

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
ORDERS UNDER WELFARE AND INSTITUTIONS CODE SECTIONS 366.24, 366.26, 727.3, 727.31	
CASE NUMBER:	

Child's name:				
Date of birth:	Age:			
Parent's name (if known):	<input type="checkbox"/> Mother	<input type="checkbox"/> Father		
Parent's name (if known):	<input type="checkbox"/> Mother	<input type="checkbox"/> Father		

1. a. Hearing date: _____ Time: _____ Dept.: _____ Room: _____
 b. Judicial officer: _____
 c. Parties and attorneys present: _____

2. The court has read and considered the assessment prepared under Welfare and Institutions Code section 361.5(g), 366.21(i), 366.22(c), 366.25(b), or 727.31(b) and the report and recommendation of the social worker probation officer and other evidence.
3. The court has considered the wishes of the child, consistent with the child's age, and all findings and orders of the court are made in the best interest of the child.

THE COURT FINDS AND ORDERS

4. a. Notice has been given as required by law.
 b. This case involves an Indian child, and the court finds that notice has been given to the parents, Indian custodian, Indian child's tribe, and the Bureau of Indian Affairs (BIA) in accordance with Welfare and Institutions Code section 224.2; the original certified mail receipts, return cards, copies of all notices, and any responses to those notices are in the court file.
5. **For child 10 years of age or older who is not present:** The child was properly notified under Welfare and Institutions Code section 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.
6. The court takes judicial notice of all prior findings, orders, and judgments in this proceeding.
7. The court previously made a finding denying or terminating reunification services under Welfare and Institutions Code section 361.5, 366.21, 366.22, 366.25, 727.2, or 727.3, for
 parent (name): _____ Mother Father
 parent (name): _____ Mother Father

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8. a. There is clear and convincing evidence that it is likely the child will be adopted.
- b. This case involves an Indian child, and the court finds by evidence beyond a reasonable doubt, including the testimony of one or more qualified expert witnesses, that continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child. *(If item 8a or 8b is checked, go to item 9 unless item 10, 11, 12, or 13 is applicable. If item 8a or 8b is not checked, go to item 15 or 16.)* **The fact that the child is not placed in a preadoptive home or with a person or family prepared to adopt the child is not a basis for concluding that the child is unlikely to be adopted.**

9. The parental rights of

- a. parent (name): Mother Father
- b. parent (name): Mother Father
- c. alleged fathers (names):
- d. unknown mother all unknown fathers

are terminated, adoption is the child's permanent plan, and the child is referred to the California Department of Social Services or a local licensed adoption agency for adoptive placement.

e. **The adoption is likely to be finalized by (date):**

(If item 9 is checked, go to item 17.)

10. This case involves an Indian child. The parental rights of

- a. parent (name):
- b. parent (name):
- c. Indian custodians (names):
- d. alleged fathers (names):
- e. unknown mother all unknown fathers

are modified in accordance with the tribal customary adoption order of the (specify): _____ tribe, dated _____ and comprising _____ pages, which is accorded full faith and credit and fully incorporated herein. The child is referred to the California Department of Social Services or a local licensed adoption agency for tribal customary adoptive placement in accordance with the tribal customary adoption order.

(If item 10 is checked, go to item 17.)

11. The child is living with a relative who is unable or unwilling to adopt the child because of circumstances that do not include an unwillingness to accept legal or financial responsibility for the child, but who is willing and capable of providing the child with a stable and permanent environment through legal guardianship. Removal of the child from the custody of his or her relative would be detrimental to the emotional well-being of the child. *(If item 11 is checked, go to item 15 or 16.)*

12. Termination of parental rights would be detrimental to the child for the following reasons: *(If item 12 is checked, check reasons below and go to item 15 or 16.)*

- a. The parents or guardians have maintained regular visitation and contact with the child, and the child would benefit from continuing the relationship.
- b. The child is 12 years of age or older and objects to termination of parental rights.
- c. The child is placed in a residential treatment facility, adoption is unlikely or undesirable, and continuation of parental rights will not prevent a permanent family placement if the parents cannot resume custody when residential care is no longer needed.
- d. The child is living with a foster parent or Indian custodian who is unable or unwilling to adopt the child because of exceptional circumstances that do not include an unwillingness to accept legal or financial responsibility for the child, but who is willing and capable of providing the child with a stable and permanent environment. Removal of the child from the physical custody of the foster parent or Indian custodian would be detrimental to the emotional well-being of the child. This clause does not apply to any child who is either

- (1) under the age of 6; or
- (2) a member of a sibling group with at least one child under the age of 6 and the siblings are or should be placed together.

