate.** The county agency and the nonminor dependent must work collaboratively to locate an appropriate placement.
10. The nonminor dependent's Transitional Independent Living Case Plan does include a plan for him or her to satisfy the the criteria in Welf. & Inst. Code, § 11403(b) to remain in foster care under juvenile court jurisdiction. The specific criteria it is anticipated the nonminor dependent will continue to satisfy are indicated below:
- Attending high school or a high school equivalency certificate (GED) program.
 - Attending a college, a community college, or a vocational education program.
 - Attending a program or participating in an activity that will promote or help remove a barrier to employment.
 - Employed at least 80 hours per month.
 - The nonminor dependent is not able to attend a high school, a high school equivalency certificate (GED) program, a college, a community college, a vocational education program, an employment program or activity, or to work 80 hours per month due to a medical condition.
11. The county agency has has not made reasonable efforts and provided assistance to help the nonminor dependent establish and maintain compliance with the conditions in Welf. & Inst. Code, § 11403(b).
12. The nonminor dependent was was not provided with the information, documents, and services as required under Welf. & Inst. Code, § 391(e).
13. The Transitional Independent Living Case Plan was was not developed jointly by the nonminor dependent and the county agency.
14. For the nonminor dependent who has elected to have the Indian Child Welfare Act continue to apply, the representative from his or her tribe was was not consulted during the development of the nonminor dependent's Transitional Independent Living Case Plan.
15. The nonminor dependent's Transitional Independent Living Case Plan does does not reflect the living situation and services consistent, in the nonminor dependent's opinion, with what he or she needs to gain independence and sets out benchmarks that indicate how both will know when independence can be achieved.
16. The nonminor dependent's Transitional Independent Living Case Plan does does not include appropriate and meaningful independent living skill services that will assist the youth with the transition from foster care to independent living.
17. The county agency has has not made reasonable efforts to comply with the nonminor dependent's Transitional Independent Living Case Plan, including efforts to finalize the youth's permanent plan and prepare him or her for independence.
18. The nonminor dependent did did not sign and receive a copy of his or her Transitional Independent Living Case Plan.
19. a. The extent of progress made by the nonminor dependent toward meeting the Transitional Independent Living Case Plan goals has been: excellent satisfactory minimal.
- b. The modifications to the Transitional Independent Living Case Plan goals needed to assist the nonminor dependent in his or her efforts to attain those goals were stated on the record.
20. The county agency has has not made reasonable efforts to maintain relations between the nonminor dependent and individuals who are important to him or her, including efforts to establish and maintain relationships with caring and committed adults who can serve as lifelong connections.
21. The county agency has has not made reasonable efforts to establish or maintain the nonminor dependent's relationship with his or her siblings who are under juvenile court jurisdiction.
22. The likely date by which it is anticipated the nonminor dependent will achieve independence is: _____.

NONMINOR'S NAME: 	CASE NUMBER:
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23. It appears that juvenile court jurisdiction over the nonminor may no longer be necessary and a hearing to consider termination of juvenile court jurisdiction under Cal. Rules of Court, rule 5.555 is ordered
24. At a hearing under Cal. Rules of Court, rule 5.555 held on the date below, the juvenile court entered the findings and orders as recorded on the *Findings and Orders After Hearing to Consider Termination of Juvenile Court Jurisdiction Over Nonminor* (form JV-367) and juvenile court jurisdiction is terminated pursuant to those findings and orders.
25. Juvenile court jurisdiction over the youth as a nonminor dependent is continued and
- a. The youth's permanent plan is:
- (1) Independence after a period of placement in supervised settings specified in Welf. & Inst. Code, § 11402.
- (2) Other (*specify*):
- b. The matter is continued for a hearing set under Welf. & Inst. Code, § 366(f) and Cal. Rules of Court, rule 5.903 within the next six months.
26. **All prior orders not in conflict with this order remain in full force and effect.**
27. **Other findings and orders:**
- a. See attachment 27a.
- b. (*Specify*):

28. **The next hearings are scheduled as follows:**

- a. Nonminor dependent review hearing (Welf. & Inst. Code, § 366(f); Cal. Rules of Court, rule 5.903)

Hearing date:	Time:	Dept:	Room:
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- b. Hearing to consider termination of jurisdiction under Cal. Rules of Court, rule 5.555

Hearing date:	Time:	Dept:	Room:
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- c. Other (*specify*):

Hearing date:	Time:	Dept:	Room:
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29. Number of pages attached: _____

Date: _____

JUDICIAL OFFICER

Some 18, 19, and 20 year-olds can return to the jurisdiction (authority) of the juvenile court and foster care. This form explains:

- The benefits of returning to foster care,
- Who qualifies to return to foster care, and
- How to ask to return to the jurisdiction (authority) of the juvenile court and a foster care placement.

