



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on October 25, 2013

Title	Agenda Item Type
Juvenile Law: Extended Foster Care	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Adopt Cal. Rules of Court, rules 5.813 and 5.814; amend rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906; renumber form JV-682 to JV-688 and approve new form JV-682; approve forms JV-470, JV-472, JV-475, JV-477, JV-479, and JV-683; and revise forms JV-281, JV-282, JV-460, JV-462, and JV-680	October 25, 2013 and January 1, 2014
	Date of Report
	October 3, 2013
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Recommended by	
Family and Juvenile Law Advisory Committee	
Hon. Jerilyn L. Borack, Cochair	
Hon. Kimberly J. Nystrom-Geist, Cochair	

Executive Summary

The Family and Juvenile Law Advisory Committee recommends adopting two new rules, amending seven rules, approving seven new optional forms, and revising five forms to implement new legislation and provide further guidance and procedures to fully implement earlier legislation¹ regarding the extension of juvenile court jurisdiction and foster care services to dependents and wards up to 21 years of age.

¹ Assem. Bill 12 (Beall; Stats. 2010, ch. 559), the California Fostering Connections to Success Act, as amended by Assem. Bill 212 (Beall; Stats. 2011, ch. 459). The Judicial Council adopted and approved rules and forms implementing AB 12 in 2011 and AB 212 in 2012.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective October 25, 2014:

1. Adopt new *Agreement of Adoption of Nonminor Dependent* (form JV-475), *Consent of Spouse or Registered Domestic Partner to Adoption of Nonminor Dependent* (form JV-477), and *Order of Adoption of Nonminor Dependent* (form JV-479) to provide optional forms to implement the option of adult adoption as a permanent plan for nonminor dependents as provided by AB 1712.

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2014:

1. Adopt rule 5.813 of the California Rules of Court to state the procedures to be followed when a court is considering modifying the jurisdictional status of a ward from delinquency to transition jurisdiction when the ward is at least 18 years of age.
2. Adopt rule 5.814 to state the procedures to be followed when a court is considering modifying the jurisdictional status of a ward from delinquency to transition jurisdiction when the ward is older than 17 years, 5 months of age and younger than 18 years of age.
3. Amend rule 5.555 concerning termination of juvenile court jurisdiction over a nonminor in foster care or a nonminor dependent to include statutory changes allowing parents of nonminors to receive reunification services and be returned to the home of a parent or former legal guardian, remove the requirement that all court findings be made orally, and clarify the age parameters of the rule consistent with recent statutory change extending nonminor dependent eligibility to age 21.
4. Amend rule 5.570 concerning modification petitions in dependency matters subject to Welfare and Institutions Code section 388² to clarify that nonminor dependents can file modification petitions as provided in Assembly Bill 1712 (Beall; Stats. 2012, ch. 846), incorporate the heightened standard of proof required for modification petitions for parents denied reunification services consistent with the changes made by Senate Bill 1425 (Stats. 2012, ch. 179),³ and remove unnecessary and outdated provisions.
5. Amend rule 5.707 concerning the last review hearing for a dependent before reaching age 18 to remove the requirement that findings and orders be made orally and that the court order be signed.

² Note that all future references are to the Welfare and Institutions Code, unless otherwise stated.

³ This proposed change to rule 5.570 was circulated for comment separately from the other changes discussed in this report but is included here so that the council can review all the proposed changes to rule 5.570.

6. Amend rule 5.812 concerning the last review hearing for a ward before reaching age 18 or any hearing to terminate jurisdiction over a ward in foster care or who was in foster care when adjudged a ward to remove the requirement that findings and orders be made orally and that the court order be signed.
7. Amend rule 5.900 concerning the procedures for courts with regard to nonminor dependents to clarify that nonminors who are delinquents and in foster care are not placed voluntarily and that nonminor delinquents may have their decisionmaking authority limited, and to implement the requirement that nonminor dependents have separate court files.
8. Amend rule 5.903 concerning nonminor dependent status review hearings to incorporate statutory changes concerning reunification services and the possible return of a nonminor to a parent or former legal guardian's residence and to remove the requirement that findings and orders be made orally and that the court order be signed.
9. Amend rule 5.906 concerning a request by a nonminor to reenter foster care and resume juvenile court jurisdiction to clarify the age parameters of the rule consistent with recent statutory change extending nonminor dependent eligibility to age 21 and to remove the requirement that findings and orders be made orally and that the court order be signed.
10. Revise and renumber *Continuance—Juvenile Delinquency* (current form JV-682) to be form JV-688 so that all the forms relating to nonminor dependents in delinquency proceedings are grouped together in numerical order.
11. Adopt new *Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Child Younger Than 18 Years of Age* (form JV-682) and *Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Ward Older Than 18 Years of Age* (form JV-683) to provide optional forms for probation departments and court to make required findings and orders to support a modification of jurisdiction from delinquency to transition jurisdiction.
12. Adopt new *Findings and Orders Regarding Prima Facie Showing on Nonminor's Request to Reenter Foster Care* (form JV-470) and *Findings and Orders After Hearing to Consider Nonminor's Request to Reenter Foster Care* (form JV-472) to provide agencies and the courts with optional forms to use to make required reentry findings and orders.
13. Revise *Notice of Hearing—Nonminor* (form JV-281) and *Proof of Service—Nonminor* (form JV-282) to require and allow for notice to parents of nonminors who are receiving reunification services.

14. Revise *Attachment: Additional Findings and Orders for Child Approaching Majority – Dependency* (form JV-460) to correct an erroneous statutory reference.⁴
15. Revise *Findings and Orders After Nonminor Dependent Status Review Hearing* (form JV-462) to incorporate statutory changes concerning findings required if a parent is receiving reunification services and for a nonminor residing in the home of a parent or former legal guardian.
16. Revise *Attachment: Additional Findings and Orders for Minor Approaching Majority—Delinquency* (form JV-680) to allow it to be used as a stand-alone form and not simply as an attachment.

The proposed text of the new and amended rules is attached at pages 12—31. The proposed new and revised forms are attached at pages 32—61.

Previous Council Action

The Judicial Council was a cosponsor of AB 12, the original legislation that authorized extended foster care for young adults ages 18 to 21, which was enacted in 2010, with most of its provisions effective January 1, 2012. The council has supported each of the subsequent cleanup bills to make changes to ensure smooth and effective implementation of AB 12: AB 212 in 2011, AB 1712 in 2012, and Assembly Bill 787 (Stone; Stats. 2013, ch. 487) in 2013. AB 787 was signed by the Governor on October 2, 2013 and becomes effective January 1, 2014.

The council adopted rules 5.555, 5.707, 5.812, 5.900, 5.903, and 5.906, and forms JV-281, JV-282, JV-460, JV-462, and JV-680, effective January 1, 2012, to ensure that the provisions of AB 12 could be implemented by the courts when the statute took effect. The council subsequently revised rules 5.555, 5.707, 5.81, 5.906, and forms JV-281, JV-460, JV-462, and JV-680, effective July 1, 2012, to implement modifications of AB 12 made by AB 212 as well as changes required in rules and forms that were adopted before circulation for public comment.

Rule 5.570, on petitions for modification in dependency matters, was adopted by the Judicial Council as rule 1432, effective January 1, 1991, and has been amended numerous times. The most recent amendments were effective January 1, 2010, to implement statutory changes concerning the specific findings that the court must make before terminating an order for reunification services before a certain date.

The council adopted form JV-682, effective January 1, 2012, to provide a form for continuances in juvenile delinquency proceedings.

⁴ This form was not circulated for comment as part of this proposal, but a comment noting the use of an erroneous statutory reference in this form was submitted in response to this proposal and has been included as a technical change which can be made without circulation for public comment as provided in rule 10.22(d).

Rationale for Recommendation

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (Pub.L. No. 110-351) made extensive policy and program changes to improve the outcomes for children in the foster care system, including the extension of foster care services to nonminors up to age 21 when certain education, training, or work requirements are met or are incapable of being met due to a medical condition. California chose to participate in this voluntary program, and AB 12, the California Fostering Connections to Success Act, as amended by AB 212, enacted extensive changes to California statutes to comply with provisions of the federal act.

As work continued on the implementation of AB 12 and AB 212, the need to revise further sections of the act to fully comply with the federal legislation and eliminate ambiguities became apparent, and AB 1712 was signed into law with an effective date of January 1, 2013. Similar cleanup of AB 12 is contained in Assembly Bill 787.

This proposal is needed to make the current rules and forms conform to recent changes in the law. It is also responsive to identified concerns and problems that arose from work implementing AB 12 and AB 212, including clarifying the requirements for court hearings when a ward has met his or her rehabilitative goals, creating an optional form to document the court's findings and orders at a hearing when a nonminor requests to reenter foster care, and removing the requirement that the findings and orders required by the California Rules of Court be made orally at the hearing. Additionally, this proposal includes changes to conform to recently enacted legislation (AB 787), with an effective date of January 1, 2014, so that the rules and forms will be current when they become effective, also on January 1, 2014. The specific changes proposed by the committee are described below.

Rules and forms to modify jurisdiction from delinquency to transition

Many courts and probation departments have contacted AOC staff for guidance regarding the court procedure for modifying juvenile court delinquency jurisdiction to transition jurisdiction when a ward reaches his or her rehabilitative goals before a review hearing is scheduled to occur. The committee is recommending the adoption of two new rules of court and two new optional forms to assist courts in carrying out their responsibilities in these cases.

Rules 5.813 and 5.814. Rule 5.813 would be adopted to address the purpose, setting and conduct, notice, written report requirements, and required findings and orders of a hearing to modify delinquency jurisdiction to transition jurisdiction for a ward who is at least 18 years of age and less than 21 years of age. Because the applicable statutes have different requirements for children, the committee also recommends adopting rule 5.814, which addresses the procedures for modifying jurisdiction for a ward older than 17 years, 5 months and younger than 18 years of age.

JV-682 and JV-683: New transition jurisdiction forms. Courts and probation departments have frequently requested guidance from AOC staff on which findings and orders are required when a

court modifies delinquency jurisdiction to transition jurisdiction when a ward reaches his or her rehabilitative goals between scheduled hearings. Two forms would be adopted for optional use, *Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Child Younger Than 18 Years of Age* (form JV-682) and *Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Ward Older Than 18 Years of Age* (form JV-683), to provide a mechanism for probation departments to make recommended findings and orders and for courts to make the findings and orders required under sections 451 and 727.2 and newly proposed rules 5.813 and 5.814.

Elimination of the requirement to make oral findings and orders

To provide overburdened courts with more time to engage with youth on their individualized plans, the committee is proposing to remove the requirements in the extended foster care rules that a court's findings and orders be made on the record and that the orders be signed. Several courts have expressed frustration with these requirements, and the committee recommends removing the oral requirement, which will enable courts to spend more time engaging the youth who appear before them and making inquiries to ensure they are on a path to successful independent living. The court must still document its findings and orders in writing; optional Judicial Council forms are available to ease the burden on local courts of creating their own findings and orders documents for the various extended foster care hearings. The committee recommends amending rules 5.555, 5.707, 5.812, 5.903, and 5.906 to delete this non-statutorily mandated requirement.

Reunification services and possible return home for nonminor dependents

As described above, AB 1712 and AB 787 have provided clear authority for parents of nonminors to continue to receive reunification services under specified circumstances, and AB 787 provides the court with the authority to return a nonminor to the home of a parent or former legal guardian from whom the nonminor was previously removed. To accommodate this change, a number of rules and forms require amendments. The committee recommends amending rules 5.555 and 5.903 and forms JV-281, JV-282, and JV-462 to incorporate the changes pertaining to reunification services and the new option for the court to return the nonminor to the home of the parent and provide for notice of review hearings to parents who are receiving reunification services.

Provision for extended foster care up to age 21

When AB 12 was enacted, it provided that extension of foster care support services for youth aged 20 to 21 years would be contingent on an appropriation of funds for this purpose. As a result, many of the current extended foster care rules reflect this contingent language. Since those rules were adopted, the legislature has appropriated the funding for the extension to age 21. Given this change, the committee recommends amending rules 5.555 and 5.906 to clarify that youth are eligible for extended care up to age 21.

Rule and form changes for modification petitions

Rule 5.570 (Request to change court order (petition for modification)). The committee recommends the following changes to rule 5.570 to enact legislative changes and clarify its application:

- Include AB 1712's clarification that nonminor dependents can file section 388 petitions.
- Remove unnecessary language to make the rule easier to read.
- Remove statutorily incorrect uses of a section 388 petition.
- Include changes to this rule required to implement SB 1425, which set a higher standard of proof for petitioners seeking to modify the order of a dependency court when the court has denied the parent reunification services.⁵

Forms for reentry petitions for modification. The committee recommends that two new optional forms be adopted to facilitate the process whereby a nonminor who chose to exit foster care could request to reenter foster care and have juvenile court jurisdiction resumed over him or her. Courts, social service agencies, and probation departments have frequently requested guidance from AOC staff regarding the findings and orders required for this reentry process. *Findings and Orders Regarding Prima Facie Showing on Nonminor's Request to Reenter Foster Care* (form JV-470) and *Findings and Orders After Hearing to Consider Nonminor's Request to Reenter Foster Care* (form JV-472) would provide a way for agencies to make recommended findings and orders and for courts to make the findings and orders required under section 388(e) and rule 5.906.

Forms to facilitate adult adoptions of nonminor dependents in juvenile court

AB 1712 created a new permanent plan for nonminor dependents—adult adoption with a requirement that the court consider a report on the proposed adoption by the nonminor's social worker or probation officer and make certain findings before entering an order of adoption. Three new forms would be approved for optional use to provide courts with tools for finalizing adoptions of nonminor dependents: *Agreement of Adoption of Nonminor Dependent* (form JV-475), *Consent of Spouse or Registered Domestic Partner to Adoption of Nonminor Dependent* (form JV-477), and *Order of Adoption of Nonminor Dependent* (form JV-479). These forms are proposed to be adopted with an immediate effective date of October 25, 2013 so that courts that are currently in the process of finalizing such adoptions will have forms available to exercise that permanency option for the nonminor dependents under their jurisdiction.

Delinquency form revisions

The committee recommends modification of two delinquency forms: *Attachment: Additional Findings and Orders for Minor Approaching Majority—Delinquency* (form JV-680) and *Continuance—Juvenile Delinquency* (JV-682). Form JV-680 would be amended to allow its use

⁵ This change to rule 5.570 was circulated for comment in a different invitation to comment (SPR 13-27) but is included in this report so that the council can consider all the changes to this rule in one report. All of the comments on SPR 13-27 were in agreement with the proposed changes, without modification.

as a “standalone” form. Currently, JV-680 is an attachment, meant to be used along with findings and orders for status review hearings. However, the hearing when a ward is approaching majority must be scheduled 90 days before the child turns 18. Because of this time requirement, many courts are scheduling the 90-day hearing for a child approaching majority independently from any status review hearings. Courts and probation departments are using various methods to ensure that the current version of form JV-680 is placed into the court file, with varying degrees of success. This form would be amended to include case-identifying information on the top of the form to make filing it as a standalone document or concurrent with findings and orders from status review hearings possible.

It would also be amended to indicate that if the hearing for a child approaching majority is also a status review hearing under section 727.2(i) or 727.3, the findings and orders required in those sections, as well as in rule 5.810, must be made in addition to those on form JV-680. Additionally, all references to “minor” would be changed to “child” to make the form consistent with other forms and rules.

Form JV-682 would be slightly revised and renumbered as form JV-688. This renumbering would allow all the forms related to nonminor dependents in delinquency proceedings to be grouped together in numerical order, making them easier to locate.

Other changes to clarify extended foster care provisions

Rule 5.900 (Nonminor dependent—preliminary provisions). The committee recommends the following changes to rule 5.900, which contains the preliminary provisions regarding nonminor dependents:

- Clarify that nonminor dependents under the delinquency jurisdiction of the court are not in foster care voluntarily.
- Include AB 1712’s clarification that the decisionmaking authority of a nonminor dependent under delinquency jurisdiction may be limited.
- Implement AB 1712’s requirement that the court open a separate court file for nonminor dependents. The subdivision regarding opening a new juvenile court file was drafted to give the courts flexibility to maintain separate court files in the most convenient way for each local court, rather than mandating a statewide procedure.

Comments, Alternatives Considered, and Policy Implications

Comments

This proposal circulated for comment as part of the spring 2013 invitation to comment cycle, from April 19 to June 19, 2013, to the standard mailing list for family and juvenile law proposals. Included on the list were appellate presiding justices, appellate court administrators, trial court presiding judges, trial court executive officers, judges, court administrators and clerks, attorneys, social workers, probation officers, and other juvenile law professionals. The committee also sought comment from the Joint Rules Working Group of the Trial Court Presiding Judges and the Court Executives Advisory Committees. Twelve comments were

received on this proposal. Of these, 3 commentators agreed with the proposal, 4 agreed if modified, 4 expressed no position but included comments, and 1 disagreed with the proposal. A chart with the full text of the comments received and the committees' responses is attached at pages 62–118.

The invitation to comment for this proposal included a specific request for comments about some definitions that were included in another invitation to comment. The committee has included a discussion of those comments in the report to the council entitled *Juvenile Law: Access to Services for Children, Nonminors, and Nonminor Dependents*.

Two commentators objected to the changes to the rules deleting the requirement that the court make all of its findings and orders at nonminor dependent status review hearings orally and that the accompanying written orders be signed by the judge. One of these commentators requested that the findings and orders be made orally if the hearing was contested, or if requested by the parties. The committee did not modify this aspect of the proposal because it determined that the benefits to be gained from eliminating this time-consuming and non-statutorily required aspect of the rule would outweigh any possible downsides. Given limited court resources the committee opted to focus court time on engaging with the youth before the court rather than reciting numerous standard findings and orders. Moreover, the committee deemed it best to allow each court to determine the best practice as to whether the findings and orders must be signed.

The one commentator who disagreed with the proposal expressed concerns about the workload and possible costs associated with providing reunification services to parents of nonminor dependents. The committee acknowledges these potential impacts but notes that they are a consequence of the statutory changes, not the proposed rules and forms, and that failure to adopt the rule and form changes would only exacerbate these challenges.

Two commentators expressed the view that two months' time was insufficient to implement the proposed rules and forms, and one suggested a six-month delay. The committee is not recommending such a delay because the underlying statutes that the amended rules and forms seek to implement have been in effect since January 1, 2012; further delay would be counterproductive. The committee is also mindful of the fact that all of the proposed new forms are optional forms that courts may elect to implement at their convenience.

One commentator suggested that the council should not approve adult adoption forms solely for cases involving nonminor dependents but instead should make standard forms that can be used in all adoption cases. The committee noted that to have statewide forms for adult adoptions outside the juvenile court might be beneficial in the future but determined that the unique features of adoptions involving nonminor dependents required separate forms.

One commentator noted that the court, when modifying its jurisdiction from delinquency to transition, must make certain orders concerning the original removal findings made regarding the child but that the information required to make those findings was not required to be included in

the report from the probation officer. In response, the committee modified the report requirements in both transition jurisdiction rules (5.813 and 5.814) to include the necessary information for the court to make the required orders.

In addition to these comments, many suggestions concerning grammar, punctuation, abbreviation conventions, and word choice were made by commentators who agreed with the proposal if modified, and many were adopted by the committee.

Alternatives considered

The committee considered amending only existing rules and forms and not creating new rules and forms; however, the new proposed rules and optional forms are in response to multiple requests from courts and agencies throughout the state for help implementing the procedures necessary to comply with this complex area of the law. Additionally, new forms and rules will implement a statewide court process to provide guidance and assistance to courts, social service agencies, and probation departments in implementing a relatively recent extension of juvenile court jurisdiction and foster care services that have a significant impact on a vulnerable segment of the young adult population.

The committee considered revising rules and forms to implement only AB 1712. Doing so, however, would be unresponsive to the multiple requests from courts, social service agencies, and probation departments for assistance on findings and orders received by AOC staff since the original legislation became effective in 2012. Additionally, that approach would maintain the requirement that the findings and orders be made on the record, which has proved more burdensome than helpful.

The committee also considered not including the changes in the pending AB 787. Doing so, however, would have made the rules and forms inconsistent with the law on their effective date, would require an additional circulation of proposed changes that would delay implementation, and would increase costs to courts because of the need to reproduce new forms very soon after the forms in this proposal become effective.

Implementation Requirements, Costs, and Operational Impacts

This proposal will have some positive operational impacts in implementing the statutory requirements of the act. The proposed new rules and optional forms are in response to requests for guidance from courts and agencies. The hearings must be held and findings and orders made. The new proposed optional forms will offer courts an option and eliminate the burden of creating new minute orders or local forms.

Assembly Bill 1712 created a moderate operational impact by requiring a separate court file for nonminor dependents. Proposed subdivision (f) of rule 5.900 tracks the statutory language and was written to allow courts flexibility in how they open this separate court file rather than mandating a statewide procedure. It is intended that courts be able to use existing methods of protecting confidential documents or proceedings.

In implementing the new and revised forms, courts will incur standard reproduction costs and retraining of affected staff. No new hearings or court processes are created by this proposal.

Relevant Strategic Plan Goals and Operational Plan Objectives

Because this proposal will revise and supplement a set of rules and forms that ensure compliance with state and federal legal requirements, it supports Goal III, Modernization of Management and Administration (Goal III.A) and objective III.A.4.