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- 12. e. There would be substantial interference with the child's sibling relationship.
- f. The child is an Indian child, and there are compelling reasons for determining that termination of parental rights would not be in the best interest of the child, including, but not limited to:
 - (1) Termination of parental rights would substantially interfere with the child's connection to his or her tribal community or the child's tribal membership rights.
 - (2) The child's tribe has identified guardianship or another permanent plan for the child.

- 13. Termination of parental rights would not be detrimental to the child, but no adoptive parent has been identified or is available, and the child is difficult to place because the child *(if item 13 is checked, check reasons below and go to item 14)*:
 - a. is a member of a sibling group that should stay together.
 - b. has a diagnosed medical, physical, or mental disability.
 - c. is 7 years of age or older.

- 14. a. Termination of parental rights is not ordered at this time. Adoption is the permanent plan, and efforts are to be made to locate an appropriate adoptive family. A report to the court is due by *(date, not to exceed 180 days from the date of this order)*:
(Do not check in the case of a tribal customary adoption. If item 14a is checked, provide for visitation in items 14b and 14c as appropriate, and go to item 17.)
 - b. Visitation between the child and
 - parent *(name)*: Mother Father
 - parent *(name)*: Mother Father
 - legal guardian *(name)*:
 - other *(name)*:
 is scheduled as follows *(specify)*:
 - c. Visitation between the child and *(names)*:
 is detrimental to the child's physical or emotional well-being and is terminated.

- 15. The child's permanent plan is legal guardianship.
 - (Name)*:
 is appointed legal guardian of the child, and *Letters of Guardianship* will issue. *(Do not check in case of a tribal customary adoption. If item 15 is checked, provide for visitation in items 15a and 15b as appropriate, and go to item 15c or 15d.)*
 - a. Visitation between the child and
 - parent *(name)*: Mother Father
 - parent *(name)*: Mother Father
 - legal guardian *(name)*:
 - other *(name)*:
 is scheduled as follows *(specify)*:
 - b. Visitation between the child and *(names)*:
 is detrimental to the child's physical or emotional well-being and is terminated.
 - c. Dependency Wardship is terminated.
 - d. Dependency Wardship is not terminated. The likely date for termination of the dependency or wardship is *(date)*:
(If this item is checked, go to item 17.)

The juvenile court retains jurisdiction of the guardianship under Welfare and Institutions Code section 366.4.

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16. a. The child remains placed with *(name of placement)*:
with a permanent plan of *(specify)*:
- | | |
|--|--|
| (1) <input type="checkbox"/> Returning home | (5) <input type="checkbox"/> Permanent placement with a fit and willing relative |
| (2) <input type="checkbox"/> Adoption | (6) <input type="checkbox"/> Another planned permanent living arrangement |
| (3) <input type="checkbox"/> Tribal customary adoption | |
| (4) <input type="checkbox"/> Legal guardianship | |

The child's permanent plan is likely to be achieved by *(date)*:
(If item 16a is checked, provide for visitation in items 16b and 16c as appropriate, and go to item 17.)

- b. Visitation between the child and
- | | | |
|---|---------------------------------|---------------------------------|
| <input type="checkbox"/> parent <i>(name)</i> : | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> parent <i>(name)</i> : | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> legal guardian <i>(name)</i> : | | |
| <input type="checkbox"/> other <i>(name)</i> : | | |
- is scheduled as follows *(specify)*:

- c. Visitation between the child and *(names)*:
is detrimental to the child's physical or emotional well-being and is terminated.

17. The child's placement is necessary.
18. The child's placement is appropriate.
19. The agency has complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent plan. If this case involves an Indian child, the court finds that the agency has made active efforts to provide remedial and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have proven unsuccessful.
20. The services set forth in the case plan include those needed to assist the child age 14 or older in making the transition from foster care to successful adulthood. *(This finding is required only for a child 14 years of age or older.)*
21. The child remains a dependent ward of the court. *(If this box is checked, go to items 22 and 23 if applicable, and items 24 and 25.)*
22. All prior orders not in conflict with this order will remain in full force and effect.
23. Other *(specify)*:

24. Next hearing date: _____ Time: _____ Dept: _____ Room: _____
- a. Continued hearing under section 366.26 for receipt of report on attempts to locate an adoptive family
- b. Continued hearing under section 366.24(c)(6) for receipt of the tribal customary adoption order
- c. Six-month postpermanency review

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25. The Parent (*name*): Mother Father
 Parent (*name*): Mother Father
 Indian custodian (*name*):
 Child
 Other (*name*):

have been advised of their appeal rights (under Cal. Rules of Court, rule 5.590).

Date: _____

_____ JUDICIAL OFFICER