What benefits can I get if I return to foster care?

If you return to the court's authority and foster care as a nonminor dependent, you can get money to live in supervised foster care. You would be able to live at a:

- Relative's home
- Home of a nonrelated extended family member (a person close to your family but not related to you)
- Foster home
- Group home if you need to because of a medical condition. You can also stay in a group home until your 19th birthday or until you finish high school, whichever one happens first.
- Supervised independent living setting, such as an apartment or college dormitory

You can also get:

- Clothing allowance,
- Case management services, and
- Independent Living Program services.

Do I qualify to return juvenile court jurisdiction and foster care?

You qualify if you meet these requirements:

Age Requirements:

- You are now 18, 19, or 20 years old,
- You were in foster care on your 18th birthday,* and
- You were supervised by a social worker or probation officer.

* *Even if you were on the run, you can qualify if there was an order for you to be in foster care at the time.*

Court Requirements:

The court must have made order to keep its jurisdiction (authority) to reopen your case until your 21st birthday.

Work/School Requirements:

You must want to do one of the following:

- Finish high school or get a high school equivalency (GED) certificate,
- Attend college or community college,
- Attend a vocational education program, or
- Attend a program or do activities that will help you get a job

Exception: If you have a medical problem that makes you unable to meet these requirements, you do not have to be in school, a program, or working.

Sign an Agreement to Return to Foster Care:

You and a social worker (SW) or probation officer (PO) must sign an agreement that says:

- You want to return to foster care to be placed in a supervised setting.
- The SW or PO will be responsible for your placement and care.
- Together, you and the SW or PO will make a plan that helps you to learn how to live independently.
- If you ask the SW or PO to file your court papers, you will cooperate with them.
- If your situation changes and you no longer qualify to stay in foster care, you will tell the SW or PO.

Important! Even if you are not sure you qualify, you should still apply.

When can I get help to find housing?

As soon as you sign the agreement to return to foster care, your social worker or probation officer can help you find housing and other services you may need.

**How do I ask to return to Juvenile Court
Jurisdiction and foster care?**

You - or a SW at the child welfare department or a PO at the probation department that supervised you when you were in foster care - must fill out and file the court form, *Request to Return to Juvenile Court Jurisdiction and Foster Care* (JV-466). This form tells the court you want to return to foster care.

If you want to fill out the form yourself, you can find a lot of the information you need on the form, *Termination of Juvenile Court Jurisdiction—Nonminor* (JV-365), the court gave you when you left foster care.

Where can I get the form I need to fill out?

The court may already have given you the form when your foster care ended. Or you can get the form at:

- Your county's courthouse or law library, or
- The court's website: www.courts.ca.gov/forms.htm.

What if I need help with the form?

If you want help to fill out the form, ask:

- A SW at the child welfare department or a PO at the probation department that supervised you when you were in foster care,
- The person who was your lawyer when you were in foster care, or
- A friend.

What do I do with my completed form?

You can:

- File the form yourself, or
- Ask the SW or PO to file the form for you. If you do this, they will ask you to sign an agreement to return to foster care first.

Note: If you file it yourself, your court hearing will be about three weeks sooner.

Where do I file my completed form?

You can file it by mail or in person at:

The Juvenile Court Clerk's Office for the court that terminated its jurisdiction and kept the authority to reopen your case until your 21st birthday.

You can submit it by mail or in person at:

The Juvenile Court Clerk's Office in the county where you live. The clerk will send it to the court that kept authority to reopen your case.

Important! Keep a copy of all papers you file at court. If you file in person, the clerk can give you free copies.

Do I have to pay to file the form?

No. It's free.