Attachments

1. Cal. Rules of Court, rules 5.555, 5.570, 5.707, 5.812, 5.813, 5.814, 5.900, 5.903, and 5.906, at pages 12–31
2. Forms JV-281, JV-282, JV-460, JV-462, JV-470, JV-472, JV-475, JV-477, JV-479, JV-680, JV-682, JV-683, and JV-688, at pages 32–61
3. Chart of comments, at pages 62–118

Rules 5.813 and 5.814 of the California Rules of Court are adopted, effective January 1, 2014; and rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906 of the California Rules of Court are amended, effective January 1, 2014, to read:

1 **Rule 5.555. Hearing to consider termination of juvenile court jurisdiction over a**
2 **nonminor—dependents or wards of the juvenile court in a foster care**
3 **placement and nonminor dependents (§§ 224.1(b), 303, 366.31, 391, 452, 607.3,**
4 **16501.1(f)(16))**

5
6 **(a) Applicability**

7
8 (1) This rule applies to any hearing during which the termination of the juvenile
9 court’s jurisdiction over the following nonminors will be considered:

10
11 (A) A nonminor dependent as defined in section 11400(v); ~~and~~

12
13 (B) A ward or dependent of the juvenile court who is 18 years of age or
14 older and subject to an order for a foster care placement; or

15
16 (C) A ward who was subject to an order for foster care placement at the
17 time he or she attained 18 years of age, or a dependent of the juvenile
18 court who is 18 years of age or older and is living in the home of the
19 parent or former legal guardian.

20
21 (2) * * *

22
23 **(b) Setting a hearing**

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25 (1) * * *

26
27 (2) The hearing under this rule may be held during a hearing required under
28 section 366(f) (g), ~~366.21, 366.22, 366.25,~~ 366.3, 366.31, 727.2, or 727.3 or
29 rule 5.903.

30
31 (3) Notice of the hearing to the parents of a nonminor dependent as defined in
32 section 11400(v) is not required; unless the parents are receiving court-
33 ordered family reunification services or the nonminor is living in the home of
34 the parent or former legal guardian.

35
36 (4)–(5) * * *

37
38 **(c) Reports**

39
40 (1) In addition to complying with all other statutory and rule requirements
41 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)–(F) * * *

5
6 (G) When and how the nonminor was informed that if juvenile court
7 jurisdiction is terminated, the court maintains general jurisdiction over
8 him or her for the purpose of resuming jurisdiction and he or she has
9 the right to file a request to return to foster care and have the juvenile
10 court resume jurisdiction over him or her as a nonminor dependent until
11 he or she has attained the age of 21 years ~~or the age of 20 years if the~~
12 ~~Legislature does not appropriate funding to extend the availability of~~
13 ~~foster care placement to the age of 21 years;~~

14
15 (H)–(K) * * *

16
17 (2)–(3) * * *

18
19 (4) The social worker’s or probation officer’s report and all documents required
20 by (c)(2)–(3) must be filed with the court at least 10 calendar days before the
21 hearing, and the social worker or probation officer must provide copies of the
22 report and other documents to the nonminor, the nonminor’s parents, and all
23 attorneys of record. If the nonminor is under juvenile court jurisdiction as a
24 nonminor dependent, the social worker or probation officer is not required to
25 provide copies of the report and other documents to the nonminor
26 dependent’s parents, unless the nonminor dependent’s parents are receiving
27 court-ordered family reunification services.

28
29 **(d) Findings and orders**

30
31 In addition to complying with all other statutory and rule requirements applicable
32 to the hearing, the following judicial findings and orders must be made ~~on the~~
33 ~~record~~ and included in the written, ~~signed~~ court documentation of the hearing:

34
35 (1) *Findings*

36
37 (A)–(H) * * *

38
39 (I) Whether the nonminor has been informed that if juvenile court
40 jurisdiction is terminated, he or she has the right to file a request to
41 return to foster care and have the juvenile court resume jurisdiction
42 over him or her as a nonminor dependent until he or she has attained
43 the age of 21 years ~~or the age of 20 years if the Legislature does not~~

1 appropriate funding to extend the availability of nonminor foster care
2 placement to the age of 21 years;

3
4 (J)–(M) * * *

5
6 (2) *Orders*

7
8 (A)–(D) * * *

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

20
21 (i)–(ii) * * *

22
23 (iii) The nonminor was informed that if juvenile court jurisdiction is
24 terminated, he or she has the right to return to foster care and to
25 file a request to have the juvenile court resume jurisdiction over
26 him or her as a nonminor dependent until he or she has attained
27 the age of 21 years ~~or the age of 20 years if the Legislature does~~
28 ~~not appropriate funding to extend the availability of nonminor~~
29 ~~foster care placement to the age of 21 years;~~

30
31 (iv)–(vi) * * *

32
33 **Rule 5.570. Request to change court order (petition for modification)**

34
35 **(a) Contents of petition (§§ 388, 778)**

36
37 A petition for modification must be liberally construed in favor of its sufficiency.
38 The petition must be verified and, to the extent known to the petitioner, must
39 contain the following:

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41 (1)–(2) * * *

42
43 (3) The name and age of the child, nonminor, or nonminor dependent;

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(4) The address of the child, nonminor, or nonminor dependent, unless confidential under (c);

(5) The name and residence address of the parent or guardian ~~or an adult relative of the child or nonminor~~; ~~if appropriate, to receive notice following the procedures found in Welfare and Institutions Code sections 291 and 297(c);~~

(6)–(8) * * *

(9) A statement of the petitioner’s relationship or interest in the child, nonminor, or nonminor dependent, if the application petition is made by a person other than the child, nonminor, or nonminor dependent; and

(10) * * *

(b) * * *

(c) **Confidentiality**

The addresses and telephone numbers of the person requesting to change the court order; the child, nonminor, or nonminor dependent; and the ~~child’s~~ caregiver may be kept confidential by filing *Confidential Information (Request to Change Court Order)* (form JV-182) with form JV-180. Form JV-182 must be kept in the court file under seal, and only the court, the agency, and the ~~child’s~~ attorney for the child, nonminor, or nonminor dependent may have access to this information.

(d) **Denial of hearing**

The court may deny the petition ex parte if:

(1) The petition filed under section 388(a) or section 778 fails to state a change of circumstance or new evidence that may require a change of order or termination of jurisdiction or; fails to show that the requested modification would promote the best interest of the child; nonminor, or nonminor dependent.

(2)–(3) * * *

(e) **Grounds for grant of petition (§§ 388, 778)**

(1) If the petition filed under section 388(a) or section 778 states a change of circumstance or new evidence and it appears that the best interest of the

1 child, nonminor, or nonminor dependent may be promoted by the proposed
2 change of order or termination of jurisdiction, the court may grant the petition
3 after following the procedures in (f), (g), and (h), or (i).
4

- 5 (2) If the petition is filed under section 388(b) and it appears that the best interest
6 of the child, nonminor, or nonminor dependent may be promoted by the
7 proposed recognition of a sibling relationship and other requested orders, the
8 court may grant the petition after following the procedures in (f), (g), and (h).
9

10 (3)–(4) * * *

- 11
12 (5) If the petition filed under section 388(a) is filed before an order terminating
13 parental rights and is seeking to modify an order that reunification services
14 were not needed under section 361.5(b)(4), (5), or (6) or to modify any orders
15 related to custody or visitation of the child for whom reunification services
16 were not ordered under section 361.5(b)(4), (5), or (6), the court may modify
17 the orders only if the court finds by clear and convincing evidence that the
18 proposed change is in the best interests of the child. The court may grant the
19 petition after following the procedures in (f), (g), and (h).
20

21 (f) * * *

22
23 (g) **Notice of petition and hearing (§§ 388, 778)**
24

25 The clerk must cause notice of the hearing to be given to the persons and in the
26 same manner prescribed by rule 5.524. The ~~present custodian caregiver~~ of a
27 ~~dependent~~ the child, nonminor, or nonminor dependent and the tribe of an
28 ~~dependent~~-Indian child must be similarly notified. The parent or legal guardian of a
29 nonminor dependent must not be notified unless the nonminor dependent requests
30 that he or she receive notice or the parent or legal guardian is receiving court-
31 ordered family reunification services.
32

33 (h) **Conduct of hearing (§ 388)**
34

- 35 (1) The petitioner requesting the modification under section 388 has the burden
36 of proof.

37
38 (A) ~~If the request is for the removal of the child from the child's home, the~~
39 ~~petitioner must show by clear and convincing evidence that the grounds~~
40 ~~for removal in section 361(c) exist.~~

41
42 (B) ~~If the request is for removal to a more restrictive level of placement, the~~
43 ~~petitioner must show by clear and convincing evidence that the change~~

1 is necessary to protect the physical or emotional well-being of the
2 child.

3
4 ~~(C)~~ (A) If the request is for termination of court-ordered reunification
5 services, the petitioner must show by clear and convincing evidence
6 that one of the conditions in section 388(c)(1)(A) or (B) exists and must
7 show by a preponderance of the evidence that reasonable services have
8 been offered or provided.

9
10 (B) If the request is to modify an order that reunification services were not
11 needed under section 361.5(b)(4), (5), or (6) or to modify any orders
12 related to custody or visitation of the child for whom reunification
13 services were not ordered under section 361.5(b)(4), (5), or (6), the
14 petitioner must show by clear and convincing evidence that the
15 proposed change is in the best interests of the child.

16
17 ~~(D)~~ (C) All other requests require a preponderance of the evidence to
18 show that the child's welfare requires such a modification.

19
20 (2) The hearing must be conducted as a dispositional hearing under rules 5.690
21 and 5.695 if:

22
23 ~~(A)~~ The request is for removal from the home of the parent or guardian or
24 to a more restrictive level of placement;

25
26 ~~(B)~~ (A) The request is for termination of court-ordered reunification
27 services; or

28
29 ~~(C)~~ (B) There is a due process right to confront and cross-examine
30 witnesses.

31
32 Otherwise, proof may be by declaration and other documentary evidence, or by
33 testimony, or both, at the discretion of the court.

34
35 (i) * * *

36
37 **(j) Petitions for juvenile court to resume jurisdiction over nonminors (§ 388(e))**

38
39 A petition filed by or on behalf of a nonminor requesting that the court resume
40 jurisdiction over the nonminor as a nonminor dependent is not subject to this rule.
41 Petitions filed under subdivision (e) of section 388 are subject to rule 5.906.
42

1 **Rule 5.707. Review hearing requirements for child approaching majority (§§ 224.1,**
2 **366(a)(1)(F), 366.3~~(f)-(n)~~, 366.31, 16501.1(f)(16))**

3
4 **(a)–(b) * * ***

5
6 **(c) Findings**

- 7
8 (1) At the last review hearing before the child attains 18 years of age held under
9 section 366.21, 366.22, 366.25, or 366.3, in addition to complying with all
10 other statutory and rule requirements applicable to the hearing, the court must
11 make the following findings find on the record and in the written court
12 documentation of the hearing, signed orders:

13
14 (A)–(I) * * *

- 15
16 (2) * * *

17
18 **(d) * * ***

19
20 **Rule 5.812. Additional requirements for any hearing to terminate jurisdiction over**
21 **child in foster care and for status review hearing for child approaching**
22 **majority (§§ 450, 451, 727.2(i)–(j), 778)**

23
24 **(a)–(c) * * ***

25
26 **(d) Findings**

- 27
28 (1) At the hearing described in (a)(1)–(4), in addition to complying with all other
29 statutory and rule requirements applicable to the hearing, the court must
30 make the following findings find on the record and in the written
31 documentation of the hearing, signed orders:

32
33 (A)–(D) * * *

- 34
35 (2) At the review hearing held on behalf of a child approaching majority
36 described in (a)(1) and any hearing under (a)(2) or (a)(3) held on behalf of a
37 child more than 17 years, 5 months old and less than 18 years of age, in
38 addition to complying with all other statutory and rule requirements
39 applicable to the hearing, the court must make the following findings find on
40 the record and in the written documentation of the hearing, signed orders:

41
42 (A)–(J) * * *

1 (e)–(f) * * *

2
3 **Rule 5.813. Modification to transition jurisdiction for a ward older than 18 years**
4 **and younger than 21 years of age (§§ 450, 451)**

5
6 **(a) Purpose**

7
8 This rule provides the procedures that must be followed when it appears to a
9 probation officer that a ward who is at least 18 years of age and younger than 21
10 years of age has met his or her rehabilitative goals and wants to remain in extended
11 foster care under the jurisdiction of the court.

12
13 **(b) Setting and conduct of hearing**

- 14
15 (1) The probation officer must request a hearing for the court to consider
16 modifying delinquency jurisdiction to transition jurisdiction.
17
18 (2) The hearing must be held before a judicial officer and recorded by a court
19 reporter.
20
21 (3) The hearing must be continued for no more than five court days for the
22 submission of additional evidence as ordered by the court if the court finds
23 that the report and, if required, the Transitional Independent Living Case Plan
24 submitted by the probation officer do not provide the information required by
25 (d) and the court is unable to make all the findings required by (e).

26
27 **(c) Notice of hearing**

- 28
29 (1) The probation officer must serve written notice of the hearing in the manner
30 provided in section 295.
31
32 (2) Proof of service of notice must be filed by the probation officer at least five
33 court days before the hearing.

34
35 **(d) Reports**

36
37 At least 10 calendar days before the hearing, the probation officer must submit a
38 report to the court that includes information regarding:

- 39
40 (1) Whether the ward is a nonminor who was subject to an order for foster care
41 placement on the day of the ward's 18th birthday and is within the age
42 eligibility requirements for extended foster care;

- 1 (2) Whether the ward was removed from the physical custody of his or her
2 parents, adjudged to be a ward of the juvenile court under section 725, and
3 ordered into foster care placement as a ward; or whether the ward was
4 removed from the custody of his or her parents as a dependent of the court
5 with an order for foster care placement in effect at the time the court
6 adjudged him or her to be a ward of the juvenile court under section 725 and
7 was ordered into a foster care placement as a ward, including the date of the
8 initial removal findings—“continuance in the home is contrary to the child’s
9 welfare” and “reasonable efforts were made to prevent removal”—as well as
10 whether the ward continues to be removed from the parents or legal guardian
11 from whom the child was removed under the original petition;
12
- 13 (3) Whether the ward’s rehabilitative goals as stated in the case plan have been
14 met and whether juvenile court jurisdiction over the ward is no longer
15 required;
16
- 17 (4) Whether the probation officer recommends the modification of juvenile court
18 jurisdiction over the ward from that of a ward under section 601 or 602 to
19 that of a nonminor dependent under section 450 and the facts in support of
20 that recommendation;
21
- 22 (5) Whether the ward signed a mutual agreement with the probation department
23 or social services agency for placement in a supervised setting as a nonminor
24 dependent and, if so, a recommendation as to which agency should be
25 responsible for placement and care of the nonminor dependent;
26
- 27 (6) Whether the ward plans to meet at least one of the conditions in section
28 11403(b) and what efforts the probation officer has made to help the ward
29 meet any of the conditions;
30
- 31 (7) When and how the ward was informed of the benefits of remaining under
32 juvenile court jurisdiction as a nonminor dependent and the probation
33 officer’s assessment of the ward’s understanding of those benefits;
34
- 35 (8) When and how the ward was informed that he or she may decline to become
36 a nonminor dependent and have the juvenile court terminate jurisdiction at a
37 hearing under section 391 and rule 5.555; and
38
- 39 (9) When and how the ward was informed that if juvenile court jurisdiction is
40 terminated, he or she can file a request to return to foster care and have the
41 court resume jurisdiction over him or her as a nonminor.
42

1 **(e) Findings**

2
3 At the hearing described in (a), the court must make the following findings:

- 4
5 (1) Whether notice has been given as required by law;
6
7 (2) Whether the nonminor comes within the description of section 450;
8
9 (3) Whether the ward has been informed that he or she may decline to become a
10 nonminor dependent and have juvenile court jurisdiction terminated at a
11 hearing set under rule 5.555;
12
13 (4) Whether the ward was informed that if juvenile court jurisdiction is
14 terminated, the ward can file a request to return to foster care and may have
15 the court resume jurisdiction over the ward as a nonminor;
16
17 (5) Whether the benefits of remaining under juvenile court jurisdiction as a
18 nonminor dependent were explained and whether the ward understands them;
19
20 (6) Whether the ward has signed a mutual agreement with the probation
21 department for placement in a supervised setting as a nonminor dependent;
22
23 (7) Whether the ward’s Transitional Independent Living Case Plan includes a
24 plan for the ward to satisfy at least one of the conditions in section 11403(b);
25 and
26
27 (8) Whether the ward has had an opportunity to confer with his or her attorney.
28

29 **(f) Orders**

30
31 For a child who comes within the description of section 450(a), the court must enter
32 the following orders:
33

- 34 (1) An order modifying the court’s jurisdiction over the child from delinquency
35 to transition jurisdiction and setting a nonminor dependent status review
36 hearing under section 366.31 and rule 5.903 within six months of the last
37 hearing held under section 727.2 or 366.31. The order modifying the court’s
38 jurisdiction must contain all of the following provisions:
39
40 (A) A reference to the initial removal findings, the date those findings were
41 made, and a statement that the findings—“continuance in the home is
42 contrary to the child’s welfare” and “reasonable efforts were made to
43 prevent removal”—made at that hearing remain in effect;

1
2 (B) A statement that the nonminor dependent continues to be removed from
3 the parents or legal guardian from whom the nonminor dependent was
4 removed under the original petition; and

5
6 (C) Identification of the agency that is responsible for placement and care
7 of the nonminor dependent based on the modification of jurisdiction.
8

9 (2) An order continuing the appointment of the attorney of record or appointing a
10 new attorney as the attorney of record for the nonminor dependent.
11

12 **Rule 5.814. Modification to transition jurisdiction for a ward older than 17 years, 5**
13 **months of age and younger than 18 years of age (§§ 450, 451)**
14

15 (a) **Purpose**
16

17 This rule provides the procedures that must be followed to modify delinquency
18 jurisdiction to transition jurisdiction for a ward who is older than 17 years, 5
19 months of age, younger than 18 years of age, and:
20

21 (1) Has met his or her rehabilitative goals;

22 (2) Is under a foster care placement order;

23 (3) Wants to remain in extended foster care under the transition jurisdiction of
24 the juvenile court;

25 (4) Is not receiving reunification services; and

26 (5) Does not have a hearing set for termination of parental rights or
27 establishment of guardianship.
28

29
30 (b) **Setting and conduct of hearing**
31
32

33 (1) The probation officer must request a hearing for the court to consider
34 modifying delinquency jurisdiction to transition jurisdiction.
35

36 (2) The hearing must be held before a judicial officer and recorded by a court
37 reporter.
38

39 (3) The hearing must be continued for no more than five court days for the
40 submission of additional evidence as ordered by the court if the court finds
41 that the report and, if required, the Transitional Independent Living Case Plan
42
43

1 submitted by the probation officer, do not provide the information required
2 by (d) and the court is unable to make all the findings required by (e).

3
4 **(c) Notice of hearing**

5
6 (1) The probation officer must serve written notice of the hearing in the manner
7 provided in section 295.

8
9 (2) Proof of service of notice must be filed by the probation officer at least five
10 court days before the hearing.

11
12 **(d) Reports**

13
14 At least 10 calendar days before the hearing, the probation officer must submit a
15 report to the court that includes information regarding:

16
17 (1) Whether the ward is subject to an order for foster care placement and is older
18 than 17 years, 5 months of age and younger than 18 years of age;

19
20 (2) Whether the ward was removed from the physical custody of his or her
21 parents, adjudged to be a ward of the juvenile court under section 725, and
22 ordered into foster care placement as a ward; or whether the ward was
23 removed from the custody of his or her parents as a dependent of the court
24 with an order for foster care placement in effect at the time the court
25 adjudged him or her to be a ward of the juvenile court under section 725 and
26 was ordered into a foster care placement as a ward, including the date of the
27 initial removal findings—“continuance in the home is contrary to the child’s
28 welfare” and “reasonable efforts were made to prevent removal”—as well as
29 whether the ward continues to be removed from the parents or legal guardian
30 from whom the child was removed under the original petition;

31
32 (3) Whether the ward’s rehabilitative goals as stated in the case plan have been
33 met and whether juvenile court jurisdiction over the ward is no longer
34 required;

35
36 (4) Whether each parent or legal guardian is currently able to provide the care,
37 custody, supervision, and support the child requires in a safe and healthy
38 environment;

39
40 (5) Whether the probation officer recommends the modification of the juvenile
41 court’s jurisdiction over the ward from that of a ward under section 601 or
42 602 to that of a transition dependent under section 450;

43

- 1 (6) Whether the ward signed a mutual agreement with the probation department
2 or social services agency for placement in a supervised setting as a transition
3 dependent and, if so, a recommendation as to which agency should be
4 responsible for placement and care of the transition dependent;
5
6 (7) Whether the ward plans to meet at least one of the conditions in section
7 11403(b) and what efforts the probation officer has made to help the ward
8 meet any of these conditions;
9
10 (8) When and how the ward was informed of the benefits of remaining under
11 juvenile court jurisdiction as a transition dependent and the probation
12 officer's assessment of the ward's understanding of those benefits;
13
14 (9) When and how the ward was informed that he or she may decline to become
15 a transition dependent and have the juvenile court terminate jurisdiction at a
16 hearing under section 391 and rule 5.555; and
17
18 (10) When and how the ward was informed that if juvenile court jurisdiction is
19 terminated, he or she can file a request to return to foster care and have the
20 court resume jurisdiction over him or her as a nonminor.
21

22 **(e) Findings**

23
24 At the hearing, the court must make the following findings:

- 25
26 (1) Whether notice has been given as required by law;
27
28 (2) Whether the ward comes within the description of section 450;
29
30 (3) Whether the ward has been informed that he or she may decline to become a
31 transition dependent and have juvenile court jurisdiction terminated at a
32 hearing set under rule 5.555;
33
34 (4) Whether the ward's return to the home of his or her parent or legal guardian
35 would create a substantial risk of detriment to the ward's safety, protection,
36 or physical or emotional well-being. The facts supporting this finding must
37 be stated on the record;
38
39 (5) Whether reunification services have been terminated;
40
41 (6) Whether the ward's case has been set for a hearing to terminate parental
42 rights or establish a guardianship;
43

- 1 (7) Whether the ward intends to sign a mutual agreement with the probation
2 department or social services agency for placement in a supervised setting as
3 a nonminor dependent;
4
5 (8) Whether the ward was informed that if juvenile court jurisdiction is
6 terminated, the ward can file a request to return to foster care and may have
7 the court resume jurisdiction over the ward as a nonminor dependent;
8
9 (9) Whether the benefits of remaining under juvenile court jurisdiction as a
10 nonminor dependent were explained and whether the ward understands them;
11
12 (10) Whether the ward’s Transitional Independent Living Case Plan includes a
13 plan for the ward to satisfy at least one of the conditions in section 11403(b);
14 and
15
16 (11) Whether the ward has had an opportunity to confer with his or her attorney.

