

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <hr/> <p style="text-align: center;">TELEPHONE NO.: FAX NO. (<i>Optional</i>):</p> <p>E-MAIL ADDRESS (<i>Optional</i>):</p> <p>ATTORNEY FOR (<i>Name</i>):</p>	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
FINDINGS AND ORDERS AFTER POSTPERMANENCY HEARING— PERMANENT PLAN OTHER THAN ADOPTION (Welf. & Inst. Code, § 366.3)	CASE NUMBER:

1. Postpermanency hearing

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

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

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

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

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

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

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

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

6. **Parentage**

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

Advisements and waivers

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

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

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

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

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

Placement

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

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

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

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

- a. The matter is continued to the date and time indicated in item 34 for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (*specify*):

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

- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in item 34 for a written oral report by the county agency on the progress made toward
 - (1) returning the child to California and locating an appropriate placement within California.
 - (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - (3) Other (*specify*):

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Case plan development

14. a. The child was actively involved in the case plan development, including the child's plan for permanent placement.
- b. The child was not actively involved in the case plan development, including the child's plan for permanent placement, and
- (1) the county agency is ordered to actively involve the child in the case plan development, including the plan for permanent placement, and to submit to the court an updated case plan within 30 days of the date of this hearing.
- (2) the county agency was not required to actively involve the child in the case plan development because the child was unable, unavailable, or unwilling to participate.
15. **Child 12 years of age and over:**
- a. The child was given the opportunity to review the case plan, sign it, and receive a copy.
- b. The child was not given the opportunity to review the case plan, sign it, and receive a copy, and
- (1) the county agency is ordered to provide the child with the opportunity to review the case plan, sign it, and receive a copy. The agency is further ordered to submit to the court within 30 days of the date of this hearing written confirmation that the child was provided with this opportunity.
- (2) the county agency was not required to give the child this opportunity because the child was unable, unavailable, or unwilling to participate.

Efforts

16. **The county agency**
- a. has
- b. has not
- complied with the case plan by making reasonable efforts, including whatever steps are necessary to make and to finalize the permanent placement of the child.
17. The services provided to the child have been
- a. adequate.
- b. not adequate.
18. **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a. The child has identified the following as an individual important to him or her:
- (1) (name):
- (2) (name):
- b. The county agency has has not made efforts to identify individuals who are important to the child, consistent with the child's best interest.
- c. The county agency has has not made efforts to maintain the child's relationships with the individuals who are important to the child, consistent with the child's best interest.
- d. The county agency has has not made efforts to identify a prospective adoptive parent or a legal guardian for the child.
- e. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
- (1) as stated on the record.
- (2) as follows:
- f. To identify a prospective adoptive parent or a legal guardian for the child, the county agency must provide the services
- (1) as stated on the record.
- (2) as follows:

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Siblings

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

Education

21. a. The child's educational needs are are not being met.
 b. The child's physical needs are are not being met.
 c. The child's mental health needs are are not being met.
 d. The child's developmental needs are are not being met.
22. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 21 or other concerns are:
 a. stated in the social worker's report.
 b. specified here:
23. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 22:
 a. Social worker.
 b. Surrogate parent (*name*):
 c. Educational representative (*name*):
 d. Other (*name*):
24. The child's education placement has changed since the last review hearing.
 a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
 b. The child is enrolled in school.
 c. The child is attending school.
25. **Child 16 years of age or older:**
 a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to independent living.
 b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to independent living.
 c. To assist the child in making the transition to independent living, the county agency must add to the child's case plan and provide the services
 (1) as stated on the record.
 (2) as follows:

Health

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

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Permanent Plan

27. The child's permanent plan is

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

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

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

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

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

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

(1) return home.

(2) adoption.

(3) tribal customary adoption.

(4) legal guardianship.

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

(6) a less restrictive foster care setting.

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

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

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

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

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

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

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

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

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

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

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

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

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

35. Number of pages attached: _____

Date: _____

JUDGE
 JUDGE PRO TEMPORE
 COMMISSIONER
 REFEREE