Do I have to fill out other court forms?

No, unless you want to keep your contact information private.

If so, do **not** put your address and other contact information on form JV-466. Instead, put it on form JV-468, *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468).

**When will the court decide if I can return to
juvenile court jurisdiction and foster care?**

If you file your court papers yourself, there will be a court hearing in about 3 weeks. The court will decide at the hearing.

If you ask a social worker or probation officer to file your court papers, you will have to wait an extra 3 weeks.

Who will decide if I am eligible?

A judge with the same court that kept the authority to reopen your case will decide if the court's jurisdiction (authority) over you should be resumed and you should be permitted to return to foster care.

The judge can decide that...

- **You do not qualify** because of your age or because there was no order retaining the court's authority to reopen your case. If this happens, you cannot file another request.
- **The court needs more information** to decide your case. If this happens, the court will deny your request and tell you what other information it needs to decide. The court will also send you a list of lawyers who can help you with your case. You can file another request that includes the information that was missing.
- **The court has enough information** to decide your case and wants you to go to a court hearing. If this happens, you will get a notice that says the date, time, and place of your hearing. The court will also assign a lawyer to speak for you at the hearing.

The court will send a copy of the notice and your papers to:

- The lawyer assigned to your case, and
- The office that supervised you when the juvenile court's jurisdiction was dismissed. That office must make a report about your eligibility to return to foster care.

If you ask for it, the court can also send a notice to your parents or former legal guardian and the CASA office for your former CASA.

What happens at the hearing?

At your hearing, the judge will review the evidence and decide your case.

If the court decides you meet the requirements, you will be allowed to return to foster care. You will also have to go back to court in 6 months to tell the court how you are doing. Your lawyer will also go with you to that hearing.

If you used to be a dependent, you will be under the juvenile court's dependency jurisdiction.

If you used to be a ward, you will be under the juvenile court's transition jurisdiction.

If the court denies your request, you can file your request again if your situation changes and you meet the requirements.

Clerk stamps date here when form is filed.

This form can be used if the court kept its jurisdiction (authority) over you just in case you wanted to return to the court’s jurisdiction and a foster care placement. If you don’t want other people, for example, a parent or brother or sister who was part of your case when you were a child, to know your contact information, do not write it in ①. Write that information on *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468). Read *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-464-INFO) for information about filling out and filing the forms. If you do not know the information asked for, leave the space blank. Remember to get and keep copies of all court papers and other papers you sign or receive from the child welfare services agency or the probation department.

Fill in court name and street address:

Superior Court of California, County of

Fill in your name:

Name:

Fill in case number, if known:

Case Number:

- ① Your information:
 - a. Your address: _____
 - b. Your city, state, zip code: _____
 - c. Your area code and telephone number: _____
 - d. Your date of birth: _____
- ② The location of the juvenile court that had authority over you when you turned 18 years old.
 - a. City: _____
 - b. County: _____
- ③ The name and court file number or case number of your case in juvenile court:
 - a. Name of your case: _____
 - b. Court file number or case number: _____
- ④ The date the juvenile court terminated its jurisdiction (authority) over you: _____
- ⑤ I need help to keep or find an appropriate place to live.
 - I need a placement right now.
- ⑥ Voluntary Reentry Agreement with child welfare services or the probation department to return to foster care:
 - I agree to sign a voluntary reentry agreement for a supervised placement
 - I signed a voluntary reentry agreement for a supervised placement on (date): _____ with
 - Child welfare services
 - Probation department



Your name: _____

- 7 You must plan to meet at least one of the five conditions listed below. Please check all that apply to you:
- a. I plan to attend a high school or a high school equivalency certificate (GED) program.
 - b. I plan to attend a college, a community college, or a vocational education program.
 - c. I plan to attend a program or take part in activities that will help train me to be employed or will help me solve problems that prevented me from finding a job.
 - d. I plan to work at least 80 hours per month.
 - e. I cannot go to a high school, a high school equivalency certificate (GED) program, a college, a community college, a vocational education program, take part in a program or activities to help me find a job, or work 80 hours per month because of a medical condition.