17
18 **(f) Orders**

19
20 For a child who comes within the description of section 450(a), the court must enter
21 the following orders:

- 22
23 (1) An order modifying the court’s jurisdiction over the child from delinquency
24 to transition jurisdiction and adjudging the ward a transition dependent
25 pending his or her 18th birthday and status as a nonminor dependent under
26 the transition jurisdiction of the court. The order modifying the court’s
27 jurisdiction must contain all of the following provisions:
28
29 (A) A reference to the initial removal findings, the date those findings were
30 made, and a statement that the findings—“continuance in the home is
31 contrary to the child’s welfare” and “reasonable efforts were made to
32 prevent removal”—made at that hearing remain in effect;
33
34 (B) A statement that the child continues to be removed from the parents or
35 legal guardian from whom the child was removed under the original
36 petition; and
37
38 (C) Identification of the agency that is responsible for placement and care
39 of the child based on the modification of jurisdiction.
40
41 (2) An order continuing the appointment of the attorney of record, or appointing
42 a new attorney, as the attorney of record for the nonminor dependent.
43

1 (3) An order setting a nonminor dependent status review hearing under section
2 366.31 and rule 5.903 within six months of the last hearing held under section
3 727.2 or 727.3.
4

5 **5.900. Nonminor dependent—preliminary provisions (§§ 224.1(b), 295, 303, 366,**
6 **366.3, 388, 391, 607(a))**

7
8 (a) * * *

9
10 (b) **Purpose**

11
12 (1) Maintaining juvenile court jurisdiction under sections 300, ~~or 450, 601, or~~
13 ~~602~~ over a person as a nonminor dependent is the result of a consensual
14 agreement between the person and child welfare services agency or the
15 probation department for a voluntary placement in a supervised setting and
16 includes the agreement between the social worker or probation officer and the
17 person to work together to implement ~~facilitate the implementation of~~ the
18 mutually developed supervised placement agreement or reentry agreement,
19 ~~and Transitional Independent Living Case Plan.~~

20
21 (2) Maintaining juvenile court jurisdiction and supervision by the child welfare
22 services agency or probation department under sections 300, 450, 601, or 602
23 over a person as a nonminor dependent is for the purpose of implementing
24 the mutually developed Transitional Independent Living Case Plan and
25 ~~providing~~ providing support, guidance, and foster care services to the person
26 as a nonminor dependent so he or she is able to successfully achieve
27 independence, including relationships with caring and committed adults who
28 can serve as lifelong connections.

29
30 (c) **Legal status**

31
32 (1) * * *

33
34 (2) A nonminor dependent retains all his or her legal decisionmaking authority as
35 an adult. The decisionmaking authority of a nonminor dependent under
36 delinquency jurisdiction may be limited by and subject to the care,
37 supervision, custody, conduct, and maintenance orders in section 727.

38
39 (d)–(e) * * *
40

1 **(f) Separate court file**

2
3 The clerk of the superior court must open a separate court file for nonminor
4 dependents under the dependency, delinquency, or transition jurisdiction of the
5 court that ensures the confidentiality of the nonminor dependent and allows access
6 only to those listed in section 362.5.
7

8 **Rule 5.903. Nonminor dependent status review hearing (§§ 224.1(b), 295, ~~366(f)~~,**
9 **366.1, 366.3, 366.31)**

10
11 **(a)–(c) * * ***

12
13 **(d) Reports**

14
15 (1) The social worker or probation officer must submit a report to the court that
16 includes information regarding:

17
18 (A)–(I) * * *

19
20 (J) The efforts made by the social worker or probation officer to establish
21 or maintain the nonminor dependent’s relationship with his or her
22 siblings who are under the juvenile court’s jurisdiction as required in
23 section 366(a)(1)(D);:

24
25 (K) For a nonminor dependent whose case plan is continued court-ordered
26 family reunification services, the information required in section
27 366.31(d); and

28
29 (L) For a nonminor who has returned to the home of the parent or former
30 legal guardian, whether continued juvenile court jurisdiction is
31 necessary and the facts in support of that conclusion.

32
33 (2)–(3) * * *

34
35 **(e) Findings and orders**

36
37 The court must consider the safety of the nonminor dependent, and the following
38 judicial findings ~~determinations~~ and orders must be made ~~on the record~~ and
39 included in the written, ~~signed~~ court documentation of the hearing:

40
41 (1) *Findings*

42
43 (A)–(N) * * *

1
2
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- (O) Whether reasonable efforts were made by the social worker or probation officer to maintain relationships between the nonminor dependent and individuals who are important to him or her, including the efforts made to establish and maintain relationships with caring and committed adults who can serve as lifelong connections; ~~and~~
- (P) Whether reasonable efforts were made by the social worker or probation officer to establish or maintain the nonminor dependent’s relationship with his or her siblings who are under the juvenile court’s jurisdiction as required in section 366(a)(1)(D);
- (Q) For a nonminor dependent whose case plan is continued court-ordered family reunification services, the findings required in section 366.31(d); and
- (R) For a nonminor who has returned to the home of the parent or former legal guardian, whether continued juvenile court jurisdiction is necessary.

(2) *Orders*

- (A) Order the continuation of juvenile court jurisdiction and set a nonminor dependent review hearing under this rule within six months, and:
 - (i) * * *
 - (ii) Specify the likely date by which independence is anticipated to be achieved; ~~or~~ and
 - (iii) For a nonminor dependent whose parents are receiving court-ordered family reunification services:
 - a. Order the continuation of reunification services;
 - b. Order the termination of reunification services; or
 - c. Order that the nonminor may reside in the home of the parent or former legal guardian and that juvenile court jurisdiction is terminated or that juvenile court jurisdiction is continued under section 303(a) and a status review hearing is set for within six months.

1 (B)–(C) * * *

2
3 **Rule 5.906. Request by nonminor for the juvenile court to resume jurisdiction**
4 **(§§ 224.1(b), 303, 388(e))**

5
6 **(a) Purpose**

7
8 This rule provides the procedures that must be followed when a nonminor wants to
9 have juvenile court jurisdiction resumed over him or her as a nonminor dependent
10 as defined in section 11400(v).

11
12 **(b)–(c)** * * *

13
14 **(d) Determination of prima facie showing**

15
16 (1) Within three court days of the filing of form JV-466 with the clerk of the
17 juvenile court of general jurisdiction, a juvenile court judicial officer must
18 review the form JV-466 and determine whether a prima facie showing has
19 been made that the nonminor meets all of the criteria set forth below in
20 (d)(1)(A)–(D) and enter an order as set forth in (d)(2) or (d)(3).

21
22 (A) * * *

23
24 (B) ~~On and after January 1, 2012, the nonminor will not have not attained~~
25 ~~19 years of age; or commencing January 1, 2013, he or she will not~~
26 ~~have attained 20 years of age; or commencing on January 1, 2014, he or~~
27 ~~she will not have~~ The nonminor has not attained 21 years of age;

28
29 (C)–(D) * * *

30
31 (2)–(3) * * *

32
33 **(e)–(g)** * * *

34
35 **(h) Reports**

36
37 (1) The social worker, probation officer, or Indian tribal agency case worker
38 (tribal case worker) must submit a report to the court that includes:

39
40 (A) Confirmation that the nonminor was previously under juvenile court
41 jurisdiction subject to an order for foster care placement when he or she
42 attained 18 years of age and that ~~on and after January 1, 2012, the~~
43 ~~nonminor will not have not attained 19 years of age; or commencing~~

1 ~~January 1, 2013, he or she will not have attained 20 years of age; or~~
2 ~~commencing on January 1, 2014, he or she will not have~~ has not
3 attained 21 years of age;

4
5 (B)–(F) * * *

6
7 (2)–(3) * * *

8
9 (i) **Findings and orders**

10
11 The court must read and consider, and state on the record that it has read and
12 considered, the report; the supporting documentation submitted by the social
13 worker, probation officer, or tribal case worker; the evidence submitted by the
14 nonminor; and any other evidence. The following judicial findings and orders must
15 be made ~~on the record~~ and included in the written, ~~signed~~ court documentation of
16 the hearing:

17
18 (1) *Findings*

19
20 (A)–(B) * * *

21
22 (C) Whether ~~on and after January 1, 2012, the nonminor will not have~~
23 ~~attained 19 years of age; or commencing January 1, 2013, he or she will~~
24 ~~not have attained 20 years of age; or commencing on January 1, 2014,~~
25 ~~he or she will not have~~ the nonminor has attained 21 years of age;

26
27 (D)–(H) * * *

28
29 (2) *Orders*

30
31 (A) If the court finds that the nonminor ~~comes within the age requirements~~
32 ~~under (i)(1)(C),~~ has not attained 21 years of age, that the nonminor
33 intends to satisfy at least one condition under section 11403(b), and that
34 the nonminor and placing agency have entered into a reentry
35 agreement, the court must:

36
37 (i)–(v) * * *

38
39 (B) If the court finds that the nonminor ~~comes within the age requirements~~
40 ~~under (i)(1)(C),~~ has not attained 21 years of age, but the nonminor does
41 not intend to satisfy at least one of the conditions under section
42 11403(b) and/or the nonminor and placing agency have not entered into
43 a reentry agreement, the court must:

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(i)-(iii) * * *

(C) If the court finds that the nonminor ~~does not come within the age requirements under (i)(1)(C)~~, is over 21 years of age, the court must:

(i)-(ii) * * *

(3) * * *

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS: _____ ATTORNEY FOR <i>(Name):</i> _____	DRAFT Not Approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
NONMINOR'S NAME: _____	
NOTICE OF HEARING <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 <i>(date)</i> : _____	at <i>(time)</i> : _____	in Dept.: _____	Room: _____
located at <input type="checkbox"/> court address above <input type="checkbox"/> Other <i>(specify address):</i> _____			

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. determine if the nonminor dependent can return to the home of a parent or former legal guardian.
- c. determine whether to terminate or continue court-ordered family reunification services.
- d. other *(specify)*: _____

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

- a. a change in orders, services, placement, or status *(specify)*: _____
- b. no change in orders, services, placement, 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.

NONMINOR'S NAME:	CASE NUMBER:
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6. TO THE PARENT(S) RECEIVING COURT-ORDERED FAMILY REUNIFICATION SERVICES, IF ANY

- a. You have the right to be present at the hearing, to present evidence, and to be represented by an attorney. In a dependency matter, the court will appoint an attorney for you if you cannot afford one.
- b. Before the hearing, the social worker or probation officer will prepare a report with recommendations. Parents and legal guardians must be provided with a copy of this report.
- c. The court will proceed with this hearing whether or not you are present.

Date:

(TYPE OR PRINT NAME)



SIGNATURE



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: _____ ATTORNEY FOR <i>(Name):</i> _____	FOR COURT USE ONLY <h2 style="margin: 0;">Draft</h2> <h2 style="margin: 0;">Not approved by the</h2> <h2 style="margin: 0;">Judicial Council</h2>
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
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: |
| Notice provided only if requested by nonminor dependent or if the parent is receiving court-ordered family reunification services. | |
| 4. <input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal guardian
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: |
| Notice provided only if requested by nonminor dependent or if the parent is receiving court-ordered family reunification services. | |

NONMINOR'S 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

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 stated in rule 5.707 of the California Rules of Court at the last status review hearing held under Welfare and Institutions Code section 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 attend high school or a high school equivalency certificate (GED) program.
 - b. The child 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 plans to be employed at least 80 hours per month.
 - e. The child may not be able to attend school, college, a vocational program, or 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. 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.
4. 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 that continued assistance with the application process
 - a. is in the child's best interest.
 - b. is not in the child's best interest because it is not necessary.
5. The child has an in-progress application pending for Special Immigrant Juvenile Status or other application for legal residency for which an active juvenile court case is required.
6.
 - a. All the information, documents, and services included in Welfare and Institutions Code section 391(e) were provided to the child.
 - b. Not all the information, documents, and services included in Welfare and Institutions Code section 391(e) were provided to the child.
 - (1) The barriers to providing any missing information, documents, or services can be overcome by the date the child attains 18 years of age.
 - (2) The barriers to providing any missing information, documents, or services may not be overcome by the date the child attains 18 years of age.
7. 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 rule 5.555 of the California Rules of Court.
8. 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 benefits.
9. The child was 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.

CHILD'S NAME:	CASE NUMBER:
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Orders

10. The child intends to remain under juvenile court jurisdiction as a nonminor dependent as defined in Welfare and Institutions Code section 11400(v) after attaining 18 years of age, and a hearing is ordered set under rule 5.903 of the California Rules of Court to occur within the next six months.
11. The child does not 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 defined in Welfare and Institutions Code section 11400(v), and at the child's request, a hearing is ordered set under rule 5.555 of the California Rules of Court for a date within one month after the child's 18th birthday.
12. The child does not intend to remain under juvenile court jurisdiction as a nonminor dependent as defined in Welfare and Institutions Code section 11400(v) 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 Welfare and Institutions Code section 366.21, 366.22, 366.25 or 366.3 to occur within the next six months.

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (<i>Name</i>): _____		FOR COURT USE ONLY Draft Not approved by the Judicial Council
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 STATUS REVIEW HEARING		CASE NUMBER:
Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	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>): | | | |
| 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 at least one of the criteria in Welfare and Institutions Code section 11403(b) to remain in foster care under juvenile court jurisdiction as indicated below:**
 - a. Attending high school or a high school equivalency certificate (GED) program.
 - b. Attending a college, a community college, or a vocational education program.
 - c. Attending a program or participating in an activity that will promote or help remove a barrier to employment.
 - d. Employed at least 80 hours per month.
 - e. 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, or 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 one of the conditions in Welfare and Institutions Code section 11403(b).**

12. **The nonminor dependent was was not provided with the information, documents, and services as required under Welfare and Institutions Code section 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 set 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 help the youth 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.**

NONMINOR'S NAME:	CASE NUMBER:
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- 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:
- 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 rule 5.555 of the California Rules of Court is ordered.
- 24. At a hearing under rule 5.555 of the California Rules of Court 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 a Nonminor* (form JV-367), and juvenile court jurisdiction is terminated under 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 Welfare and Institutions Code section 11402.
 - (2) other (specify):
 - b. family reunification services are continued.
 - c. the matter is continued for a hearing set under Welfare and Institutions Code section 366.31, and rule 5.903 of the California Rules of Court 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. **Additional findings and orders for nonminor dependent with case plan of continued family reunification services**
 - a. The agency has has not complied with the case plan by making reasonable efforts to create a safe home for the nonminor dependent to reside in and to complete whatever steps are necessary to finalize the permanent plan.
 - b. The extent of progress made toward alleviating or mitigating the causes necessitating the current out "of" home placement has been
 - (1) by the father:
 - (2) by the mother:
 - (3) by the nonminor:
 - (3) other (specify):
 - c. The likely date by which the nonminor dependent may safely reside in the family home or achieve independence is:
 - d. (1) The nonminor can safely reside in the family home and may return to the family home.
 - (a) The court maintains jurisdiction under Welfare and Institutions Code section 303(a) and a review hearing under Welfare and Institutions Code section 366.31 is ordered.
 - (b) 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 Welfare and Institutions Code section 391 and rule 5.555 of the California Rules of Court is ordered.

NONMINOR'S NAME:	CASE NUMBER:
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28. d. (2) The nonminor cannot safely reside in the family home, and reunification services are continued.
- (a) The nonminor dependent and parent(s) or guardian(s) are in agreement with the continuation of reunification services.
 - (b) Continued reunification services are in the best interest of the nonminor dependent.
 - (c) There is a substantial probability that the nonminor dependent will be able to safely reside in the family home by the next review hearing.
 - (d) The matter is continued for a review hearing under Welfare and Institutions Code section 366.31 and rule 5.903 of the California Rules of Court within the next six months.
- (3) The nonminor cannot safely reside in the family home and reunification services are terminated (*check all that apply*).
- (a) The nonminor dependent and parent(s) or guardian(s) are not in agreement with the continuation of reunification services.
 - (b) Continued reunification services are not in the best interest of the nonminor dependent.
 - (c) There is not a substantial probability that the nonminor dependent will be able to safely reside in the family home by the next review hearing.

29. **Additional findings and orders for nonminor residing in the home of a parent or former legal guardian**

- a. (1) 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 Welfare and Institutions Code section 391 and rule 5.555 of the California Rules of Court is ordered.
- (2) Court supervision and juvenile court jurisdiction continues to be necessary. The court maintains jurisdiction under Welfare and Institutions Code section 303(a). The matter is continued for a review hearing under Welfare and Institutions Code section 366.31 and rule 5.903 of the California Rules of Court within the next six months.
- b. The county agency has has not complied with the case plan by making reasonable efforts to maintain a safe family home for the nonminor.
- c. The county agency has has not complied with the nonminor's Transitional Independent Living Case Plan, including efforts to prepare the nonminor for independence.

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

- a. Nonminor dependent status review hearing (Welf. & Inst. Code, § 366.31; Cal. Rules of Court, rule 5.903)

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

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

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

Date:

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY Draft Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
NONMINOR'S NAME:	
FINDINGS AND ORDERS REGARDING PRIMA FACIE SHOWING ON NONMINOR'S REQUEST TO REENTER FOSTER CARE	CASE NUMBER:

Findings and Orders: Prima Facie Showing Made

1. The court has read and considered
 - a. *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466) filed by (*name*):
on (*date*):
 - b. other (*specify*):
 - c. other (*specify*):

2. The court finds that a prima facie showing has been made that
 - a. 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.
 - b. the nonminor is under 21 years of age.
 - c. the nonminor wants assistance to maintain or secure an appropriate, supervised placement or is in need of immediate placement and agrees to a supervised placement under a voluntary reentry agreement.
 - d. the nonminor intends to satisfy at least one of the conditions described in Welfare and Institutions Code section 11403(b) as follows (*check all that apply*):
 - (1) Attending high school or a high school equivalency certificate (GED) program
 - (2) Attending a college, community college, or vocational education program
 - (3) Attending a program or participating in an activity that will promote or help remove a barrier to employment
 - (4) Employed for at least 80 hours per month
 - (5) Unable to attend high school, a GED program, college, community college, a vocational education program, or an employment program or activity, or to work 80 hours per month due to a medical condition

- 3 **The court orders the following:**
 - a. The nonminor's request to return to foster care is set for hearing on (*specify date within 15 days of the date form JV-466 was filed*):
 - b. An attorney is appointed to represent the nonminor solely for the hearing on the request.
 - c. Other orders:

Findings and Orders: Prima Facie Showing Not Made

4. The court has read and considered
 - a. *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466) filed by (*name*): _____ on (*date*): _____

NONMINOR'S NAME:	CASE NUMBER:
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- 4. b. other (specify):
- c. other (specify):

- 5. The court finds that a prima facie showing has not been made. The nonminor's request to return to foster care is denied because (check all that apply)
 - a. the nonminor was not previously under juvenile court jurisdiction subject to an order for foster care placement when he or she attained 18 years of age
 - b. the nonminor is over 21 years of age
 - c. the nonminor does not want assistance to maintain or secure an appropriate, supervised placement or does not agree to a supervised placement under a voluntary reentry agreement
 - d. the nonminor does not intend to satisfy at least one of the conditions described in Welfare and Institutions Code section 11403(b), and stated below:
 - (1) Attending high school or a high school equivalency certificate (GED) program
 - (2) Attending a college, community college, or vocational education program
 - (3) Attending a program or participating in an activity that will promote or help remove a barrier to employment
 - (4) Being employed for at least 80 hours per month
 - (5) Unable to attend high school, a GED program, college, community college, a vocational education program, or an employment program or activity or to work 80 hours per month due to a medical condition
 - e. Other (specify reason for denial):

- 6. The nonminor may file a new request when the issues are resolved.
- 7. The court clerk must serve on the nonminor the following documents:
 - a. A copy of the written order
 - b. Blank copies of *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)
 - c. A copy of *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-464-INFO)
 - d. The names and contact information of attorneys approved by the court to represent children in juvenile court proceedings who have agreed to provide a consultation to nonminors whose requests are denied due to the failure to make a prima facie showing

Date:

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS: _____ ATTORNEY FOR <i>(Name):</i> _____		FOR COURT USE ONLY Draft Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____		
NONMINOR'S NAME: _____		
FINDINGS AND ORDERS AFTER HEARING TO CONSIDER NONMINOR'S REQUEST TO REENTER FOSTER CARE		
CASE NUMBER: _____		
Judicial Officer: _____	Court Clerk: _____	Court Reporter: _____
Bailiff: _____	Other Court Personnel: _____	Interpreter: Language: _____

- | | | | |
|---------------------------------|--------------------------|--------------------------|--------------------------|
| 1. Parties <i>(name)</i> | Present | Attorney <i>(name):</i> | Present |
| a. Nonminor: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Probation officer: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. County agency social worker: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Other <i>(specify)</i> : | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

2. Others present
- a. Other *(name):*
 - b. Other *(name):*
 - c. Other *(name):*

3. **The court has read and considered and admits into evidence**
- a. report of social worker dated:
 - b. report of probation officer dated:
 - c. other *(specify)*:
 - d. other *(specify)*:
 - e. other *(specify)*:

Court Grants Request

4. **The court makes the findings stated below:**
- a. Notice of the date, time, and location of the hearing was given as required by law.
 - b. 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. The nonminor is under 21 years of age.
 - d. The nonminor intends to satisfy a condition or conditions under Welfare and Institutions Code section 11403(b).
 - e. The condition or conditions under Welfare and Institutions Code section 11403(b) that the nonminor intends to satisfy follow *(specify all that apply)*:
 - (1) Attending high school or a high school equivalency certificate (GED) program

NONMINOR'S NAME:	CASE NUMBER:
------------------	--------------

4. e. (2) Attending a college, community college, or vocational education program
 (3) Attending a program or participating in an activity that will promote or help remove a barrier to employment
 (4) Being employed for at least 80 hours per month
 (5) Unable to do any of the activities in e(1)–(5) due to a medical condition
- f. Continuing in a foster care placement is in the nonminor's best interest.
- g. 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.
- h. The nonminor, who is an Indian child, chooses to have the Indian Child Welfare Act apply to him or her as a nonminor dependent.
5. **The court makes the orders stated below:**
- a. The court grants the request to resume jurisdiction, and juvenile court jurisdiction shall resume over the nonminor as a nonminor dependent.
- b. Placement and care are vested with the placing agency.
- c. The placing agency must develop with the nonminor a new Transitional Independent Living Case Plan and file it with the court within 60 days.
- d. The social worker or probation officer must consult with the tribal representative regarding a new Transitional Independent Living Case Plan.
- e. A nonminor dependent review hearing under Welfare and Institutions Code section 391 and rule 5.903 of the California Rules of Court is set for (*specify a date that is within six months of the date the voluntary reentry agreement was signed*):
- f. The prior order appointing an attorney for the nonminor is continued, and that attorney is appointed until the jurisdiction of the juvenile court is terminated.