- 8 The judge will set a hearing about this request if the judge decides that he or she has enough information to think that you have probably satisfied all the requirements.
- Do you want your parents or former legal guardian to be told about the hearing if the judge sets one?
- NO. I do not want my parents or former legal guardian to be told about the hearing.
 - YES. I do want my parents or formal legal guardian to be told about the hearing. Their names and addresses are:

Parent's name and address: _____

Parent's name and address: _____

Former legal guardian's name and address: _____

- 9 The judge will give you a free lawyer to help before and during the hearing. If you want the lawyer who represented you when you were a dependent, ward, or nonminor dependent, please write the lawyer's name and telephone number on the line below, and if that lawyer is available, the court will appoint him or her to help you before and during the hearing.

Name and telephone number of the lawyer who used to represent me and who I want to represent me again:

- 10 Did you have a Court Appointed Special Advocate (CASA)?
- NO. I did not have a CASA.
 - YES. I did have a CASA.
- Would you like the CASA to be told about the hearing if the judge schedules a hearing?
- NO. I do not want the CASA to be told about the hearing.
 - YES. I want the CASA to be told about the hearing. The name of the person who was my CASA is:



Your name: _____

11 Did the Indian Child Welfare Act apply to you when you were under juvenile court jurisdiction as a child?

a. NO. The Indian Child Welfare Act did not apply to me.

YES. The Indian Child Welfare Act did apply to me.

Would you like to have the Indian Child Welfare Act apply to you as a nonminor dependent?

NO. I do not want the Indian Child Welfare Act to apply to me.

YES. I do want the Indian Child Welfare Act to apply to me. The name of my tribe and the name, address, and telephone number of my tribal representative is: _____

b. I DO NOT KNOW if the Indian Child Welfare Act applied to me.

1. I am or may be a member of, or eligible for membership in, a federally recognized Indian tribe.

Name of tribe(s) (*name each*):

Name of band (*if applicable*):

2. I may have Indian ancestry

Name of tribe(s) (*name each*):

Name of band (*if applicable*):

3. I have no Indian ancestry as far as I know.

12 Your verification:

I declare under penalty of perjury under the laws of the State of California that the information in this form, all attachments, and in the *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468), if filed, is true and correct to my knowledge. I understand that this means I am guilty of a crime if I lie on this form, any of the attachments, or the form JV-468, if filed.

Date: _____

Type or print your name

Sign your name

13 Verification by nonminor's representative:

The nonminor is unable to provide verification due to a medical condition. I declare under penalty of perjury under the laws of the State of California that the information in this form, all attachments, and in the *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468), if filed, is true and correct to my knowledge. I understand that this means I am guilty of a crime if I lie on this form, any of the attachments, or the form JV-468, if filed.

Date: _____

Type or print representative's name

Signature of representative

**Confidential Information—
Request to Return to Juvenile Court
Jurisdiction and Foster Care**

This information about the nonminor provided by him or her must be kept under seal in the court file. The court, the nonminor, the nonminor's attorney, and the county agency designated to provide supervision of the nonminor may look at this information.

To the nonminor: Complete this form and bring it and the *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466) to the clerk of the juvenile court for filing.

- ① Your information:
- a. Your address: _____

 - b. Your city, state, zip code: _____
 - c. Your telephone number: _____

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Fill in your name:

Name:

Fill in case number, if known:

Case Number:

MINOR'S NAME: _____	CASE NUMBER: _____
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ATTACHMENT: ADDITIONAL FINDINGS AND ORDERS FOR MINOR APPROACHING MAJORITY—DELINQUENCY

Use this form to document the juvenile court's findings and orders regarding the possible modification of jurisdiction over the minor from delinquency jurisdiction to transition jurisdiction or dependency jurisdiction, the minor's plans for independent living, and his or her status as a nonminor dependent as set forth in Cal. Rules of Court, rule 5.812, at the following hearings:

1. A review hearing under Welf. & Inst. Code, § 727.2 held on behalf of a minor approaching majority.
2. A review hearing under Welf. & Inst. Code, § 727.2 during which a recommendation to terminate juvenile court jurisdiction is considered, held on behalf of a minor more than 17 years, 5 months old and less than 18 years of age; or
3. Any other hearing, during which a recommendation to terminate juvenile court jurisdiction is considered, held on behalf of a minor more than 17 years, 5 months old and less than 18 years of age who is in a foster care placement or who was subject to an order for a foster care placement as a dependent when he or she was adjudged to be a ward.

BASED ON THE REPORTS READ, CONSIDERED, AND ADMITTED INTO EVIDENCE AND ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

Findings:

1. a. The minor's rehabilitative goals have been met. Juvenile court jurisdiction over the minor as a ward is no longer required. The facts supporting this finding are stated on the record.
b. The minor's rehabilitative goals have not been met. Continued juvenile court jurisdiction over the minor as ward is required. The facts supporting this finding are stated on the record.
2. For a dual status minor for whom dependency jurisdiction was suspended under section 241.1(e)(5)(A):
 - a. A return to the minor's home would be detrimental to the minor and juvenile court jurisdiction over the minor as a dependent should be resumed. The facts supporting this finding were stated on the record.
 - b. A return to the minor's home would not be detrimental to the minor and juvenile court jurisdiction over the minor as a dependent does not need to be resumed. The facts supporting this finding were stated on the record.
3. For a dual status minor for whom the probation department was designated the lead agency under section 241.1(e)(5)(B):
 - a. A return to the minor's home would be detrimental to the minor, and juvenile court jurisdiction over the minor as a dual status child is no longer required. The facts supporting this finding were stated on the record.
 - b. A return to the minor's home would not be detrimental to the minor and juvenile court jurisdiction over the minor as a dependent is not required. The facts supporting this finding were stated on the record.
4. For other than a dual status minor:
 - a. The minor is is not at risk of abuse or neglect. The facts supporting this finding are stated on the record.
 - b. The minor's return to the home of his or her parent or legal guardian would would not create a substantial risk of detriment to the minor's safety, protection, or physical or emotional well-being. The facts supporting this finding are stated on the record.
 - c. Reunification services have have not been terminated.
 - d. The minor's case has has not been set for a hearing to terminate parental rights or establish a guardianship.
 - e. The minor does does not intend to sign a mutual agreement for a placement in a supervised setting as a nonminor dependent.

MINOR'S NAME: 	CASE NUMBER:
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5. The minor's Transitional Independent Living Case Plan includes a plan for the minor to satisfy the following conditions of eligibility to remain under juvenile court jurisdiction as a nonminor dependent:
 - a. The minor plans to continue attending high school or a high school equivalency certificate (GED) program.
 - b. The minor has made plans to attend a college, a community college, or a vocational education program.
 - c. The minor plans to take part in a program or activities to promote employment or overcome barriers to employment.
 - d. The minor has made plans to be employed at least 80 hours a month.
 - e. The minor may not be able to attend school, college, a vocational program, a program or activities to promote employment or overcome barriers to employment, or to work 80 hours per month due to a medical condition.

6. The minor's Transitional Independent Living Case Plan includes an alternative plan for the minor's transition to independence, including housing, education, employment, and a support system in the event the minor does not remain under juvenile court jurisdiction after attaining 18 years of age.

7. For an Indian child, he or she does does not intend to continue to be considered an Indian child for the purposes of the ongoing application of the Indian Child Welfare Act to him or her as a nonminor dependent.

8. The minor has an in-progress application pending for title XVI Supplemental Security Income benefits and the continuation of juvenile court jurisdiction until a final decision has been issued to ensure continued assistance with the application process is is not in the minor's best interest.

9. The minor has an in-progress application pending for title XVI Supplemental Security Income benefits or for Special Juvenile Immigration Status or other application for legal residency for which an active juvenile court case is required.

10. The potential benefits of remaining under juvenile court jurisdiction as a nonminor dependent were explained to the minor and the minor has stated that he or she understands those benefits.

11. The minor was informed that he or she may decline to become a nonminor dependent.

12. The minor was informed that upon reaching 18 years of age he or she may have the right to have juvenile court jurisdiction terminated following a hearing under California Rules of Court, rule 5.555.

13. The minor has been informed that if juvenile court jurisdiction is terminated, he or she may have the right to file a request to return to foster care and have the court resume jurisdiction over him or her as a nonminor dependent.