Court Denies Request

6. a. The court finds that the nonminor is under 21 years of age, but the nonminor does not intend to satisfy at least one of the conditions under Welfare and Institutions Code section 11403(b), or the nonminor and the placing agency have not entered into a reentry agreement.
- (1) The nonminor's request to return to foster care is denied. The request is denied because (*specify the reasons for denial*):
- (2) The nonminor may file a new request when the circumstances change.
- (3) The order appointing an attorney to represent the nonminor is terminated, and the attorney is relieved as of (*specify date seven calendar days after the hearing*):
- b. The court finds that the nonminor is over 21 years of age.
- (1) The request to have juvenile court jurisdiction resumed is denied; and
- (2) The order appointing an attorney to represent the nonminor is terminated, and the attorney is relieved as of (*specify date seven calendar days after the hearing*):

Findings and Orders: Service

7. The written findings and orders must be served by the juvenile court clerk on all persons who were served with notice of the hearing.
- a. Service must be by personal service or first-class mail within three court days of the issuance of the order.
- b. Proof of service must be filed.

Date:

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS: _____ ATTORNEY FOR <i>(Name):</i> _____	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
NONMINOR'S NAME: _____	
AGREEMENT OF ADOPTION OF NONMINOR DEPENDENT	CASE NUMBER: _____

1. a. The prospective adoptive parent *(name):* _____, age: _____,
 born in *(city, state, country)* _____
 on *(month, day, year):* _____ residing at *(address):* _____
 desires to adopt *(name of nonminor dependent):* _____

- b. The prospective adoptive parent *(name):* _____, age: _____,
 born in *(city, state, country)* _____
 on *(month, day, year):* _____ residing at *(address):* _____
 desires to adopt *(name of nonminor dependent):* _____

2. The nonminor dependent *(name):* _____, age: _____,
 born in *(city, state, country)* _____
 on *(month, day, year):* _____ residing at *(address):* _____
 desires to be adopted by *(name of prospective adoptive parent(s)):* _____

The parties agree:

3. That they have mutually consented to the adoption.
4. That they will assume toward each other the legal relationship of parent(s) and child and will have all the rights and be subject to all the duties and responsibilities of that relationship.
5. That they request approval of this agreement of adoption and issuance of an order of adoption that *(name of nonminor dependent):* _____
 is adopted by *(name of prospective adoptive parent(s)):* _____
 and that the name of the nonminor dependent after adoption will be *(full name, whether keeping birth name or changing name):* _____

Date: _____

 (TYPE OR PRINT NAME)

Date: _____

 (TYPE OR PRINT NAME)

Date: _____

 (TYPE OR PRINT NAME)

▶ _____
 SIGNATURE OF PROSPECTIVE ADOPTIVE PARENT

▶ _____
 SIGNATURE OF PROSPECTIVE ADOPTIVE PARENT

▶ _____
 SIGNATURE OF NONMINOR DEPENDENT

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS: _____ ATTORNEY FOR <i>(Name):</i> _____ SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
NONMINOR'S NAME: _____	
CONSENT OF SPOUSE OR REGISTERED PARTNER TO ADOPTION OF NONMINOR DEPENDENT	CASE NUMBER: _____

Use this form to document the consent of a spouse or registered domestic partner to the adoption of a nonminor dependent when only one spouse or registered domestic partner is the prospective adoptive parent.

Consent of Spouse or Registered Domestic Partner

1. My name is: _____

2. I am the spouse registered domestic partner of petitioner *(name of spouse or domestic partner):* _____, who is a person seeking to adopt a nonminor dependent.

3. I do hereby fully and freely consent to the adoption of *(name of nonminor dependent):* _____, a nonminor dependent, by my spouse registered domestic partner.

Date: _____
(TYPE OR PRINT NAME)

 _____
(SIGNATURE OF SPOUSE OR REGISTERED DOMESTIC PARTNER)

No Consent of Spouse or Registered Domestic Partner

The court has considered the evidence provided by the social worker probation officer and finds the spouse/registered domestic partner of the prospective adoptive parent is incapable of providing consent to adoption.

Date: _____
JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i> TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS: _____ ATTORNEY FOR <i>(Name):</i> _____	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
NONMINOR'S NAME:	
ORDER OF ADOPTION OF NONMINOR DEPENDENT	CASE NUMBER:

1. Name(s) of prospective adoptive parent(s):
2. Name of nonminor dependent:
3. a. Date of Hearing: _____ Dept.: _____
 b. Judicial Officer:
- c. Present: Prospective adoptive parent(s) Attorney for prospective adoptive parent(s):
 Nonminor dependent Attorney for nonminor dependent:
 County counsel Social worker
 Other *(specify):* _____ Probation officer
4. Date and place of nonminor dependent's birth *(specify):*
5. The prospective adoptive parent(s) is or are married/registered domestic partner(s) single.

THE COURT FINDS AND ORDERS

6. Notice was given as required by law.
7. All consents required by law have been filed with the court.
8. The nonminor dependent and prospective adoptive parent(s) are present for the hearing.
9. The court has read and considered and admits into evidence
 - a. the adoption assessment report prepared by the social worker.
 - b. the adoption assessment report prepared by the probation officer.
 - c. other *(specify):*
 - d. other *(specify):*
10. The court has considered the wishes of the nonminor dependent.
11. The nonminor dependent is is not eligible for adoption assistance program benefits, and the prospective adoptive parent(s) has/have has/have not signed a negotiated adoption assistance agreement, a copy of which is attached to the report.

NONMINOR'S NAME:	CASE NUMBER:
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- 12. The adoption is in the best interest of the nonminor dependent.
- 13. The prospective adoptive parent(s) and the nonminor dependent have mutually consented to the adoption, as evidenced by their execution of the agreement of adoption dated *(insert date)*: filed with the court.
- 14. The agency has provided all documents necessary to the nonminor dependent under Welfare and Institutions Code section 391(e).
- 15. *Agreement of Adoption of Nonminor Dependent* (form JV-475) is approved.
- 16. The nonminor dependent is now adopted by the adoptive parent(s), and the nonminor dependent and adoptive parent(s) will assume toward each other the legal relationship of parent(s) and child and will have all of the rights and be subject to all of the duties and responsibilities of that relationship.
- 17. The birth parents of the nonminor dependent are, from the time of the adoption, relieved of all parental duties toward, and responsibility for, the adopted nonminor dependent and have no rights over the adopted nonminor dependent.
- 18. The nonminor dependent's name after adoption shall be *(adoptee's full name, whether keeping original birth name or changing name)*:
- 19. The juvenile court's dependency delinquency transition jurisdiction over the nonminor dependent is terminated.

Date:

(TYPE OR PRINT NAME)

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		<p><i>FOR COURT USE ONLY</i></p> <p>Draft</p> <p>Not approved by the</p> <p>Judicial Council</p>
TELEPHONE NO.:	FAX NO. (Optional):	
E-MAIL ADDRESS:		
ATTORNEY FOR (Name):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS:		CASE NUMBER:
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
FINDINGS AND ORDERS FOR CHILD APPROACHING MAJORITY— DELINQUENCY		
Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	Other Court Personnel:	Interpreter: Language:

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

1. A review hearing under Welfare and Institutions Code section 727.2, held on behalf of a child approaching majority;
2. A review hearing under Welfare and Institutions Code section 727.2, during which a recommendation to terminate juvenile court jurisdiction is considered, held on behalf of a child more than 17 years, 5 months 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 child more than 17 years, 5 months 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.

If this hearing is also a review hearing under Welfare and Institutions Code section 727.2 or section 727.3, the findings and orders required in that section and in rule 5.810 of the California Rules of Court must be made in addition to the findings and orders on this form.

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

Findings

1. a. The child's rehabilitative goals have been met. Juvenile court jurisdiction over the child as a ward is no longer required. The facts supporting this finding were stated on the record.
- b. The child's rehabilitative goals have not been met. Continued juvenile court jurisdiction over the child as a ward is required. The facts supporting this finding were stated on the record.
2. For a dual-status child for whom dependency jurisdiction was suspended under Welfare and Institutions Code section 241.1(e)(5)(A),
 - a. a return to the child's home would be detrimental to the child, and juvenile court jurisdiction over the child as a dependent should be resumed. The facts supporting this finding were stated on the record.
 - b. a return to the child's home would not be detrimental to the child, and juvenile court jurisdiction over the child as a dependent does not need to be resumed. The facts supporting this finding were stated on the record.

CHILD'S NAME:	CASE NUMBER:
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3. For a dual-status child for whom the probation department was designated the lead agency under Welfare and Institutions Code section 241.1(e)(5)(B),
 - a. a return to the child's home would be detrimental to the child, and juvenile court jurisdiction over the child as a dual-status child is no longer required. The facts supporting this finding were stated on the record.
 - b. a return to the child's home would not be detrimental to the child, and juvenile court jurisdiction over the child as a dependent is not required. The facts supporting this finding were stated on the record.

4. For other than a dual status child,
 - a. the child was not a court dependent at the time he or she was declared a ward. The child does does not appear to come within the description of Welfare and Institutions Code section 300, and can cannot be returned home safely. The facts supporting this finding were stated on the record.
 - b. the child was subject to an order for a foster care placement as a dependent of the court at the time he or she was adjudged a ward and does does not remain within the description of a dependent child under Welfare and Institutions Code section 300, and a return to the home of his or her parents or legal guardian would would not create a substantial risk of detriment to the child's safety, protection, or physical or emotional well-being. The facts supporting the findings were stated on the record.
 - c. reunification services have have not been terminated.
 - d. the child's case has has not been set for a hearing to terminate parental rights or establish a guardianship.
 - e. The child does does not intend to sign a mutual agreement for a placement in a supervised setting as a nonminor dependent.

5. The child's Transitional Independent Living Case Plan includes a plan for the child to satisfy at least one of 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 plans to attend a college, community college, or 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 plans to be employed at least 80 hours a month.
 - e. The child may not be able to attend school, college, a vocational program, or 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 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.

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 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 because it is not necessary.

CHILD'S NAME:	CASE NUMBER:
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9. The child has an in-progress application pending for Special Immigrant Juvenile 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 child, and the child has stated that he or she understands those benefits.
11. The child was informed that he or she may decline to become a nonminor dependent.
12. The child was informed that on reaching 18 years of age, he or she may have the right to have juvenile court jurisdiction terminated following a hearing under rule 5.555 of the California Rules of Court.
13. The child was informed that if juvenile court jurisdiction is terminated, he or she has the right to file a request to return to foster care and have the court assume or resume jurisdiction over him or her as a nonminor dependent.
14. a. All the information, documents, and services required by Welfare and Institutions Code section 391(e) were provided to the child.
- b. Not all the information, documents, and services required by Welfare and Institutions Code section 391(e) were provided to the child.
- (1) The barriers to providing any missing information, documents, or services can be overcome by the date the child attains 18 years of age.
- (2) The barriers to providing any missing information, documents, or services may not be overcome by the date the child attains 18 years of age.
15. The child was was not provided with the notices and information required under Welfare and Institutions Code section 607.5.

Orders

16. The court, having previously determined that the child is a dual-status child under Welfare and Institutions Code section 241.1(e)(5)(A), and that juvenile court jurisdiction over the child as a dependent should be resumed, orders that
- a. dependency jurisdiction over the child previously suspended is resumed and delinquency jurisdiction is dismissed.
- b. the matter is continued for a status review hearing set under Welfare and Institutions Code section 366.21 or section 366.31, on the date stated on the record, which is within six months of the date of the child's most recent status review hearing under Welfare and Institutions Code section 727.2 or section 727.3.
17. The court having previously determined that the child is a dual status child under Welfare and Institutions Code section 241.1(e)(5)(B), that the child's rehabilitative goals were achieved, that a return to the child's home would be detrimental, and that juvenile court jurisdiction over the child as a dual-status child is no longer required, orders that
- a. the child's dual status is terminated, delinquency jurisdiction over the child 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 Welfare and Institutions Code section 366.21 or section 366.31, on the date stated on the record, which is within six months of the date of the child's most recent status review hearing under Welfare and Institutions Code section 727.2 or section 727.3.

CHILD'S NAME:

CASE NUMBER:

18. The child comes within the juvenile court's transition jurisdiction as described in Welfare and Institutions Code section 450.

- a. The child 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 made at that hearing—"continuation in the home is contrary to the child's welfare" and "reasonable efforts were made to prevent removal"—remain in effect.
- c. The child welfare services department probation department is responsible for the child's placement and care.

The child 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 Welfare and Institutions Code section 366.31 and rule 5.903 of the California Rules of Court, on the date stated on the record, which is within six months of the child's most recent status review hearing under Welfare and Institutions Code section 727.2 or section 727.3.

19. The child (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 Welfare and Institutions Code section 300 and cannot be returned home safely.

- a. The probation officer child's attorney must submit an application under Welfare and Institutions Code section 329 to the child welfare services department to commence a proceeding to declare the child 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.

20. The child (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 Welfare and Institutions Code section 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 child 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 made at that hearing—"continuation in the home is contrary to the child's welfare" and "reasonable efforts were made to prevent removal"—remain in effect.
- c. The child welfare services department probation department is responsible for the child's placement and care.

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

CHILD'S NAME:	CASE NUMBER:
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21. Jurisdiction over the child is not modified from delinquency jurisdiction to dependency jurisdiction or transition jurisdiction.
- a. The child 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 child is returned to the home of the parent or legal guardian and juvenile court jurisdiction of the child is terminated as stated 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 child 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 rule 5.903 of the California Rules of Court, on the date stated on the record, which is within six months of the child's most recent status review hearing under Welfare and Institutions Code section 727.2 or section 727.3.
 - (2) The child 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 Welfare and Institutions Code sections 607.2(b)(4) and 607.3 is set for the date stated on the record, which is within one month of the child's 18th birthday.
 - (b) A status review hearing is set under Welfare and Institutions Code section 727.2, on the date stated on the record, which is within six months of the child's most recent status review hearing under Welfare and Institutions Code section 727.2 or section 727.3.

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

- a. Nonminor dependent status review hearing under Welfare and Institutions Code section 366.31 and rule 5.903 of the California Rules of Court

Hearing date:	Time:	Dept:	Room:
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- b. Hearing to consider termination of jurisdiction under Welfare and Institutions Code section 391 and rule 5.555 of the California Rules of Court

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

Hearing date:	Time:	Dept:	Room:
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Date:

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (<i>Name</i>): _____		FOR COURT USE ONLY Draft Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____		
CHILD'S NAME: _____		
FINDINGS AND ORDERS AFTER HEARING TO MODIFY DELINQUENCY JURISDICTION TO TRANSITION JURISDICTION FOR CHILD YOUNGER THAN 18 YEARS OF AGE		CASE NUMBER: _____
Judicial Officer: _____	Court Clerk: _____	Court Reporter: _____
Bailliff: _____	Other Court Personnel: _____	Interpreter: Language: _____

Use this form to document the findings and orders regarding the modification of delinquency jurisdiction to transition jurisdiction for a child older than 17 years, 5 months and younger than 18 years of age, who

- has met his or her rehabilitative goals;
- is under an order for foster care placement;
- wants to remain in extended foster care under the transition jurisdiction of the juvenile court;
- is not receiving reunification services; and
- does not have a hearing set for termination of parental rights or establishment of guardianship.

	<u>Present</u>	<u>Attorney (name):</u>		<u>Present</u>	
1. Parties (<i>name</i>)					
a. Ward:	<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. (<i>Name</i>):	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<input type="checkbox"/>
b. (<i>Name</i>):	<input type="checkbox"/>	Father	<input type="checkbox"/>	Mother	<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. <input type="checkbox"/> Others present					
a. Other (<i>name</i>):					
b. Other (<i>name</i>):					
c. Other (<i>name</i>):					

CHILD'S NAME:	CASE NUMBER:
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7. The court has read and considered and admits into evidence

- a. report of social worker dated:
- b. report of probation officer dated:
- c. other (specify):
- d. other (specify):
- e. other (specify):

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

Findings

- 8. Notice has has not been given as required by law.
- 9. a. The child comes within the description of Welfare and Institutions Code section 450, in that
 - (1) the child is older than 17 years, 5 months and younger than 18 years of age and is subject to an order for foster care placement.
 - (2) the child was removed from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the juvenile court under Welfare and Institutions Code section 725, and ordered into foster care placement as a ward, or the child was removed from the custody of his or her parents as a dependent of the court with an order for foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under Welfare and Institutions Code section 725.
 - (3) the child's rehabilitative goals as stated in the case plan have been met, and juvenile court's delinquency jurisdiction over him or her as a ward is no longer required.
- b. The child does not come within the description of Welfare and Institutions Code section 450, in that (check all that apply)
 - (1) the child is not more than 17 years, 5 months and less than 18 years of age and subject to a foster care placement order.
 - (2) the child was not removed from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the juvenile court under Welfare and Institutions Code section 725, and ordered into foster care placement as a ward, nor was the child removed from the custody of his or her parents as a dependent of the court with an order for a foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under Welfare and Institutions Code section 725.
 - (3) the child's rehabilitative goals as stated in the case plan have not been met, and the juvenile court's delinquency jurisdiction over him or her as a ward is required.
- 10. The child has has not been informed that he or she may decline to become a nonminor dependent and may have juvenile court jurisdiction terminated at a hearing under Welfare and Institutions Code section 391, and rule 5.555 of the California Rules of Court.
- 11. The child's return to the home of his or her legal guardian would would not create a substantial risk of detriment to the child's safety, protection, or physical or emotional well-being. The facts supporting this finding were stated in the records.
- 12. Reunification services have have not been terminated.
- 13. The child's case has has not been set for a hearing to terminate parental rights or establish a guardianship.

CHILD'S NAME:	CASE NUMBER:
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14. The child does does not intend to sign a mutual agreement for a placement in a supervised setting as a transition dependent.
15. The child's Transitional Independent Living Case Plan does does not include a plan for the child to satisfy at least one of the following conditions of eligibility to remain under juvenile court jurisdiction as a transition dependent *(check all that apply)*:
- The child plans to continue attending high school or a high school equivalency certificate (GED) program.
 - The child has made plans to attend a college, a community college, or a vocational education program.
 - The child plans to participate in a program or activities to promote employment or overcome barriers to employment.
 - The child has made plans to be employed at least 80 hours per month.
 - The child may not be able to attend school, college, a vocational program, or a program or activities to promote employment or overcome barriers to employment or to work 80 hours per month due to a medical condition.
16. The child has has not had an opportunity to confer with his or her attorney.
17. **The court makes the following orders modifying jurisdiction:**
- The child comes within the juvenile court's transition jurisdiction as described in Welfare and Institutions Code section 450.
 - (1) The child was originally removed from the physical custody of his or her parents or legal guardians on *(specify date of detention hearing when removal findings were made)*: _____ and continues to be removed from their custody.
 - (2) The removal findings—"continuance 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.
 - (3) The probation department social services agency is responsible for the child's placement and care.
 - The child is adjudged a transition dependent under the transition jurisdiction of this court.
 - Delinquency jurisdiction is terminated.
 - (Insert name)*: continues his/her court appointment is appointed by the court as the attorney of record for the child.
 - The matter is continued for a nonminor dependent status review hearing set under Welfare and Institutions Code section 366.31, and rule 5.903 of the California Rules of Court on *(date)*: _____. This date is within six months of the child's most recent status review hearing under Welfare and Institutions Code section 727.2 or 727.3.
18. **The court makes the following orders not modifying jurisdiction:**
- The child does not come within the juvenile court's transition jurisdiction as described in Welfare and Institutions Code section 450.
 - The child continues under the delinquency jurisdiction of the court.
 - The matter is continued for a status review hearing on *(date)*: _____. This date is within six months of the child's most recent status review hearing under Welfare and Institutions Code section 727.2 or 727.3.
19. **The court makes the following additional findings and orders to terminate jurisdiction:**
- The child has met his or her rehabilitative goals and does not wish to become a transition dependent.
 - A hearing to consider termination of jurisdiction under Welfare and Institutions Code section 391, and rule 5.555 of the California Rules of Court is set on *(date)*:

Date:

 JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (<i>Name</i>): _____		FOR COURT USE ONLY Draft Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____		
NONMINOR'S NAME: _____		
FINDINGS AND ORDERS AFTER HEARING TO MODIFY DELINQUENCY JURISDICTION TO TRANSITION JURISDICTION FOR WARD OLDER THAN 18 YEARS OF AGE		CASE NUMBER: _____
Judicial Officer: _____	Court Clerk: _____	Court Reporter: _____
Bailiff: _____	Other Court Personnel: _____	Interpreter: Language: _____

- | | Present | <u>Attorney (name):</u> | Present |
|--|--------------------------|--|--------------------------|
| 1. Parties (<i>name</i>) | | | |
| 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. (<i>Name</i>): | <input type="checkbox"/> | Father <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. (<i>Name</i>): | <input type="checkbox"/> | Father <input type="checkbox"/> Mother | <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>): | | (<i>Name</i>): | |
| b. Other (<i>name</i>): | | (<i>Name</i>): | |
| c. Other (<i>name</i>): | | (<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 ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS

Findings

- 8. Notice has has not been given as provided by law.

- 9. a. The nonminor comes within the description of Welfare and Institutions Code section 450 in that
 - (1) the ward is a nonminor ward in foster care placement who was a ward subject to an order for foster care placement on the day of his or her 18th birthday and is under the age of 21.
 - (2) the ward was removed from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the juvenile court under Welfare and Institutions Code section 725, and ordered into foster care placement as a ward, or the ward was removed from the custody of his or her parents as a dependent of the court with an order for foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under Welfare and Institutions Code section 725.
 - (3) the ward's rehabilitative goals as stated in the case plan have been met, and juvenile court's delinquency jurisdiction over him or her as a ward is no longer required.

- b. The ward does not come within the description of Welfare and Institutions Code section 450, in that *(select all that apply)*
 - (1) the ward was not subject to an order for foster care placement on the day of his or her 18th birthday.
 - (2) the ward is over the age of 21.
 - (3) the ward was not removed from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the juvenile court under Welfare and Institutions Code section 725, and ordered into foster care placement as a ward, nor was the ward removed from the custody of his or her parents as a dependent of the court with an order for a foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under Welfare and Institutions Code section 725.
 - (4) the ward's rehabilitative goals as stated in the case plan have not been met, and the juvenile court's delinquency jurisdiction over him or her as a ward is required.

- 10. The ward has has not been informed that he or she may decline to become a nonminor dependent and may have juvenile court jurisdiction terminated at a hearing under rule 5.555 of the California Rules of Court.

- 11. The nonminor was was not informed that if juvenile court jurisdiction is terminated, the nonminor can file a request to return to foster care and may have the court resume jurisdiction over the ward as a nonminor dependent.

- 12. The benefits of remaining under juvenile court jurisdiction as a nonminor dependent were were not explained and the nonminor understands them.

- 13. The ward has has not signed a mutual agreement with the responsible agency for placement in a supervised setting as a nonminor dependent.

- 14. The ward's Transitional Independent Living Case Plan does does not include a plan for the ward to satisfy at least one of the following conditions of eligibility to remain under juvenile court jurisdiction as a transition dependent *(check all that apply)*:
 - a. The ward plans to continue attending high school or a high school equivalency certificate (GED) program.
 - b. The ward has made plans to attend a college, a community college, or a vocational education program.
 - c. The ward plans to participate in a program or activities to promote employment or overcome barriers to employment.
 - d. The ward has made plans to be employed at least 80 hours per month.
 - e. The ward may not be able to attend school, college, a vocational program, or a program or activities to promote employment or overcome barriers to employment or to work 80 hours per month due to a medical condition.

NONMINOR'S NAME:	CASE NUMBER:
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15. The ward has has not had an opportunity to confer with his or her attorney.
16. **The court makes the following orders modifying jurisdiction:**
- a. The ward comes within the juvenile court's transition jurisdiction as described in Welfare and Institutions Code section 450.
 - (1) The ward was originally removed from the physical custody of his or her parents or legal guardians on *(specify date of detention hearing when removal findings were made)*: _____ and continues to be removed from their custody.
 - (2) The removal findings—"continuance 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.
 - (3) The probation department social services agency is responsible for the nonminor's placement and care.
 - b. The nonminor is adjudged a nonminor dependent under the transition jurisdiction of this court.
 - c. Delinquency jurisdiction is terminated.
 - d. *(Insert name)*: _____ continues his/her court appointment is appointed by the court as the attorney of record for the nonminor dependent.
 - e. The matter is continued for a nonminor dependent status review hearing set under rule 5.903 of the California Rules of Court on *(date)*: _____. This date is within six months of the nonminor's most recent status review hearing under Welfare and Institutions Code section 727.2 or 727.3.
17. **The court makes the following orders not modifying jurisdiction:**
- a. The nonminor does not come within the juvenile court's transition jurisdiction as described in Welfare and Institutions Code section 450.
 - b. The nonminor continues under the delinquency jurisdiction of the court.
 - c. The matter is continued for a status review hearing on *(date)*: _____. This date is within six months of the nonminor's most recent status review hearing under Welfare and Institutions Code section 727.2 or 727.3.
18. **The court makes the additional findings and orders to terminate jurisdiction:**
- a. The ward has met his or her rehabilitative goals, but does not wish to become a nonminor dependent.
 - b. A hearing to consider termination of jurisdiction under Welfare and Institutions Code section 607.3, and rule 5.555 of the California Rules of Court is set on *(date)*:

Date:

 JUDICIAL OFFICER

CHILD'S NAME:	CASE NUMBER:
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CONTINUANCE—JUVENILE DELINQUENCY

THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS

1. Detention hearing
 - a. The child, the child's parent, or the child's guardian has requested a continuance under Welfare and Institutions Code section 638. The detention hearing is continued to the next judicial calendar date.
 - b. The child prosecution probation officer parent/guardian other (*specify*):
 - (1) written notice timely filed.
 - (2) oral motion, and good cause was shown for permitting an oral motion.
 - c. Good cause exists to grant the continuance in that (*specify*): _____ . The motion for the continuance is granted.
 - d. The court has considered the information contained in the report of the probation officer dated: _____ and, based on this information, finds that continuance in the home is contrary to the child's welfare pending a further hearing on the matter.

2. **Jurisdiction, disposition, or other delinquency hearing**
 - a. A motion to continue the (*specify*): _____ hearing under Welfare and Institutions Code section 682 was made by the child prosecution probation officer parent or guardian other (*specify*): _____
 - b. The petitioner provided timely written notice to all parties of the continuance request.
 - c. The petitioner did not comply with noticing requirements. Good cause for failing to comply is found.
 - d. The order is granted. Good cause for granting the continuance does exist in that
 - (1) notice of the date, time, and location of the hearing was not given to (*name*): _____
 - (2) new counsel is being appointed.
 - (3) a determination needs to be made on whether the parent, guardian, or adult relative can afford counsel.
 - (4) the petitioner needs time to subpoena witnesses for the jurisdiction hearing because the child
 - (a) made an extrajudicial admission and now denies it.
 - (b) previously indicated an intent to admit the allegations to the court or petitioner but now denies the allegations.
 - (5) the court is ordering the child and the parent or guardian to participate with the child in a program of counseling or education under Welfare and Institutions Code section 654.
 - (6) other (*specify*): _____

3. **Additional findings and orders**
 - a. See attached.
 - b. Other (*specify*): _____

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

5. All parties are ordered to return for the continued hearing

Hearing date:	Time:	Dept.:	Room:
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6. All prior orders are not in conflict with this order remain in full force and effect.

7. Number of pages attached:

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Juvenile Law: Extended Foster Care (Adopt Cal. Rules of Court, rules 5.813 and 5.814; amend rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906; renumber form JV-682 to JV-688 and approve new form JV-682; approve forms JV-470, JV-472, JV-475, JV-477, JV-479, and JV-683; and revise forms JV-281, JV-282, JV-462, and JV-680)

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	Commentator	Position	Comment	Committee Response
1.	California Department of Social Services, Child and Youth Permanency Branch Sharon DeRego Bureau Chief		<p>Rules: 5.555 CDSS does not agree with the use of “nonminor” within the Rule, as proposed and defined in SPR 13-24.</p> <p>CDSS objection to that definition was provided as comment to SPR 13-24 and reads as follow: “CDSS does not agree with the amendment to add a new definition of “nonminors” as a class of persons distinct from nonminor dependents. The term “nonminor” is a commonly used word to mean an adult, and so can be used if needed without a definition. To limit the term to refer only to persons under the dependency delinquency or transition jurisdiction of the court will create confusion with the ordinary use of the term and is not accurate as used in some code sections. For example, the use of the term “nonminor” in Welfare and Institutions Code Section 388(e)(1) refers to a person over whom the court has dismissed dependency delinquency or transition jurisdiction, and has not yet reassumed it in response to the petition filed by the nonminor. In addition, creation of a new definition in this manner could be seen as encouraging an expansion of a category of persons potentially subject to the court’s jurisdiction without the justification of either needing the court’s assistance based on minority or having requested the court’s assistance in accessing services.”</p>	This comment concerns SP 13-24 and is addressed in that report.

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			<p>CDSS suggest striking (a)(1)(B)- “A ward or dependent of the juvenile court who is 18 years of age or 14 older and subject to an order for a foster care placement.; and...”</p> <p>It is suggested that “required” found in (c)(1)(4) line 22, be replaced with “permitted”.</p> <p>CDSS also has concerns with removing the requirement that findings and orders be made orally at the hearing and the court order be signed. Hearing the findings and orders can have more impact on the NMD in that it provides a multi-sensory experience which allows them to make connections with new information and tap into their prior knowledge of their case and previous orders. Also a transcript of the hearing may occasionally be useful for verification if there is a question about the accuracy of the court order and a nunc pro tunc order is needed.</p> <p>The intent of this Rule is unclear. If it is to specify that a youth who has reunification with</p>	<p>Because the court has the authority to maintain jurisdiction over a juvenile ward or dependent up to age 21 and place that ward or dependent in any type of placement whether or not the ward or dependent is a nonminor dependent as defined in section 11400(v) the committee does not believe that rule 5.555(a)(1)(B) should be deleted.</p> <p>Rule 5.555 (c) sets forth all the elements that must be included in the social worker or probation officer’s report, thus the use of required in (c)(1)(4) is correct.</p> <p>The Committee believes that eliminating the requirement that all findings and orders be made orally is important to free up time for the court to engage with the youth and ensure that he or she is on a path to successful independence. Given limited court resources, providing written documentation of all court findings, while reserving in person court time for more substantive and individualized attention will better serve the interests of the youth subject to the court’s jurisdiction</p> <p>The intent of the rule is to incorporate the changes in the statute pertaining to reunification in AB</p>

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			<p>their parents or legal guardian from whom they were removed still get the 391 protection, then CDSS recommends that the phrase “from whom the you had been removed” following the words “parents or former legal guardian.”</p> <p>5.570 CDSS does not agree with the use of “nonminor” within the Rule.</p> <p>5.707 CDSS also has concerns with removing the requirement that findings and orders be made orally.</p> <p>5.812 CDSS also has concerns with removing the requirement that findings and orders be made orally</p> <p>5.813 - no comment.</p> <p>5.814 - no comment.</p> <p>5.900 - no comment.</p>	<p>1712 and anticipated in AB 787. Because AB 787 allows a nonminor to be returned to the home of a parent or former legal guardian and to remain subject to the court’s jurisdiction as a nonminor dependent, the committee believes that the proposed language in rule 5.555(a)(1)(C) is legally accurate and sufficient.</p> <p>This comment concerns SP 13-24 and is addressed in that report.</p> <p>See response to comment on rule 5.555 on findings and orders above.</p> <p>See response to comment on Rule 5.555 on findings and orders above.</p> <p>No response required</p> <p>No response required</p> <p>No response required</p>

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	Commentator	Position	Comment	Committee Response
			<p>5.903 CDSS does not agree with the use of “nonminor” within the Rule, see explanation in 5.555.</p> <p>5.906 CDSS agrees with use of “nonminor” within this Rule but it is inconsistent with the definition in SPR 13-24 because the youth is not a dependent yet. See explanation in 5.555.</p> <p>Forms: JV-470 - no comment.</p> <p>JV-472 – no comment.</p> <p>JV-475 Agreement of Adoption of Nonminor Dependent The first sentence " The prospective adoptive parent... and the nonminor dependent...." is an incomplete sentence. The prior working draft used the same language, however, it included the word "Whereas.." for 1. and 2. to make the sentence complete. This word has now been removed leaving this as an incomplete sentence.</p> <p>J V-477- no comment</p> <p>JV-479 For 9., it may be more concise to blend a. and b. by stating the report "prepared by social</p>	<p>This comment concerns SP 13-24 and is addressed in that report.</p> <p>No response required.</p> <p>No response required</p> <p>No response required</p> <p>The committee believes that the proposed adoption agreement form language is clear and comprehensible. Addition of legalistic terms such as “whereas” would not enhance the clarity of the order and would be inconsistent with the committee’s efforts to ensure that all forms are in plain language that is comprehensible to a lay audience. However the committee has adopted suggestions discussed below to make the form briefer and clearer.</p> <p>No response required</p> <p>While the committee appreciates the suggestion to make the form more concise, in this case the</p>

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	Commentator	Position	Comment	Committee Response
			<p>worker/probation officer.</p> <p>JV-680 – no comment.</p> <p>JV-682 – no comment.</p> <p>JV-683 – no comment.</p> <p>JV-688 – no comment.</p>	<p>agency identity of the person who prepared the report is relevant to the court.</p> <p>No response required</p> <p>No response required</p> <p>No response required</p> <p>No response required</p>
2.	<p>Dependency Legal Group of San Diego Candi Mayes CEO & Executive Director</p>		<p>I am writing on behalf of Dependency Legal Group of San Diego.</p> <p>All of the proposed amendments that call for the removal of the requirement that the findings and orders be made orally at the hearing should specify that the requirement is removed for uncontested matters only and include the provision "unless a party requests the court to make the findings and orders on the record". This would allow for the situation where a party is self-represented to ensure that they fully understand the proceedings and decisions of the court.</p>	<p>As the committee noted above, eliminating the requirement that all findings and orders be made orally is important to free up time for the court to engage with the youth and ensure that he or she is on a path to successful independence. Given limited court resources, providing written documentation of all court findings, while reserving in person court time for more substantive and individualized attention will better serve the interests of the youth subject to the court’s jurisdiction. The committee notes that there is no statutory requirement that findings and orders be made orally, and that a party may request that the orders be made orally at any time. Thus the committee believes that the rule should leave the court with the discretion to determine how and where to document the orders.</p>

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	Commentator	Position	Comment	Committee Response
			<p>We oppose the removal of the requirement that court orders need to be signed. This processes provides an opportunity for the judicial officer to review the order and ensure that all of the information is accurate. In our form driven system, the signature also helps distinguish a proposed order from an actual court order.</p> <p>If AB 787 is passed then parents of nonminor dependents will have the opportunity to receive reunification services, notice, and continued legal representation at dependency hearings. This is a big change from the current process. The notice provided to them needs to be complete and fully represent the matters that will be before the court, particularly including the issues or returning to the home of the parent and the potential termination of services. While we appreciate the efforts to streamline the form JV-281, our position is that that any notice that does not include this information to the parent(s) would be inadequate to meet due process requirements.</p>	<p>The committee notes that the requirement that the orders be signed is not a statutory requirement, and believes that it is preferable, given constraints on court resources, to allow the court to determine how to issue its orders.</p> <p>The committee agrees that the notice should be more rather than less detailed, and has revised the form to make it more precise by splitting proposed JV-281 item (b) into two boxes so that the notice form will identify whether reunification services are currently being provided and if any change in that status is contemplated (see response to Comment 11, number 13).</p>
3.	Gena Rae Eichenberg Deputy County Counsel Superior Court of Humboldt County		The optional use form , JV-460 <i>Additional Findings and Orders for Child Approaching Majority – Dependency</i> , in Orders 10, 11, and 12, references Welf. & Inst. Code, section 11402(v). There is no such subparagraph. The inclusion of “11402(v)” is an error. Orders 10, 11 and 12 should refer to section 11400(v).	The committee notes this erroneous code reference and has incorporated form JV-460 into this proposal in order to make the correction.

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	Commentator	Position	Comment	Committee Response
4.	Angela Igrisan	A	No specific comments received	No response required.
5.	Los Angeles County Counsel's Office Jim Owens Asst. County Counsel	AM	<p>Rule 5.555 Hearing to consider termination of juvenile court jurisdiction over a nonminor</p> <p>(a) Applicability: Agree with the proposed changes.</p> <p>(b) Setting a hearing: Subsection (2) Respectfully request that the references to Sections 366.21, 366.22 and 366.25 as these sections do not apply to a review hearing for a nonminor dependent as the language of these sections uses the term "child" not "nonminor". Additionally, section 366, subdivision (g) clearly states "[t]he status review of every nonminor dependent, as defined in subdivision (v) of Section 11400, shall be conducted pursuant to the requirements of Sections 366.3, 366.31, or 366.32, and 16503 until dependency jurisdiction is terminated pursuant to Section 391." In light of the clear provisions of Section 366 as well as the lack of inclusion of the term "nonminor" in Sections 366.21, 366.22 and 366.25, it is requested that these sections be removed from section (b)(2) to remove any confusion in the rule and to avoid using the wrong code section for review hearings of a nonminor dependent.</p>	<p>No response required.</p> <p>While the committee notes that a failure to reference nonminors in a statute does not mean that it does not apply to nonminors because section 303(e) provides that nonminor dependents have the same rights and are owed the same duties as dependent children unless otherwise specified, in this instance it agrees that the specific language in section 366(g) is such a specific limitation and has revised the rule to reflect the review hearing statutes in 366.3 and to delete 366.21, 366.22, and 366.25.</p>

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			<p>Request that subsection (2) include a reference to Section 391 as the juvenile court may conduct a hearing to terminate jurisdiction by conducting a hearing pursuant to Section 391.</p> <p>(c) Reports: Agree with the proposed changes.</p> <p>(d) Findings and orders: Agree with the proposed changes.</p> <p>Rule 5.570 Request to change court order (petition for modification) Respectfully request that there be a cross-reference to Rule 5.906 included within Rule 5.570.</p> <p>Rule 5.707 Review hearing requirements for child approaching majority Respectfully request that a reference to section 366.31 and 366.32 be added to both the title of the rule as well as subsection (c)(1) of the rule. Both of these sections apply to a review hearing for a child approaching majority as stated in</p>	<p>Rule 5.555 is a rule to provide for the hearing required by section 391 and any hearing to terminate jurisdiction over a nonminor dependent must be pursuant to section 391, thus this reference appears superfluous. The intent of the other statutory references is to make it clear that a 391 hearing can be combined with another required hearing, not that it can be substituted for those requirements, thus the committee believes that adding a reference to section 391 would be confusing, rather than clarifying.</p> <p>No response required.</p> <p>No response required.</p> <p>The committee has modified rule 5.570 to clarify that it does not apply to section 388(e) petitions to reenter foster care and that those petitions are governed by Rule 5.906.</p> <p>The committee has added a reference to section 366.31 to both the title and the rule. Because section 366.32 applies only to nonminors the committee believes it is not appropriate to add to this rule which only addresses children approaching majority. The committee has deleted the obsolete subdivision references for section</p>

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			<p>Section 366((a)(1)(F). Additionally, the reference to Section 366.3(l)-(n) in the title of the rule should be removed as these referenced subdivisions do not exist in the present version of Section 366.3.</p> <p>Rule 5.812 Additional requirements for any hearing to terminate jurisdiction over child in foster care and for status review hearing for child approaching majority Agree with the proposed changes.</p> <p>Rule 5.813 Modification to transition jurisdiction for a ward more than 18 years and less than 21 years of age Agree with the recommendations.</p> <p>Rule 5.814 Modification to transition jurisdiction for a ward more than 17 years, 5 months, and less than 18 years of age Agree with the recommendations.</p> <p>Rule 5.900 Nonminor dependent-preliminary provisions (b)(2) The addition of the language "including relationships with caring and committed adults who can serve as lifelong connections" is not needed.</p> <p>Rule 5.903 Nonminor dependent status review hearing Agree with the recommendations.</p> <p>Rule 5.906 Request by nonminor for the juvenile court to resume jurisdiction</p>	<p>366.3.</p> <p>No response required.</p> <p>No response required.</p> <p>No response required.</p> <p>The committee believes that this language is important as it reflects the statutory requirement in section 366.31(c) which provides that the court must address these relationships at every review hearing involving a nonminor dependent..</p> <p>No response required.</p> <p>No response required.</p>

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	Commentator	Position	Comment	Committee Response
			Agree with the recommendations.	
6.	Orange County Bar Association Wayne R. Gross President	A	No specific comments received	No response required.
7.	San Bernardino County Probation Maria Camacho Secretary	AM	<p>COMMENT: QUESTION: Should item 2 on Notice of Hearing-Nonminor (form JV-281) be amended to read “At the hearing the court will consider the recommendation of the social worker or probation officer and make orders concerning the nonminor dependent” so that the form would remain a one page form or should the item read as proposed and result in a two-page form? (Should this be a one page form or two page?) The item as proposed reads: “At the hearing the court will: a. <input type="checkbox"/> 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 <input type="checkbox"/> Determine if the nonminor dependent can return to the home of a parent or former legal guardian, or whether to terminate or continue courtordered family reunification services. C. <input type="checkbox"/> Other(specify): “</p> <p>ANSWER: The one-page form should read “at the hearing the court will consider the recommendation of the social worker or probation officer and make orders concerning the nonminor dependent.” To clarify on the</p>	<p>The committee determined that more detail on the notice form was preferable and has not revised the form to collapse the item so it can be on one page because the need for clear notice to all parties is critical.</p>

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Juvenile Law: Extended Foster Care (Adopt Cal. Rules of Court, rules 5.813 and 5.814; amend rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906; renumber form JV-682 to JV-688 and approve new form JV-682; approve forms JV-470, JV-472, JV-475, JV-477, JV-479, and JV-683; and revise forms JV-281, JV-282, JV-462, and JV-680)