14.
 - a. All the information, documents, and services included in Welf. & Inst. Code, § 391(e) have been provided to the minor.
 - b. Not all the information, documents, and services included in Welf. & Inst. Code, § 391(e) have been provided to the minor and the barriers to providing any missing information, documents, or services can be overcome by the date the attains 18 years of age
 - c. Not all the information, documents, and services included in Welf. & Inst. Code, § 391(e) have not been provided to the minor. The barriers to providing any missing information, documents, or services may not be overcome by the date the minor attains 18 years of age. Juvenile court jurisdiction must be continued to ensure that all information, documents, and services are provided to the minor.

15. The matter being before the juvenile court on a request for termination of jurisdiction over a minor currently or previously subject to an order for foster care placement, the juvenile court was was not provided with verification that the requirements of Welf. & Inst. Code, § 607.5 were met.

MINOR'S NAME: _____	CASE NUMBER: _____
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Orders:

16. The minor having been previously determined to be a dual status child under Welf. & Inst. Code, § 241.1(e)(5)(A) and this court having found that juvenile court jurisdiction over the minor as a dependent should be resumed, orders:
- a. Dependency jurisdiction over the minor previously suspended is resumed and delinquency jurisdiction is dismissed.
 - b. The matter is continued for a status review hearing set under Welf. & Inst. Code, § 366.21 or § 366.3 on the date stated on the record which is within six months of the date of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or 727.3.
17. The minor having been previously determined to be a dual status child under Welf. & Inst. Code, § 241.1(e)(5)(B) and this court having found that the child's rehabilitative goals were achieved, that a return to the minor's home would be detrimental and that juvenile court jurisdiction over the minor as a dual status child is no longer required, orders:
- a. The child's dual status is terminated, delinquency jurisdiction over the minor is dismissed, and dependency jurisdiction is continued with the child welfare services department responsible for the child's placement and care.
 - b. The matter is continued for a status review hearing set under Welf. & Inst. Code, § 366.21 or § 366.3 on the date stated on the record which is within six months of the date of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.
18. The minor comes within the juvenile court's transition jurisdiction as described in Welf. & Inst. Code, § 450.
- a. The minor was originally removed from the physical custody of his or her parents or legal guardians on **(specify date):** _____ and continues to be removed from their custody.
 - b. The removal findings, "continuation in the home is contrary to the child's welfare" and "reasonable efforts were made to prevent removal," made at that hearing remain in effect.
 - c. The child welfare services department probation department is responsible for the minor's placement and care.
- The minor is adjudged a transition dependent pending his or her attaining the age of 18 years and assuming the status of a nonminor dependent under the transition jurisdiction of this court. The matter is continued for a status review hearing set under Cal. Rules of Court, rule 5.903 on the date stated on the record which is within six months of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or 727.3.
19. The minor (1) was not a court dependent at the time he or she was declared a ward; (2) is currently subject to an order for a foster care placement; (3) does not come within the juvenile court's transition jurisdiction; (4) has achieved his or her rehabilitative goals; (5) no longer requires delinquency jurisdiction; and (6) appears to come within the description of Welf. & Inst. Code, § 300 and a return to the home of the parent or legal guardian may be detrimental to his or her safety, protection, or physical or emotional well-being.
- a. The probation officer minor's attorney must submit an application, under Welf. & Inst. Code, § 329, to the child welfare services department to commence a proceeding to declare the minor a dependent of the court.
 - b. The matter is set for a hearing to review the child welfare services department's decision on the date stated on the record which is within 20 court days of the date of this order.

MINOR'S NAME: _____	CASE NUMBER: _____
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20. The minor (1) was a court dependent at the time he or she was declared a ward; (2) does not come within the juvenile court's transition jurisdiction; (3) has achieved his or her rehabilitative goals; (4) no longer requires delinquency jurisdiction; and (5) remains within the description of a dependent child under Welf. & Inst. Code, § 300 and a return to the home of a parent or legal guardian would create a substantial risk of detriment to his or her safety, protection, or physical or emotional well-being.
- a. The minor was originally removed from the physical custody of his or her parents or legal guardians on **(specify date):** _____ and continues to be removed from their custody.
 - b. The removal findings, "continuation in the home is contrary to the child's welfare" and "reasonable efforts were made to prevent removal," made at that hearing remain in effect.
 - c. The child welfare services department probation department is responsible for the minor's placement and care.

The order terminating jurisdiction over the minor as a dependent of the juvenile court is vacated and dependency jurisdiction over the minor is resumed. Delinquency jurisdiction is terminated. The matter is continued for a status review hearing set under Cal. Rules of Court, rule 5.903 on the date stated on the record which is within six months of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or 727.3.

21. Jurisdiction over the minor is not modified from delinquency jurisdiction to dependency jurisdiction or transition jurisdiction:
- a. The minor is returned to the home of the parent or legal guardian. A progress report hearing is set on the date stated on the record.
 - b. The minor is returned to the home of the parent or legal guardian and juvenile court jurisdiction of the minor is terminated as set forth in *Petition to Terminate Wardship and Order* (form JV-794).
 - c. Delinquency jurisdiction is continued and the order for an out-of-home placement in a non-foster care placement remains in full force and effect. A progress report hearing is set on the date stated on the record.
 - d. Delinquency jurisdiction is continued and the order for a foster care placement remains in full force and effect.
 - (1) The minor intends to meet the eligibility requirements for status as a nonminor dependent after attaining 18 years of age and a status review hearing is set under Cal. Rules of Court, rule 5.903 on the date stated on the record which is within six months of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or 727.3.
 - (2) The minor does not intend to meet the eligibility requirements for status as a nonminor dependent after attaining 18 years of age.
 - (a) A hearing to terminate delinquency jurisdiction under Welf. & Inst. Code, §§ 607.2(b)(4) and 607.3 is set for the date stated on the record which is within one month of the minor's 18th birthday.
 - (b) A status review hearing is set under Welf. & Inst. Code, § 727.2. on the date stated on the record which is within six months of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or 727.3.

MINOR'S NAME: _____	CASE NUMBER: _____
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**ATTACHMENT: HEARING FOR DISMISSAL—ADDITIONAL
FINDINGS AND ORDERS—FOSTER CARE PLACEMENT—DELINQUENCY**

Use this form to document the juvenile court's findings and orders regarding the possible modification of jurisdiction over a minor who is 17 years, 5 months of age or younger from that of a ward to that of a dependent at the following hearings:

1. A review hearing under Welf. & Inst. Code, § 727.2 or § 727.3 held on behalf of a minor 17 years, 5 months of age or younger, during which a recommendation to terminate juvenile court jurisdiction is considered.
2. Any other hearing held on behalf of a minor 17 years, 5 months of age or younger who is in a foster care placement, during which a recommendation to terminate juvenile court jurisdiction is considered.
3. Any hearing held on behalf of a minor who is not currently in a foster care placement but was in such a placement when he or she was adjudged a ward, during which a recommendation to terminate juvenile court jurisdiction is considered.

BASED ON THE REPORTS READ, CONSIDERED, AND ADMITTED INTO EVIDENCE AND ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

Findings:

1. a. The minor's rehabilitative goals have been met. Juvenile court jurisdiction over the minor as a ward is no longer required. The facts supporting this finding were stated on the record.
b. The minor's rehabilitative goals have not been met. Continued juvenile court jurisdiction over the minor as a ward is required. The facts supporting this finding were stated on the record.
2. For a dual status minor for whom dependency jurisdiction was suspended under section 241.1(e)(5)(A):
a. A return to the minor's home would be detrimental to the minor and juvenile court jurisdiction over the minor as a dependent should be resumed. The facts supporting this finding were stated on the record.
b. A return to the minor's home would not be detrimental to the minor and juvenile court jurisdiction over the minor as a dependent does not need to be resumed. The facts supporting this finding were stated on the record.
3. For a dual status minor for whom the probation department was designated the lead agency under section 241.1(e)(5)(B):
a. A return to the minor's home would be detrimental to the minor, and juvenile court jurisdiction over the minor as a dual status child is no longer required. The facts supporting this finding were stated on the record.
b. A return to the minor's home would not be detrimental to the minor and juvenile court jurisdiction over the minor as a dependent is not required. The facts supporting this finding were stated on the record.
4. For a minor other than a dual status minor:
a. The minor is is not at risk of abuse or neglect. The facts supporting this finding are stated on the record.
b. The minor's return to the home of his or her parent or legal guardian would would not create a substantial risk of detriment to the minor's safety, protection, or physical or emotional well-being. The facts supporting this finding are stated on the record.
5. The matter being before the juvenile court on a request for termination of jurisdiction over a minor currently or previously subject to an order for foster care placement, the juvenile court was was not provided with verification that the requirements of Welf. & Inst. Code § 607.5 were met.