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	Commentator	Position	Comment	Committee Response
			<p>highlighted area above, please refer to SPR 13-25 page 8, the fourth bullet which is the question listed under “Request for Specific Comments.” Basically, we just re-typed the question above and provided a comment.</p> <p>QUESTION: Attachment: Hearing for dismissal-Additional Findings and Orders-Foster Care Placement-Delinquency (form JV61) is a current form that is not included with this Invitation to Comment. Should it be amended to allow its use as a standalone form, similar to the proposed change to Findings and orders for minor Approaching Majority-Delinquency (form JV-680)?</p> <p>ANSWER: The changes are good to be used as a standalone form. It appears the only change will be at the top of the form so it no longer only has to be submitted with an attachment, although it will probably be submitted along with a memo anyway.</p> <p>QUESTION: Are the definitions of a nonminor, a nonminor dependent, and a transition dependent, which are circulating for comment in SP 13-22-Juvenile Law : Access to Services for Children, Nonminors, and Nonminor Dependents-Accurate? Would the proposed definitions adequately distinguish all categories of adults under juvenile court jurisdiction? If not, what terms do you suggest?</p>	<p>Based on the comments received it appears that there is not a need for JV-61 to be modified to make it a standalone form and thus the committee is not including changes to that form in this proposal.</p>

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	Commentator	Position	Comment	Committee Response
			<p>ANSWER: To answer this question a clarification in the question must be made. This question is referencing SP 13-22 but the definitions are listed under SP 13-24 as follows:</p> <p>23. “nonminor” means a dependent or ward of the court at least 18 years of age and not yet 21 years of age and not yet 21 years of age, who remains subject to the court’s dependency or delinquency jurisdiction under section 303(a) but does not otherwise qualify as a “nonminor dependent.”</p> <p>24. “nonminor dependent” means a dependent or ward of the court at least 18 years of age and not yet 21 years of age, or a nonminor under the transition jurisdiction of the court, who</p> <p>a) was under an order of foster care placement on his or her 18th birthday</p> <p>b) is currently in foster care under the placement and care authority of the county welfare department, the county probation department, or an Indian tribe that entered into an agreement under section 10553.1 and</p> <p>c) is participating in a Transitional Independent Living Case Plan</p> <p>39. “transition dependent” means a ward at least 17 years and five months of age and not yet 18 years of age who is subject to the transition jurisdiction of the court under</p>	<p>This comment concerns SP 13-24 and is addressed in that proposal.</p>

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	Commentator	Position	Comment	Committee Response
			<p>section 450.</p> <p>Answer: we suggest the definition for “nonminor dependent” be changed as follows, “nonminor dependent” means a dependent or ward of the court at least 18 years of age and not yet 21 years of age, or a nonminor under the transition jurisdiction of the court, who... a, b and c below in red. The who/etc. is listed on the SPR 13-24 page 11, which shows the full definition of Non minor dependent, as follows: Who: a) was under an order of foster care placement on his or her 18th birthday b) is currently in foster care under the placement and care authority of the county welfare department, the county probation department, or an Indian tribe that entered into an agreement under section 10553.1 and c) is participating in a Transitional Independent Living Case Plan</p>	
8.	Carrie Snuggs Family Law & Juvenile Director Riverside Superior Court	A	Findings and Orders will no longer need to be made orally at the hearings; this is positive. Proposed new forms to assist courts in documenting the findings and orders; this is positive. Making any of the findings and orders for available to be used as stand-alone forms would be helpful. New forms for findings and orders for transition jurisdiction will be helpful. Some minor costs and time associated with implementing new codes in CMS and	The committee recognizes that this proposal has implementation impacts, but they are associated with the recent changes in statute and not the proposed rules and forms which are designed to alleviate burdens on the court to the greatest extent possible.

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			coordinating with Probation and/or DPSS to use new forms or incorporate them into their reports.	
9.	Superior Court of Los Angeles County Los Angeles County Superior Court Hon. Donna Quigley Groman Dept 205, Eastlake Juvenile Court	AM	<p>Rule 5.555 (a)(1)(C) A ward or dependent of the juvenile court who is 18 years of age or older and living in the home of the parent or former legal guardian. This is very confusing. Why would there be a hearing for a ward (602) who is 18 years old and living with a parent under this provision? The title of Rule 5.555 states:</p> <p>“Hearing to consider termination of juvenile court jurisdiction over a nonminor—dependents or wards of the juvenile court in a foster care placement and nonminor dependents.” Unlike 300 nonminor dependents, there are no 602 nonminor dependents in any other setting other than in foster care placement.</p> <p>Rule 5.813. Modification to transition jurisdiction for a ward more than 18 years and less than 21 years of age (§§ 450, 451) (a) Purpose This rule provides the procedures that must be followed when it appears to a probation officer that a ward who is more than</p>	<p>The committee is revising item (a)(1)(C) of rule 5.555 to modify the term ward with “who was subject to an order for foster care placement on his or her 18th birthday” to clarify that it does not apply to all nonminor wards.</p> <p>The committee has adopted this correction and revised the proposed language to read “at least 18 years of age and younger than 21 years of age.”</p>

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			<p>18 years and less than 21 years of age has met his or her rehabilitative goals and wants to remain in extended foster care under the jurisdiction of the court. Should be “18 years or older” and not “more than 18 years”</p> <p>Rule 5.813 REPORT 5.813 (d)(2) Whether the ward was removed from the physical custody of his or her parents, adjudged to be a ward of the juvenile court under section 725, and ordered into foster care placement as a ward; or that the ward was removed from the custody of his or her parents as a dependent of the court with an order for foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under section 725, and was ordered into a foster care placement as a ward; The above language should include the dates of the initial removal findings and any other information required to be made in the court orders in Rule 5.813(f)(1)(A).</p> <p>Rule 5.813 ORDERS 5.813(f)(1)(A) A reference to the initial removal findings, the date those findings were made, and a statement that the finding “continuance in the home is contrary to the child’s welfare” and the findings “reasonable efforts were made to</p>	<p>The committee has adopted this suggestion and is revising the requirements for the report to include information pertaining to all of the required orders found in 5.813(f)(1)(A).</p> <p>As described above, the committee has amended the required contents of the report to include all of the content that the court must order, and the same changes have been made in Rule 5.814.</p>

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			<p>prevent removal” made at that hearing remain in effect; Same for Report and Orders language found in Rule 5.814(d)(2) and (f)(1)(A).</p> <p>Rule 5.903 Nonminor Dependent Status Review Hearing Contrary to the statement in the “Invitation to Comment, ” the statutory provisions relating to continued reunification services for a nonminor dependent are the result of AB1712, not AB 787. (See top of page 5). The Rule proposal is very confusing, with the blurring of nonminor dependents under dependency jurisdiction and nonminor dependents under 450 transition jurisdiction under Rule 5.903 and as reflected in JV-462. For example, we do not believe that the new reunification provisions set forth in WIC 361.6 and 366.31 apply to minors under 450 transition jurisdiction, yet in looking at the new Rule 5.903 and form JV-462 (which appear to be intended to be used for all nonminor dependents), there appears to be no distinction between nonminor dependents under 450 jurisdiction who are not subject to continuing reunification services once under 450 status, and 300 minors who may be receiving reunification services as a nonminor dependent.</p> <p>With the addition of the possibility of reunification services for 300 nonminor dependents. There should be separate rules of</p>	<p>The committee agrees that by definition, transition jurisdiction youth are not eligible for reunification services because one of the criteria to be found a transition jurisdiction youth is that reunification services have been terminated. However, the fact that the rules and forms allow for reunification services for some nonminor dependents does not imply that they are available for all. Creating separate review hearing rules and forms for transition jurisdiction youth would be cumbersome, and would require circulation for comment in a future cycle.</p>

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			court and separate JV forms.	
10.	Superior Court of San Diego County Michael Roddy Executive Officer		<p>JV-462, item 10</p> <p>The nonminor dependent's Transitional Independent Living Case Plan does includes a plan for him or her to satisfy <u>at least one of</u> 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 <u>as</u> indicated below:</p> <p>a. Attending high school or a high school equivalency certificate (GED) program. Completing secondary education or a program leading to an equivalent credential.</p> <p>b. Attending a college, a community college, an institution which provides postsecondary or a vocational education program.</p> <p>c. Attending a program or pParticipating in an <u>program or activity that will designed to promote or help remove a barriers to employment.</u></p> <p>d. Employed <u>for</u> at least 80 hours per month.</p> <p>e. The nonminor dependent is not <u>incapable to of doing any of the activities described above 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, and that incapability is supported by</u></p>	<p>The committee has adopted the suggested technical amendments to add “at least one of” and to delete “the specific criteria it is anticipated the nonminor dependent will continue to satisfy are”, but has not adopted the suggestions to conform the eligibility criteria language to the precise wording of the statute. The current language articulates the plain meaning of the statute in a more accessible and comprehensible fashion consistent with the regular practice of the council.</p>

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			<p><u>information in the nonminor’s case plan.</u></p> <p>JV-470, item 2.d.</p> <p>The nonminor intends to satisfy at least one of the conditions described in Welf. & Inst. Code, § 11403(b) (<i>check all that apply</i>):</p> <p>(1) <u>Attending high school or a high school equivalency certificate (GED) Completing secondary education or a program leading to an equivalent credential.</u></p> <p>(2) <u>Attending a college, community college, an institution which provides postsecondary or vocational education program.</u></p> <p>(3) <u>Attending a program or participating in an program or activity that will designed to promote or help remove a barriers to employment.</u></p> <p>(4) <u>Employed for at least 80 hours per month.</u></p> <p>(5) <u>The nonminor is not incapable to of doing any of the activities described above attend a high school, 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, and that incapability is supported by information in the nonminor’s case plan.</u></p> <p>JV-470, item 5.d.</p> <p>d. The nonminor does not intend to satisfy at least one of the conditions described in Welf. &</p>	<p>The committee believes that the current language of the form articulates the plain meaning of the statute in a more accessible and comprehensible fashion consistent with the regular practice of the council and has not adopted the suggestions to conform the eligibility criteria language to the precise wording of the statute.</p> <p>The committee believes that the current language of the form articulates the plain meaning of the</p>

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			<p>Inst. Code, § 11403(b) and stated below: (1) Attending high school or a high school equivalency certificate (GED) program <u>Completing secondary education or a program leading to an equivalent credential.</u> (2) Attending a college, community college, an institution which provides postsecondary or vocational education program. (3) Attending a program or pParticipating in an program or activity that will <u>designed to promote or help remove a barriers to employment.</u> (4) Being eEmployed for at least 80 hours per month. (5) The nonminor is not incapable to of doing any of the activities described above attend a high school, 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, <u>and that incapability is supported by information in the nonminor’s case plan.</u></p> <p>JV-472, item 4.e.</p> <p>e. The condition(s) or conditions under in <u>Welf. & Inst. Code § 11403(b) that the nonminor intends to satisfy are (specify all that apply):</u> (1) Attending high school or a high school equivalency certificate (GED) program <u>Completing secondary education or a program leading to an equivalent credential.</u></p>	<p>statute in a more accessible and comprehensible fashion consistent with the regular practice of the council and has not adopted the suggestions to conform the eligibility criteria language to the precise wording of the statute.</p> <p>The committee believes that the current language of the form articulates the plain meaning of the statute in a more accessible and comprehensible fashion consistent with the regular practice of the council and has not adopted the suggestions to conform the eligibility criteria language to the precise wording of the statute.</p>

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			<p>(2) Attending college, a community college, an institution which provides postsecondary or a vocational education program. (3) Attending a program or pParticipating in an <u>program or activity that will designed to promote or help remove a barriers to employment.</u> (4) Being eEmployed for at least 80 hours per month. (5) The nonminor is unincapable to of doing any of the activities in e(1)-(5) <u>described above due to a medical condition, and that incapability is supported by information in the nonminor’s case plan.</u></p> <p>JV-680, item 5.</p> <p>5. The child's Transitional Independent Living Case Plan includes a plan for the child to satisfy <u>at least one of</u> 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 <u>complete secondary education or a program leading to an equivalent credential.</u> b. The child plans to attend a college, a community college, <u>an institution which provides postsecondary or a vocational education program.</u> c. The child plans to take participate in a</p>	<p>The committee has adopted the suggested technical amendments to add “at least one of” before the conditions are set forth, but has not adopted the suggestions to conform the eligibility criteria language to the precise wording of the statute. The current language articulates the plain meaning of the statute in a more accessible and comprehensible fashion consistent with the regular practice of the council.</p>

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			<p>program or activities y <u>designed</u> to promote employment or overcome <u>remove</u> barriers to employment.</p> <p>d. The child plans to be employed <u>for</u> at least 80 hours a <u>per</u> month.</p> <p>e. The child may not be <u>is incapable to of doing any of the activities described above 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, and that incapability is supported by information in the nonminor’s case plan.</u></p> <p>JV-682, item 15.</p> <p>15. The ward's Transitional Independent Living Case Plan does does not include a plan for the ward to satisfy <u>at least one of the following</u> conditions of eligibility to remain under juvenile court jurisdiction as a transition dependent (<i>check all that apply</i>):</p> <p>a. The ward plans to continue attending high school or a high school equivalency certificate (GED) program <u>complete secondary education or a program leading to an equivalent credential.</u></p> <p>b. The ward has made plans to attend a college, a community college, <u>an institution which provides postsecondary or a vocational education program.</u></p> <p>c. The ward plans to participate in a program or activities <u>designed</u> to promote employment or</p>	<p>The committee has adopted the suggested technical amendments to add “at least one of” before the conditions are set forth, but has not adopted the suggestions to conform the eligibility criteria language to the precise wording of the statute. The current language articulates the plain meaning of the statute in a more accessible and comprehensible fashion consistent with the regular practice of the council.</p>

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			<p>overcome <u>remove</u> barriers to employment.</p> <p>d. The ward has made plans to be employed for at least 80 hours per month.</p> <p>e. The ward may not be <u>is incapable to</u> of doing <u>any of the activities described above 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</u> due to a medical condition, <u>and that incapability is supported by information in the nonminor’s case plan.</u></p> <p>JV-683, item 14</p> <p>14. The ward's Transitional Independent Living Case Plan does does not include a plan for the ward to satisfy <u>at least one of</u> the following conditions of eligibility to remain under juvenile court jurisdiction as a transition dependent (<i>check all that apply</i>):</p> <p>a. The ward plans to continue attending high school or a high school equivalency certificate (GED) program; or <u>complete secondary education or a program leading to an equivalent credential.</u></p> <p>b. The ward has made plans to attend a college, a community college, <u>an institution which provides postsecondary</u> or a vocational education program; or <u>vocational education program; or</u></p> <p>c. The ward plans to participate in a program or activities <u>designed</u> to promote employment or</p>	<p>The committee has adopted the suggested technical amendments to add “at least one of” before the conditions are set forth, but has not adopted the suggestions to conform the eligibility criteria language to the precise wording of the statute. The current language articulates the plain meaning of the statute in a more accessible and comprehensible fashion consistent with the regular practice of the council.</p>

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			<p>overcome <u>remove</u> barriers to employment;or d. The ward has made plans to be employed <u>for</u> at least 80 hours per month;or e. The ward may not be <u>is incapable to</u> of doing any of the activities described above <u>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</u> due to a medical condition, <u>and that incapability is supported by information in the nonminor’s case plan.</u></p> <p>Reference to WIC 391 may be an error in the context of a delinquency case.</p> <p>CRC 5.555(a)(1)(B) – Suggest changing “and” to “or” (unless proposed subd. (a)(1)(C) is not adopted).</p> <p>CRC 5.555(a)(1)(C) - The proposal is to add to subd. (a)(1): “(C) A ward or dependent of the juvenile court who is 18 years of age or older and living in the home of the parent or former legal guardian.” The proposal explains the change as “expected to be needed from AB 787’s clarificationthat [NMDs] can return to the home of a parent or former legal guardian.” We did not find any such clarification in AB 787, as amended March 19, 2013. Is there some other reason for adding this provision?</p>	<p>The committee has revised item 18 to substitute section 607.3 for section 391.</p> <p>The committee has revised the rule as proposed.</p> <p>AB 787 as amended June 14, 2013 does include that clarification and the committee will continue to include it in Rule 5.555 unless AB 787 is not enacted with that provision.</p>

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			<p>CRC 5.555(b)(3) – What is the legal authority for the proposed addition “or the nonminor is living in the home of the parent or former legal guardian”? See comment above for CRC 5.555(a)(1)(C).</p> <p>CRC 5.555(d) – Stet “made” (see, e.g., CRC 5.903(e): “... the following judicial findings and orders must be <u>made on the record</u> and included in the written, signed court documentation of the hearing.”</p> <p>CRC 5.570(a)(5) – Replace period with semicolon: “The name and address of the parent or guardian of the child or nonminor-;”</p> <p>CRC 5.570(a)(9) – Change “application” to “petition” for consistency within rule: “A statement of the petitioner’s relationship or interest in the child, nonminor, or nonminor dependent, if the application <u>petition</u> is made ...”</p> <p>CRC 5.570(d)(1) – Delete comma after “or” and insert “fails to show” before “that the requested modification ...” for clarity: “The petition filed under section 388(a) or section 778 fails to state a change of circumstance or new evidence that may require a change of order or termination of jurisdiction or; <u>fails to show</u> that the requested modification would promote the best interest of the child, nonminor, or nonminor dependent.”</p>	<p>See comment directly above.</p> <p>The committee has adopted this clarifying change.</p> <p>The committee has adopted this technical grammatical change.</p> <p>The committee has adopted this clarifying change.</p> <p>The committee has adopted this clarifying change.</p>

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Juvenile Law: Extended Foster Care (Adopt Cal. Rules of Court, rules 5.813 and 5.814; amend rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906; renumber form JV-682 to JV-688 and approve new form JV-682; approve forms JV-470, JV-472, JV-475, JV-477, JV-479, and JV-683; and revise forms JV-281, JV-282, JV-462, and JV-680)

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	Commentator	Position	Comment	Committee Response
			<p>CRC 5.570(g) – Replace “they” with “he or she”: “The parent or legal guardian of a nonminor dependent must not be notified unless the nonminor dependent requests that they <u>he or she</u> receive notice”</p> <p>CRC 5.707(c)(1) – Replace “find” with “make the following findings” and replace “orders” with “written court documentation of the hearing” for clarity and consistency with CRC 5.555(d): “At the last review hearing before the child attains 18 years of age ... , the court must find <u>make the following findings</u> in the written orders <u>court documentation of the hearing.</u>”</p> <p>CRC 5.812(d)(1) - Replace “find” with “make the following findings” and replace “orders” with “written court documentation of the hearing” for clarity and consistency with CRC 5.555(d): “At the hearing described in (a)(1)–(4), ... , the court must find <u>make the following findings</u> in the written orders <u>court documentation of the hearing.</u>”</p> <p>CRC 5.812(d)(2) - Replace “find” with “make the following findings” and replace “orders” with “written court documentation of the hearing” for clarity and consistency with CRC 5.555(d): “At the review hearing held on behalf of a child approaching majority ... , the court must find <u>make the following findings</u> in the</p>	<p>The committee has adopted this clarifying change.</p> <p>The committee has adopted this change for clarity and consistency.</p> <p>The committee has adopted this change for clarity and consistency.</p> <p>The committee has adopted this change for clarity and consistency.</p>

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	Commentator	Position	Comment	Committee Response
			<p>written orders court documentation of the <u>hearing</u>.”</p> <p>Title of CRC 5.813 - Suggested change for consistency with language of WIC § 450 and for correct grammar: “Modification to transition jurisdiction for a ward more <u>older</u> than 18 years and less <u>younger</u> than 21 years of age (§§ 450, 451)”</p> <p>CRC 5.813(d)(2) - Revise as shown below for clarity and consistency:</p> <p>“(2) Whether the ward was <u>“(A) removed from the physical custody of his or her parents, adjudged to be a ward of the juvenile court under section 725, and ordered into foster care placement as a ward; or that the ward was</u> <u>“(B) removed from the custody of his or her parents as a dependent of the court with an order for foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under section 725, and was ordered into a foster care placement as a ward;”</u></p>	<p>The committee has adopted a change to read “at least 18 years of age and younger than 21 years of age.”</p> <p>Because the committee amended 5.813(d)(2) to add information required for the court to make its orders in 5.813(f)(1)(A) in response to another commentator, it was not able to adopt this stylistic change.</p>

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	Commentator	Position	Comment	Committee Response
			<p>CRC 5.813(d)(5) - Add “s” to “social service” (see CRC 5.814(d)(6) & (e)(7)): “... the probation department or social services agency ...”</p> <p>CRC 5.813(d)(6) – Delete “has” for simplicity: “Whether the ward has plans to meet at least one of the conditions in section 11403(b) ... ;”</p> <p>CRC 5.813(f)(1) – Change “set” to “setting” (“An order modifying ... and setting ...”): “An order modifying its jurisdiction over him or her from delinquency to transition jurisdiction and <u>setting</u> a nonminor dependent status review hearing ...”</p> <p>CRC 5.813(f)(1)(A) – Change as indicated for clarity and simplicity: “A reference to the initial removal findings, the date those findings were made, and a statement that the findings “continuance in the home is contrary to the child’s welfare” and the findings “reasonable efforts were made to prevent removal” made at that hearing remain in effect;”</p> <p>CRC 5.813(f)(1)(B) – Change “child” to “nonminor dependent” and change “parents” to “parent(s)”: “A statement that the child <u>nonminor dependent</u> continues to be removed from the parent(s) or legal guardian from whom the child <u>nonminor dependent</u> was removed</p>	<p>The committee has adopted this change for clarity and consistency.</p> <p>The committee has adopted this technical change.</p> <p>The committee has adopted this technical and clarifying change.</p> <p>The committee has adopted this technical and clarifying change.</p> <p>The committee has changed child to nonminor dependent, but has left “parents” plural to be consistent with other provisions of the rule.</p>

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			<p>under the original petition; and”</p> <p>CRC 5.813(f)(1)(C) – Change “child” to “nonminor dependent”: “ Identification of the agency that is responsible for placement and care of the child <u>nonminor dependent</u> based upon the modification of jurisdiction.”</p> <p>Title of CRC 5.814 – Add statutory reference “(§§ 450, 451)” for consistency with title of CRC 5.813: “Rule 5.814. Modification ... 18 years of age <u>(§§ 450, 451)</u>”</p> <p>Title of CRC 5.814 – Suggested change for consistency with language of WIC § 450 and for correct grammar: “Modification to transition jurisdiction for a ward more older <u>more older</u> than 17 years; <u>and 5 months of age</u>; and less younger <u>less younger</u> than 18 years of age...”</p> <p>CRC 5.814(a) - Suggested change for consistency with language of WIC § 450 and for correct grammar: “... for a ward more older <u>more older</u> than 17 years; <u>and 5 months of age</u>; and less younger <u>less younger</u> than 18 years of age, and who:”</p> <p>CRC 5.814(a)(1) - Suggested change for consistency with language of WIC § 450(a)(3) (see also first bullet point in proposed new form JV-682): “Appears to have <u>Has</u> met his or her rehabilitative goals;”</p>	<p>The committee has adopted this technical and clarifying change.</p> <p>The committee has adopted this change for clarity and consistency.</p> <p>The committee has adopted this change for clarity and consistency with the statute.</p> <p>The committee has adopted this change for clarity and consistency with the statute.</p> <p>The committee has adopted this change for clarity and consistency with the statute.</p>

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			<p>CRC 5.814(a)(3) - Suggested change for consistency with language of WIC § 450(a)(4)(A): “Wants to remain in extended foster care under the transition jurisdiction of the juvenile court <u>Has indicated an intent to sign a mutual agreement with the responsible agency for placement in a supervised setting as a nonminor dependent;</u>”</p> <p>CRC 5.814(d)(1) – There is a requirement to state in the report whether the ward is a nonminor dependent who was subject to an order for foster care placement on the day of his or her 18th birthday in the rule for wards who are not yet 18 years old.</p> <p>CRC 5.814(d)(2) - Revise as shown below for clarity:</p> <p style="padding-left: 40px;">“(2) Whether the ward was “(A) removed from the physical custody of his or her parents, adjudged to be a ward of the juvenile court under section 725, and ordered into foster care placement as a ward; or that the ward was “(B) removed from the custody of his or her parents as a dependent of the court with an order for foster care placement in effect at the time the court</p>	<p>The committee believes that the language in 5.814(a)(3) accurately reflects the law in the simple and straightforward style that the council strives to employ wherever possible and does not believe use of the statutory language would be clarifying in this instance.</p> <p>The committee notes this error and has deleted redrafted 5.814(d)(1) to read: “Whether the ward is subject to an order for foster care placement and is older than 17 years 5 months of age and younger than 18 years of age.”</p> <p>Because the committee amended 5.813(d)(2) to add information required for the court to make its orders in 5.813(f)(1)(A) in response to another commentator, it was not able to adopt this stylistic change.</p>

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			<p>adjudged him or her to be a ward of the juvenile court under section 725, and was ordered into a foster care placement as a ward;”</p> <p>CRC 5.814(d)(4) – Change “child” to “ward” for consistency: “Whether each parent or legal guardian is currently able to provide the care, custody, supervision, and support the child <u>ward</u> requires in a safe and healthy environment;”</p> <p>CRC 5.814(d)(7) – Delete “has” for simplicity: “Whether the ward has plans to meet at least one of the conditions in section 11403(b) ... ;”</p> <p>CRC 5.814(e)(3) – Change “nonminor” to “transition” per WIC § 450(b): “Whether the ward has been informed that he or she may decline to become a nonminor <u>transition</u> dependent ... ;”</p> <p>CRC 5.814(e)(4) – Change “child’s” to “ward’s” for consistency within sentence: “Whether the ward’s return to the home of his or her parent or legal guardian would create a substantial risk of detriment to the child’s <u>ward’s</u> safety, protection, or physical or emotional well-being. ...”</p> <p>CRC 5.814(e)(7) – Change “probation department or social services” to “responsible”</p>	<p>Because the finding in this provision is only relevant if the ward is finished with his or her rehabilitative goals the committee finds the use of child rather than ward appropriate in that context.</p> <p>The committee has adopted this technical change.</p> <p>The committee has adopted this clarifying change for accuracy and consistency with the statute.</p> <p>The committee has adopted this technical change.</p> <p>Because the responsible agency must be either the probation department or social services agency,</p>

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			<p>for consistency with WIC § 450(a)(4)(A): “Whether the ward intends to sign a mutual agreement with the probation department or social services <u>responsible</u> agency for placement in a supervised setting ...”</p> <p>CRC 5.814(e)(8) – Add “dependent” at the end for accuracy: “... the court resume jurisdiction over the ward as a nonminor <u>dependent</u>;”</p> <p>CRC 5.814(f) – Change “child” to “ward” for consistency: “For a child <u>ward</u> who comes within the description of section 450(a), ...”</p> <p>CRC 5.814(f)(1) – Suggested change to avoid awkward language: “An order modifying its jurisdiction ... adjudging the ward a transition dependent pending turning 18 years old his or her 18th birthday and assuming the status of as a nonminor dependent ...”</p> <p>CRC 5.814(f)(1)(A) – Suggested changes for clarity and simplicity: “A reference to the initial removal findings, the date those findings were made, and a statement that the findings “continuance in the home is contrary to the child’s welfare” and the findings “reasonable efforts were made to prevent removal” made at that hearing remain in effect;”</p> <p>CRC 5.814(f)(1)(B) – Change “child” to</p>	<p>the committee finds this divergence from the statutory language to be clarifying rather than inconsistent.</p> <p>The committee has adopted this technical and clarifying change.</p> <p>Because this portion of the rule addresses wards who the court has found eligible for transition jurisdiction, the committee prefers to use child in this portion of the rule.</p> <p>The committee has adopted this technical change.</p> <p>The committee has adopted this technical and clarifying change.</p> <p>Because this section of the rule addresses wards</p>

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			<p>“transition dependent” and change “parents” to “parent(s)”: “A statement that the child <u>transition dependent</u> continues to be removed from the parent(s) or legal guardian from whom the child <u>transition dependent</u> was removed under the original petition; and”</p> <p>CRC 5.814(f)(1)(C) – Change “child” to “transition dependent”: “ Identification of the agency that is responsible for placement and care of the child <u>transition dependent</u> based upon the modification of jurisdiction.”</p> <p>Title of CRC 5.900 – Add “366.31,” to statutory citations (see § 366.31(c), which provides authority for CRC 5.900(d)(1)): (§§ 224.1(b), 295, 303, 366, 366.3, <u>366.31</u>, 388, 391, 607(a))”</p> <p>CRC 5.900(b)(1) – Delete latter “s” from “sections” and change “facilitate the implementation of” to “implement” for simplicity: “Maintaining juvenile court jurisdiction under sections 300 or 450 over a person as a nonminor dependent ... the agreement between the social worker or probation officer and the person to work together to facilitate the implementation of <u>implement</u> the mutually developed supervised placement agreement or reentry agreement.“</p> <p>CRC 5.900(b)(2) - Change as indicated for clarity and simplicity: “<u>The purposes of</u></p>	<p>who the court has found eligible for transition jurisdiction, the committee prefers to use child here. The use of “parent or legal guardian” is standard and the committee finds the addition of “(s)” unnecessary.</p> <p>Because this section of the rule addresses wards who the court has found eligible for transition jurisdiction, the committee prefers to use child here.</p> <p>The committee has adopted this clarifying change.</p> <p>The committee has adopted these technical and clarifying changes.</p> <p>The committee finds this suggested change too substantive to make without recirculation of the</p>

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			<p>Maintaining juvenile court jurisdiction and supervision by the child welfare services agency or probation department under sections 300, 450, 601, or 602 over a person as a nonminor dependent is for the purpose of <u>are to</u> implementation of the mutually developed Transitional Independent Living Case Plan and to provide providing support, guidance, and foster care services to the person as a nonminor dependent so he or she is able to <u>can</u> successfully achieve independence, including relationships with caring and committed adults who can serve as lifelong connections.”</p> <p>CRC 5.900(b)(2) – Correct as indicated for grammar: “The clerk of the superior court must open a separate court file ... that ensures the confidentiality of the nonminor dependent and only allows access <u>only</u> to those listed in section 362.5.”</p> <p>CRC 5.903(e) – Change “determinations” to “findings” for consistency: “The court must consider the safety of the nonminor dependent, and the following judicial determinations <u>findings</u> and orders must be made and included in the written court documentation of the hearing.”</p> <p>CRC 5.906(i)(1)(C) – Delete “not” for simplicity: “Whether the nonminor has not</p>	<p>rule for public comment as it proposes to revise the purpose of extended jurisdiction as it has been stated in the rule.</p> <p>The committee has adopted this technical change.</p> <p>The committee has adopted this technical change.</p> <p>The committee has adopted this technical change.</p>

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			<p>attained 21 years of age;”</p> <p>JV-462, page 1 – Capitalize “court” for consistency: “Other <u>C</u>ourt Personnel” (see, e.g., form JV-472).</p> <p>JV-462, item 10 – See suggested changes <i>supra</i>.</p> <p>JV-462, item 11 – Suggested change: “... provided assistance to help the nonminor dependent establish and maintain compliance with <u>one of</u> the conditions in Welf. & Inst. Code, § 11403(b).” Reason: NMDs need not comply with all conditions; one is sufficient.</p> <p>JV-462, item 15 – Change “sets” to “set” for subject/verb agreement (“does, does not ... set out benchmarks”)” “The ... [TILCP] ____ does ____ does not reflect the living situation and services consistent ... with what he or she needs to gain independence and sets <u>set out</u> benchmarks that indicate how both will know when independence can be achieved.”</p> <p>JV-462, item 16 – Suggested change for simplicity and brevity: “The ... [TILCP] ____ does ____ does not include appropriate and meaningful independent living skill services that will <u>assist help</u> the youth with the transition from foster care to independent living.”</p> <p>JV-462, item 29 – The proposal explains,</p>	<p>The committee has adopted this technical change.</p> <p>See comments above.</p> <p>The committee has adopted this clarifying change.</p> <p>The committee has adopted this technical change.</p> <p>The committee has adopted this change for brevity and clarity.</p> <p>As described above AB 787 as amended June 14,</p>

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			<p>“These changes would be required if AB 787 is signed into law, and would make the forms consistent with the law on their effective date of January 1, 2014.” However, we have not found any provision in AB 787, as amended March 19, 2013, regarding a nonminor’s residence in the home of a parent or former legal guardian. Is there some other reason for adding these findings and orders?</p> <p>JV-462, item 30.a. – Suggest adding “status” for consistency with title of form (see, e.g., footer): “Nonminor dependent <u>status</u> review hearing (Welf. Inst. Code, § 366.31; Cal. Rules of Court, rule 5.903)”</p> <p>JV-470, title (near top of page 1 and in footers) – Suggest deleting “A” for consistency of style with other forms: “FINDINGS AND ORDERS REGARDING PRIMA FACIE SHOWING ON A NONMINOR'S REQUEST TO REENTER FOSTER CARE”</p> <p>JV-470, items 1.a. & 4.a. – Suggest deleting “insert” and adding colons for consistency of style with other forms: “a. <i>Request to Return to Juvenile Court Jurisdiction and Foster Care</i> (form JV-466) filed by (insert name); on (insert date); .”</p> <p>JV-470, item 2.d.(1) – Add “program.” for</p>	<p>2013 does include this change in the law and it will remain on the form unless AB 787 is not enacted, in which case references to a return to a parent will be removed.</p> <p>The committee has adopted this change for consistency.</p> <p>The committee has adopted this change for consistency.</p> <p>The committee has adopted this change for consistency.</p> <p>The committee has adopted this change for</p>

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			<p>correct grammar and consistency with form JV-462, item 10.a.: “Attending high school or a high school equivalency certificate (GED) <u>program.</u>”</p> <p>JV-470, heading above item 4 – Capitalize “<u>Orders</u>” (see, e.g., heading above item 1).</p> <p>JV-470, items 5.d. (1), (2), (3), (4) – Add a period at the end of each item for consistency with items 2.d.(1)-(4), e.g., “Attending high school or a high school equivalency certificate (GED) program.”</p> <p>JV-472, title (near top of page 1 and in footers) – Suggest deleting “A” for consistency of style with other forms: “FINDINGS AND ORDERS AFTER A HEARING TO CONSIDER A NONMINOR'S REQUEST TO REENTER FOSTER CARE”</p> <p>JV-472, item 4.e.(1), (2), (3), (4) - Add a period at the end of each item for consistency with items 2.d.(1)-(4), e.g., “Attending high school or a high school equivalency certificate (GED) program.”</p> <p>JV-472, item 4.e.(2) – Change as indicated for consistency with JV-470: “Attending a college, a community college, or a vocational education program.”</p>	<p>consistency.</p> <p>The committee has adopted this technical change.</p> <p>The committee has adopted this change for consistency.</p> <p>The committee has adopted this change for consistency.</p> <p>The committee has adopted this change for consistency.</p>

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			<p>JV-472, item 4.e.(5) – See suggested changes <i>supra</i>.</p> <p>JV-472, heading above item 6 – Use initial caps for consistency with heading above item 4: “Court dDenies rRequest”</p> <p>JV-472, item 6.a. – Change “comes within the eligible age range” to “is under 21 years of age” for consistency with item 3.c. and pursuant to the proposed change in CRC 5.906(i)(1)(C): “The court finds that the nonminor comes within the eligible age range <u>is under 21 years of age</u>, but the nonminor does not intend to satisfy”</p> <p>JV-475, page 1, right footer – Change statutory reference from “388.31(f)” to “366.31(f).”</p> <p>JV-475, items 1 and 2 – Suggest deleting the first two (unnumbered) lines, “The prospective adoptive parent(s) (name each if more than one):” and “and the nonminor dependent (name of nonminor dependent):” and changing items 1 and 2 as follows:</p> <p>1.a. The prospective adoptive parent (name): , age , born in (city, state, of country):</p> <p>on (month, day, year): residing at (address):</p>	<p>See response to this comment above.</p> <p>The committee has adopted this technical change for consistency.</p> <p>The committee has adopted this technical change for consistency.</p> <p>The committee has corrected this erroneous statutory reference as suggested.</p> <p>The committee has adopted these proposed changes to JV-475 items 1 and 2 for clarity and brevity.</p>

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Juvenile Law: Extended Foster Care (Adopt Cal. Rules of Court, rules 5.813 and 5.814; amend rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906; renumber form JV-682 to JV-688 and approve new form JV-682; approve forms JV-470, JV-472, JV-475, JV-477, JV-479, and JV-683; and revise forms JV-281, JV-282, JV-462, and JV-680)

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	Commentator	Position	Comment	Committee Response
			<p>parent(s): and (name of nonminor dependent): <u>they</u> will assume toward each other the legal relationship of parent(s) and child, and will have all <u>of</u> the rights and be subject to all <u>of</u> the duties and responsibilities of that relationship.</p> <p>5. That the prospective adoptive parent(s) and the nonminor dependent <u>they</u> request approval of this agreement of adoption and issuance of an order of adoption that <i>(name of nonminor dependent):</i> is adopted by <i>(name(s) of prospective adoptive parent(s)):</i></p> <p>and that the name of the nonminor dependent after adoption will be <i>(full name of nonminor dependent, whether keeping birth name or changing name):</i></p> <p>N.B.: Insertion of “of” twice in item 4 mirrors the language in WIC § 366.31(f)(1)(A).</p> <p>JV-477, right footer – Change statutory reference from “388(e)” to “366.31(f).”</p> <p>JV-479, page 1, right footer – Change statutory reference from “388.31(f)” to “366.31(f).”</p> <p>JV-479, item 1 – Add “(s)”: “Name<u>(s)</u> of prospective adoptive parent(s).”</p>	<p>The committee has corrected this erroneous statutory reference as suggested.</p> <p>The committee has corrected this erroneous statutory reference as suggested.</p> <p>The committee has adopted this technical change.</p>

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	Commentator	Position	Comment	Committee Response
			<p>JV-479, item 16 – Insert “of” as shown to mirror the language in WIC § 366.31(f)(1)(A): “The nonminor dependent is now adopted by the adoptive parent(s) and the nonminor dependent and adoptive parent(s) shall assume toward each other the legal relationship of parent(s) and child and shall have all <u>of</u> the rights and be subject to all <u>of</u> the duties and responsibilities of that relationship.”</p> <p>JV-479, item 18 – Suggested change for consistency with form JV-475: “The nonminor dependent’s name after adoption shall be (write <i>adoptee’s full name, whether retaining keeping original birth name or changing name</i>):”</p> <p>JV-680, item 1.b. – Change “are” to “were” for consistency with items 1.a., 2.a., 2.b., 3.a., 3.b., 4.a., 4.b.: “ ... The facts supporting this finding are <u>were</u> stated on the record.” Alternatively, change all the other findings to “<u>are</u> stated on the record.”</p> <p>JV-680, item 5 – Insert parentheses around “s” in “conditions”: “The child’s [TILCP] includes a plan for the child to satisfy the following condition(s) of eligibility to remain under juvenile court jurisdiction as a nonminor dependent.”</p> <p>JV-680, item 13 – Suggested change for</p>	<p>The committee has adopted this change for consistency with the statute.</p> <p>The committee has adopted this change for consistency.</p> <p>The committee has adopted this change for consistency.</p> <p>The committee amended this language to insert “at least one of” before “following conditions” in response to a suggestion from this commentator so this change is not required..</p> <p>The committee has adopted this change for clarity</p>

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			<p>consistency with CRC 5.812(d)(2)(H): “The child has been informed that if juvenile court jurisdiction is terminated, he or she may have <u>has</u> the right to file a request to return to foster care and have the court <u>assume or resume</u> jurisdiction over him or her as a nonminor dependent.”</p> <p>JV-680, item 22.a. – Insert “status” before “review” (see CRC 5.903) and delete parenthesis before “Welf.”: “Nonminor dependent <u>status</u> review hearing under Welf. & Inst. Code, § 366.31 and Cal. Rules of Court, rule 5.903”</p> <p>N.B.: Item 5 of JV-794 (referred to in item 21.b. of JV-680), states, “A completed <i>Termination of Juvenile Court Jurisdiction—Child Attaining Age of Majority</i> (form JV-365), has been filed with this court.” However, the title of JV-365 is “TERMINATION OF JUVENILE COURT JURISDICTION—NONMINOR.” Thus, item 5 of JV-794 should be changed as follows: “A completed <i>Termination of Juvenile Court Jurisdiction—Child Attaining Age of MajorityNonminor</i> (form JV-365); has been filed with this court.”</p> <p>Heading of JV-682 (page 1, left-hand box 3rd from top) – Suggested change for consistency within form: “<u>CHILD’S WARD’S NAME</u>.”</p>	<p>and consistency with rule 5.812.</p> <p>The committee has adopted this technical and clarifying change.</p> <p>JV-794 was not circulated for comment in this item and thus cannot be changed until a future comment cycle to correct this erroneous title.</p> <p>The committee has determined that the use of child is appropriate throughout JV-682 consistent with the council’s preference for use of that term in juvenile forms, and all references to ward have been changed to child on JV-682.</p>

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Juvenile Law: Extended Foster Care (Adopt Cal. Rules of Court, rules 5.813 and 5.814; amend rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906; renumber form JV-682 to JV-688 and approve new form JV-682; approve forms JV-470, JV-472, JV-475, JV-477, JV-479, and JV-683; and revise forms JV-281, JV-282, JV-462, and JV-680)

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	Commentator	Position	Comment	Committee Response
			<p>Title of JV-682 – Suggested change for consistency with language of WIC § 450 and correct grammar: “FINDINGS AND ORDERS AFTER HEARING TO MODIFY DELINQUENCY JURISDICTION TO TRANSITION JURISDICTION FOR A WARD LESS <u>YOUNGER</u> THAN 18 YEARS OF AGE”</p> <p>JV-682, page 1, right footer – Add “s” to “Rule”: “Cal. Rules of Court, rule 5.814”</p> <p>JV-682, first line – Suggested change for consistency with language of WIC § 450 and correct grammar: “Use this form to document the findings and orders regarding the modification of delinquency jurisdiction to transition jurisdiction for a ward more older than 17 years, <u>and 5 months</u>, of age and less younger than 18 years of age, who:</p> <p>JV-682, third bullet point above item 1 - Suggested change for consistency with language of WIC § 450(a)(4)(A): “Wants to remain in extended foster care under the transition jurisdiction of the juvenile court <u>Has indicated an intent to sign a mutual agreement with the responsible agency for placement in a supervised setting as a nonminor dependent;</u>”</p> <p>JV-682, item 1 – Delete underscore beneath</p>	<p>The committee has adopted these technical and clarifying changes.</p> <p>The committee has adopted these clarifying changes.</p> <p>The committee believes that the language in JV-682 accurately reflects the law in the simple and straightforward style that the council strives to employ wherever possible and does not believe use of the statutory language would be clarifying in this instance.</p> <p>The committee has adopted this technical change for consistency.</p>