Orders:

6. The minor having been previously determined to be a dual status child under Welf. & Inst. Code, § 241.1(e)(5)(A) and this court having found that juvenile court jurisdiction over the minor as a dependent should be resumed, orders:
 - a. Dependency jurisdiction over the minor previously suspended is resumed and delinquency jurisdiction is dismissed.
 - b. The matter is continued for a status review hearing set under Welf. & Inst. Code, § 366.21 or § 366.3 on the date stated on the record which is within six months of the date of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.

MINOR'S NAME: 	CASE NUMBER:
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7. The minor having been previously determined to be a dual status child under Welf. & Inst. Code, § 241.1(e)(5)(B) and this court having found that the child's rehabilitative goals were achieved, that a return to the minor's home would be detrimental and that juvenile court jurisdiction over the minor as a dual status child is no longer required, orders:
- The child's dual status is terminated, delinquency jurisdiction over the minor is dismissed, and dependency jurisdiction is continued with the child welfare services department responsible for the child's placement and care.
 - The matter is continued for a status review hearing set under Welf. & Inst. Code, § 366.21 or § 366.3 on the date stated on the record which is within six months of the date of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.
8. The minor (1) was not a court dependent at the time he or she was declared a ward; (2) is currently subject to an order for a foster care placement; (3) does not come within the juvenile court's transition jurisdiction; (4) has achieved his or her rehabilitative goals; (5) no longer requires delinquency jurisdiction; and (6) appears to come within the description of Welf. & Inst. Code, § 300 and a return to the home of the parent or legal guardian may be detrimental to his or her safety, protection, or physical or emotional well-being.
- The probation officer minor's attorney must submit an application, under Welf. & Inst. Code, § 329, to the county child welfare services department to commence proceeding to declare the minor a dependent if the court.
 - The matter is set for a hearing to review the county child welfare services department's decision on the date stated on the record which is within 20 court day of the date of this order.
9. The minor (1) was a court dependent at the time he or she was declared a ward; (2) does not come within the juvenile court's transition jurisdiction; (3) has achieved his or her rehabilitative goals; (4) delinquency jurisdiction is no longer required; and (5) he or she remains within the description of a dependent child under Welf. & Inst. Code, § 300 and a return to the home of a parent or legal guardian would create a substantial risk of detriment to his or her safety, protection, or physical or emotional well-being.
- The minor was originally removed from the physical custody of his or her parents or legal guardians on **(specify date):** _____ and continues to be removed from their custody.
 - The removal findings, "continuation in the home is contrary to the child's welfare" and "reasonable efforts were made to prevent removal," made at that hearing remain in effect.
 - The child welfare services department probation department is responsible for the minor's placement and care.
- The order terminating jurisdiction over the minor as a dependent of the juvenile court is vacated and dependency jurisdiction over the minor is resumed. Delinquency jurisdiction is terminated. The matter is continued for a status review hearing set under Welf. & Inst. Code, § 366.21 or 366.3 on the date stated on the record which is within six months of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.
10. Jurisdiction over the minor was not modified from delinquency jurisdiction to dependency jurisdiction or transition jurisdiction:
- The minor is returned to the home of the parent or legal guardian. A progress report hearing is set on the date stated on the record.
 - The minor is returned to the home of the parent or legal guardian and juvenile court jurisdiction of the minor is terminated as set forth in *Petition to Terminate Wardship and Order* (form JV-794).
 - Delinquency jurisdiction is continued and the order for an out-of-home placement in a non-foster care placement remains in full force and effect. A progress report hearing is set on the date stated on the record.
 - Delinquency jurisdiction is continued and the order for a foster care placement remains in full force and effect. The matter is continued for a status review hearing set under Welf. & Inst. Code, § 727.2 or § 727.3 on the date stated on the record which is within six months of the minor's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.