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	Commentator	Position	Comment	Committee Response
			<p>“Parties (<i>name</i>):” for consistency (none of the other numbered items is underscored).</p> <p>JV-682, item 9.a. – Abbreviate “Welfare and Institutions Code section” for consistency with the rest of the form (see, e.g., item 9.b.): “The ward comes within the description of Welfare and Institutions Code section § 450 in that.”</p> <p>JV-682, item 9.a.(1) – Suggested change for consistency with language of WIC § 450 and correct grammar: “The ward is more older than 17 years; and 5 months old of age and less younger than 18 years of age and is subject to an order for foster care placement.”</p> <p>JV-682, item 9.a.(2) – Correct typos: “The ward was removed from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the juvenile court under Welf. & Inst. Code, § 725 ... adjudged him or her to be a ward of the juvenile court under Welf. & Inst. Code, § 725.”</p> <p>JV-682, item 9.b.(1) – Suggested change for consistency with language of WIC § 450 and correct grammar and for consistency with item 9.a.(1): “The ward is not more older than 17 years; and 5 months old of age and less younger that than 18 years of age and subject to an order for foster care placement order.”</p>	<p>Under drafting and style conventions, code references are spelled out when they are part of a sentence, so the committee has not adopted this change and has modified other abbreviated code references throughout the forms in this item to spell them out.</p> <p>The committee has adopted this change for clarity and consistency with the changes made to rule 5.814.</p> <p>The committee has adopted the suggested changes to correct typographical errors.</p> <p>The committee has adopted this change for clarity and consistency with the changes made to rule 5.814.</p> <p>The committee has adopted these changes for</p>

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Juvenile Law: Extended Foster Care (Adopt Cal. Rules of Court, rules 5.813 and 5.814; amend rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906; renumber form JV-682 to JV-688 and approve new form JV-682; approve forms JV-470, JV-472, JV-475, JV-477, JV-479, and JV-683; and revise forms JV-281, JV-282, JV-462, and JV-680)

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	Commentator	Position	Comment	Committee Response
			<p>JV-682, item 9.b.(2) – Suggested change for consistency with rest of form and to correct typo: “The ward was not removed ... with an order for a foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under Welf. & Inst. Code, § 725.”</p> <p>JV-682, item 10 – Suggested change for clarity (to avoid misinterpretation as “he or she may decline to ... have juvenile court jurisdiction terminated”): “... informed that he or she may decline to become a nonminor dependent and <u>may</u> have juvenile court jurisdiction terminated”</p> <p>JV-682, item 10 – Abbreviate “California” for consistency (see, e.g., form JV-680, item 21.d.): “California Rules of Court”</p> <p>JV-682, item 11 – Suggested changes for accuracy and consistency: “The ward's return to the home of his or her <u>parents or</u> legal guardian ... detriment to the child's <u>ward's</u> safety, protection, or physical or emotional well-being. ...”</p> <p>JV-682, item 11 – Suggested changes for consistency with other forms: “... The facts supporting this finding are (specify): <u>were stated in the record.</u>”</p>	<p>consistency and to correct typographical errors.</p> <p>The committee has adopted this clarifying change.</p> <p>The committee has made this technical change for consistency.</p> <p>As described above, the committee prefers the use of the word child throughout form JV-682.</p> <p>The committee has adopted this suggested change to alleviate workload burdens on the court.</p> <p>See response to comment above.</p>

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			<p>JV-682, item 15 – See suggested changes <i>supra</i>.</p> <p>JV-682, item 17 – Change “ward” to “minor” for consistency within item 17, i.e.:</p> <p>JV-682, item 17.a. – “The ward <u>minor</u> comes within the juvenile court’s transition jurisdiction”</p> <p>JV-682, item 17.a.(1) - “The ward <u>minor</u> was originally removed”</p> <p>JV-682, item 17.a.(3) – Add “s” to “social service” (see CRC 5.814(d)(6) & (e)(7)): “The probation department or social services agency”</p> <p>JV-682, item 17.e. – Change “391” to “366.31” (per CRC 5.814(f)(3)): “The matter is continued for a <u>nonminor dependent</u> status review hearing set under Welf. & Inst. Code, § 391 <u>366.31</u> and California Rules of Court, rule 5.903 on (<i>date</i>): . “</p> <p>JV-682, item 17.e. – Delete extra statute symbol (<i>not</i> more than one statute cited, see Cal. Style Manual § 2:6): “This date is within six months of the ward’s <u>minor’s</u> most recent status review hearing under Welf. & Inst. Code, §§ 727.2 or</p>	<p>As described above, the committee prefers the use of the word child throughout form JV-682.</p> <p>As described above, the committee prefers the use of the word child throughout form JV-682.</p> <p>As described above, the committee prefers the use of the word child throughout form JV-682.</p> <p>The committee has adopted this technical change for consistency.</p> <p>The committee has adopted these clarifying changes which correct the erroneous statutory references.</p> <p>The committee has adopted this technical change.</p>

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			<p>727.3.”</p> <p>JV-682, item 18.c. – Delete extra statute symbol: “... most recent status review hearing under Welf. & Inst. Code, §§ 727.2 or 727.3.”</p> <p>JV-682, item 19.a. – Change “, but” to “and”: “The ward has met his or her rehabilitative goals,but <u>and</u> does not wish to become a transition dependent.</p> <p>Title of JV-683 – Suggested change for consistency with WIC § 450: “FINDINGS AND ORDERS AFTER HEARING TO MODIFY DELINQUENCY JURISDICTION TO TRANSITION JURISDICTION FOR <u>A</u> WARD OVER OLDER THAN 18 <u>YEARS OF AGE</u>” (Alternatively, omit “YEARS OF AGE” for brevity.)</p> <p>JV-683, item 1 – Delete underscore beneath “Parties (<i>name</i>):” for consistency (none of the other numbered items is underscored).</p> <p>JV-683, page 1, right footer – Change statutory citation from “388(e)” to “§§ 450, 451” and add “Cal. Rules of Court, rule 5.813” underneath.</p> <p>JV-683, page 2, first two lines (above item 8) – Delete “AND ORDERS” and “Findings” (see how Orders are set forth in items 16-18):</p>	<p>The committee has adopted this technical change.</p> <p>The committee has adopted this technical change for neutrality.</p> <p>The committee has changes the title of the form as suggested.</p> <p>The committee has adopted this technical change.</p> <p>The committee has adopted this change to correct the erroneous reference and include the new rule of court.</p> <p>The committee has adopted this technical change.</p>

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	Commentator	Position	Comment	Committee Response
			<p>BASED ON THE FOREGOING AND ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:</p> <p><u>Findings</u></p> <p>JV-683, item 9.a. – Change “nonminor” to “ward” and abbreviate “Welfare and Institutions Code section” for consistency within form (see, e.g., item 9.b.): “The nonminor <u>ward</u> comes within the description of <u>Welfare, and & Institutions, Code, section § 450</u> in that.”</p> <p>JV-683, item 9.a.(2) – Change “section” to “Welf. & Inst. Code, §” for consistency within form *see, e.g., item 9.b.(3)): “a ward of the juvenile court under section <u>Welf. & Inst. Code, § 725.</u>”</p> <p>JV-683, item 10 – Suggested change for clarity (to avoid misinterpretation as “he or she may decline to ... have juvenile court jurisdiction terminated”): “... informed that he or she may decline to become a nonminor dependent and <u>may</u> have juvenile court jurisdiction terminated”</p> <p>JV-683, item 10 – Abbreviate “California” for consistency (see, e.g., form JV-680, item 21.d.): “California, <u>Rules of Court</u>”</p>	<p>The committee believes that the use of nonminor in this item accurately reflects the change in jurisdiction that the court is ordering.</p> <p>The current practice of the council is to spell out code references when they are part of a sentence, so the committee has not adopted the change to abbreviate this code reference.</p> <p>Under drafting and style conventions, code references are spelled out when they are part of a sentence, so the committee has not adopted the change to abbreviate this code reference.</p> <p>The committee has adopted this clarifying change.</p> <p>The committee has adopted this technical change for consistency.</p> <p>The committee believes that either term is accurate at the beginning of the sentence, and</p>

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	Commentator	Position	Comment	Committee Response
			<p>JV-683, item 11 – Change “nonminor” to “ward” for consistency: “The nonminor <u>ward</u> ... informed that if juvenile court jurisdiction is terminated, the ward can file a request”</p> <p>JV-683, item 12 – Change “nonminor” to “ward” for consistency: “... and the nonminor <u>ward</u> understands them.”</p> <p>JV-683, item 13 – Change “probation department” to “responsible agency” for consistency with WIC § 450(a)(4)(B): “... signed a mutual agreement with the probation department <u>responsible agency</u> for placement in a supervised setting as a nonminor dependent.”</p> <p>JV-683, item 14 – See suggested changes <i>supra</i>.</p> <p>JV-683, item 16.a.(3) – Add “s” to “social service” (see CRC 5.814(d)(6) & (e)(7)): “The probation department or social services <u>s</u> agency”</p> <p>JV-683, item 16.a.(3) and 16.b. - Change “nonminor” to “ward” for consistency: “responsible for the nonminor <u>ward</u>'s placement and care“ and “The nonminor <u>ward</u> is adjudged”</p> <p>JV-683, item 16.e. - The matter is continued for a <u>nonminor dependent</u> status review hearing set</p>	<p>nonminor is preferable at the end and has changed all uses of ward in this item to nonminor.</p> <p>The committee believes that either term is accurate at the beginning of the sentence, and nonminor is preferable at the end and has changed all uses of ward in this item to nonminor.</p> <p>The committee has adopted this change to be consistent with the statute which allows for either agency to enter into a mutual agreement with the nonminor dependent subject to transition jurisdiction.</p> <p>See response to comment above.</p> <p>The committee has adopted this technical change for consistency.</p> <p>Because the order being made here is to modify jurisdiction from delinquency to transition, the committee believes that that use of the term nonminor in this item is appropriate.</p> <p>The committee has adopted these technical and clarifying changes.</p>

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			<p>under California_ Rules of Court, rule 5.903 on (date): . This date is within six months of the nonminor's most recent status review hearing under Welf. & Inst. Code, §§ 727.2 or 727.3.”</p> <p>JV-683, item 17.a., b., c. - Change “nonminor” to “ward” for consistency: “a. The nonminor ward does not ...,” “b. The nonminor ward continues ...,” and “c. “... within six months of the nonminor's ward's most recent status review hearing under Welf. & Inst. Code, §§ 727.2 or 727.3.”</p> <p>JV-683, item 18.a. – Suggested changes: “The nonminor ward has met his or her rehabilitative goals, but and does not wish to become a nonminor dependent.</p> <p>JV-683, item 18.b. – Abbreviate “California” and insert period at end: “A hearing to consider termination of jurisdiction under Welf. & Inst. Code, § 391 and California_ Rules of Court, rule 5.555 is set on (date): !”</p> <p>JV-688 – Insert colon at end of first line: “THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:!”</p> <p>JV-688, item 1 – Delete first line (it is unnecessary; see lack of similar lines in items 2 and 3): “The child came before the court for a</p>	<p>Because the court is not modifying jurisdiction in this item, use of ward is appropriate and the committee has adopted the suggested changes.</p> <p>The committee has adopted this clarifying change.</p> <p>The committee has adopted these technical and clarifying changes.</p> <p>The committee has adopted this technical change.</p> <p>The committee has adopted this change for consistency.</p>

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			<p>detention hearing.”</p> <p>JV-688, item 1.a. – Abbreviate “Welfare and Institutions Code section” for consistency with other forms: “... Welfare_ & Institutions_ Code_ section § 638.”</p> <p>JV-688, item 1.d. – Insert period at end of sentence: “... hearing on the matter.”</p> <p>JV-688, item 2.a. – Abbreviate “Welfare and Institutions Code section” for consistency with other forms: ”A motion to continue the (specify): hearing pursuant to Welfare_ & Institutions_ Code_ section §”</p> <p>JV-688, item 2.a. – Delete check box and “638” because § 638 explicitly applies only to “any hearing or rehearing held under the provisions of this article,” i.e., detention hearings or rehearings.</p> <p>JV-688, item 2.a. – Delete check box before “682” because it is the only applicable statute for jurisdiction, disposition, or other delinquency orders. Add “officer” after “probation.”</p> <p>JV-688, item 2.d. (third option) – Insert comma: “a determination needs to be made on whether the parent, guardian, or adult relative can afford counsel.”</p>	<p>The current practice of the council is to spell out code references when they are part of a sentence, so the committee has not adopted the change to abbreviate this code reference.</p> <p>The committee has adopted this technical change.</p> <p>Under drafting and style conventions, code references are spelled out when they are part of a sentence, so the committee has not adopted the change to abbreviate this code reference.</p> <p>The committee has adopted this clarifying change.</p> <p>The committee has adopted this clarifying change.</p> <p>The committee has adopted this technical change.</p> <p>Under drafting and style convention, code</p>

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			<p>JV-688, item 2.d. (fifth option) – Abbreviate “Welfare and Institutions Code section” for consistency with other forms: “... Welfare and Institutions Code section § 654.”</p> <p>JV-688, item 3 – Suggested changes:</p> <p style="padding-left: 40px;">3. <input type="checkbox"/> Other Additional findings and orders:</p> <p style="padding-left: 80px;">a. <input type="checkbox"/> See attached.</p> <p style="padding-left: 80px;">b. <input type="checkbox"/> Other (specify):</p> <p>JV-688, item 4 – Suggested changes:</p> <p>“4. This is the (number): <input type="checkbox"/> first <input type="checkbox"/> second <input type="checkbox"/> third <input type="checkbox"/> (specify) _____ continuance of this hearing.”</p> <p>JV-688, right footer – Insert “Cal. Rules of Court, rules 5.764, 5.776, 5.782” on line underneath “Welfare and Institutions Code, §§ 638, 682;”</p> <p>Finally, our court is not certain that the proper course of action is to create adoption forms that are limited to the adoption of a nonminor dependent. When a dependent minor is adopted, it is done as an agency adoption using the existing Judicial Council adoption forms. Our court has local forms for the adoption of an adult. It would seem more efficient to create</p>	<p>references are spelled out when they are part of a sentence, so the committee has not adopted the change to abbreviate this code reference.</p> <p>The committee has adopted these clarifying changes.</p> <p>To maintain brevity in this item the committee has not adopted this suggested change.</p> <p>The committee has adopted this change for clarity and to ensure comprehensive references to the authority for the form.</p> <p>Because adult adoptions of nonminor dependents that occur in the juvenile court are subject to requirements that do not apply to other adult adoptions and because these adoptions may make the adoptive parent eligible for adoption assistance payments, the committee believes that separate forms are appropriate. The committee will consider the suggestion that forms be developed for other adult adoptions for a future comment cycle.</p>

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			Judicial Council adoption forms for the adoption of any adult, not just a nonminor dependent.	
11.	Superior Court of Tulare County	D	This bill needs further investigation as to how the agency would implement changes to AB12, including but not limited to Family Reunification Services for parents with NMD. Additionally, it would incur additional costs for parents who are entitled to attorney representation and services if offered the option to reunify with a NMD. The two month timeframe proposed would not be sufficient time to implement the changes, introduce the new Judicial Counsel forms, training for agency social workers, training for Court Clerks. Further, the bill would allow the parents access to the NMD's judicial case file, which limits confidentiality for the NMD. It does appear to be JV470 form for NMDs to return to the jurisdiction of the court, if the form clearly indicates a hearing will be set within a reasonable timeframe to address this need. 388 Motions are currently used because it ensures a hearing will be set within 30 days.	The committee recognizes that the legislation has and will continue to have workload implications for the courts, but the provisions of the law have been in effect since January 1, 2012, and thus the committee believes it would be counter-productive to delay the implementation of the rules and forms to implement the enacted legislation. The committee also notes that rule 5.504 provides courts with a year to implement new and revised mandatory forms, and that all of the new forms in this proposal are optional, so courts can elect to introduce them or not. The committee also notes that there is a statutory timeframe for setting a hearing on a petition for a nonminor to return to jurisdiction, the court must set the hearing within 15 days of the filing of the petition as provided in section 388(e)(2).
12.	TCPJAC/CEAC Joint Rules Working Group Comment	AM	Operational impacts identified by the working group: 1. Cause a Potential Fiscal Impact	

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			<p>No impact identified.</p> <p>2. Create an Impact on Existing Automated Systems</p> <p>Courts using Sustain case management systems may see impacts in terms of cost in staff time to amend form JV-462 (Findings and Orders After Nonminor Dependent Status Review Hearing) and form JV-680 (Findings and Orders for Minor Approaching Majority-Delinquency) as a new, standalone document.</p> <p>Courts using other code-driven or Oracle-based systems such as Banner, will see impacts. New codes will need to be developed for data entry of new forms and also for capturing when a parent is receiving reunification services. These systems may need updating to capture placement information to determine if a minor is placed with a parent.</p> <p>3. Require Development of Local Rules and Forms\</p> <p>There is no expected impact in this area. This proposal would make the adoption of local rules and forms unnecessary.</p> <p>4. Raise Any Trial Court Labor or Employment Related Concerns</p>	<p>No response required.</p> <p>The committee acknowledges these impacts, but would note that JV-462 is an optional form and the conversion of the form to a standalone was intended to assist in providing an efficient means to issue findings and orders in these cases when no other orders are contemplated.</p> <p>The committee agrees that the changes in the statute concerning reunification will have impacts on the courts, but the rules and forms in this proposal should assist courts in carrying out their statutory responsibilities.</p> <p>No response required.</p>

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			<p>No impact identified.</p> <p>5. Create the Need for Additional Training, Which Requires the Commitment of Staff Time and Court Resources</p> <p>Training will be needed for court staff when the new forms have been deployed (new forms for re-entry- JV 470 and JV 472- are an improvement as it provides a method for capturing the orders without the need to generate these required orders as part of the minutes when a non-minor is re-entering as a dependent).</p> <p>Training for court staff will also be needed to implement the new adoptions forms JV 475, JV-477 and JV 479 as well as train court staff on rule 5.900 changes that authorize access of non-minor records to parents receiving reunification services but not to parents under other service status with the local social service agency. Training will also be needed for staff to capture information on the child's current status or placement within the process, for parents receiving reunification services.</p> <p>6. Increase Court Staff Workload While workload is reduced with the creation of the new forms for re-entry, all dependency cases will require the capturing of reunification service level and placement location.</p>	<p>No response required.</p> <p>The committee recognizes that training is required, but notes that all of the implantation impacts are related to the statutory changes rather than provisions in the rules and forms.</p> <p>The committee notes that the adoptions forms are optional forms developed to assist courts in carrying out their duties in these adult adoptions of nonminor dependents in juvenile court which have unique procedural requirements as compared to other adult adoptions. The reunification related provisions are an impact of the legislative change, and not these rules and forms which simply implement those changes.</p> <p>The committee notes that the impacts identified here are impacts pertaining to implementing the legislative requirements, and not the rules and forms.</p>

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			<p>It is proposed that the existing forms should be updated to provide information related to whether parent(s) is currently receiving reunification services. Updates to status may be needed, when records are requested by a parent or when the clerk's office is required to give</p> <p>Notice of Hearings. The requirement to capture whether a parent is currently receiving reunification services and placement information for notice purpose may be difficult and time consuming to coordinate for updates. The Notice piece is also difficult because current placement information is not captured as part of a court's case management system. This information is contained within the social worker or probation officer's report.</p> <p>7. Change the Responsibilities of the Presiding Judge and/or Supervising Judge</p> <p>No impact identified.</p> <p>8. Impact on Court Security There would be some impact on court security, but the extent of that additional impact is unknown. The new proposal will require more non-minor wards to be transported to a juvenile courtroom. That presents challenges for the sheriff and probation.</p>	<p>The committee has revised form JV-281 to indicate whether the parent is receiving reunification services, and notes that form JV-462, the findings and orders form will also reflect whether a parent is receiving reunification services as of the most recent nonminor dependent status review hearing.</p> <p>The committee notes that the responsibility to provide notice for nonminor dependent status review hearings is placed on the social worker or probation officer per rule 5.903, so the court will not be responsible for keeping track of the placement information or who should receive notice of these hearings.</p> <p>No response required.</p> <p>The committee notes that the impacts identified here are impacts pertaining to implementing the legislative requirements, and not the rules and forms.</p>

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			<p>9. Create An Impact on Local or Statewide Justice Partners</p> <p>Courts will need to contact their local justice partners to advise on the implementation of new forms.</p> <p>10. Implementation A minimum six month implementation period is requested.</p> <p>11. Are there Any Other Major Fiscal or Operational Impacts</p> <p>No impact identified.</p> <p>12. Request for Specific Comments</p> <p>None identified</p>	<p>No response required.</p> <p>The committee recognizes that the legislation has and will continue to have workload implications for the courts, but the provisions of the law have been in effect since January 1, 2012, and thus the committee believes it would be counter-productive to delay the implementation of the rules and forms to implement the enacted legislation. The committee also notes that rule 5.504 provides courts with a year to implement new and revised mandatory forms, and that all of the new forms in this proposal are optional, so courts can elect to introduce them or not.</p> <p>No response required.</p> <p>No response required.</p>

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			<p>13. Suggested Modifications Under #3 on JV-281 Notice of Hearing, the TCPJAC/CEAC Joint Rules Working Group recommend updating the form for the Social Worker or Probation Officer to provide information related to whether a parent is currently receiving reunification services or if minor is placed with a parent, then indicate if they recommend changes in orders, services, placement or status.</p> <p>The TCPJAC/CEAC Joint Rules Working Group also recommend under #6 on JV-281 Notice of Hearing, revise the existing language that reads "TO THE PARENT(S) RECEIVING COURT-ORDERED FAMILY REUNIFICATION SERVICES, IF ANY:", to read something simpler, such as "IF A JUDGE HAS MADE AN ORDER FOR YOUR FAMILY TO CONTINUE TO RECEIVE SERVICES, OR IF YOUR SON/DAUGHTER IS CURRENTLY LIVING WITH YOU:"</p>	<p>In order for the JV-281 form to identify whether a parent is receiving reunification services, the committee has divided item 2.b. into two parts, with one check-box reflecting the need for the court to consider continuing or terminating reunification services. This box will make this form reflect whether services are being provided, and item 3 will identify whether there are recommended changes.</p> <p>Because the other notice headings on JV-281 are titled with "To the ..." the committee has not adopted this suggestion to maintain consistency and notes that parents will only receive this notice if they are receiving reunification services and that the notices below the title are comprehensive and in simple language.</p>