

CHILD'S NAME: —	CASE NUMBER:
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FINDINGS AND ORDERS AFTER PERMANENCY HEARING—DELINQUENCY

12 MONTH
 18 MONTH *(only if reunification services extended at 12 months)*

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

- a. Report of probation dated:
- b. Other *(specify)*:

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

- 2. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child who is not present:** The child received proper notice of his or her right to attend the hearing and voluntarily gave up that right to attend this hearing.
- 3. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.

Child returned home

- 4. The return of the child to his or her parent or legal guardian would not create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. Out-of-home placement is no longer necessary or appropriate. The agency has complied with the case plan by making reasonable efforts to return the child safely home and to complete whatever steps are necessary to finalize the permanent placement of the child.

Child remaining in out-of-home placement:

- 5. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
- 6. The child's out-of-home placement is necessary.
- 7. a. The child's out-of-home placement is appropriate.
- b. The child's current placement is not appropriate. This hearing is continued for a report by the agency on the progress made to locate an appropriate placement.
- 8. The child has run away from placement. Out-of-home placement continues to be necessary. The placement was appropriate. Probation has made reasonable efforts to locate the child. Probation has complied with the case plan by making reasonable efforts to return the child to a safe home and to complete whatever steps are necessary to finalize the permanent plan.
- 9. The child is placed outside the state of California and that out-of-state placement:
 - a. continues to be the most appropriate placement and is in the child's best interest. There are no available and adequate in-state facilities to meet the child's needs. All licensure requirements have been met or a waiver granted. The placement complies with the requirements of Family Code section 7911.1.
 - 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 for a report by the county agency on the progress made toward finding an appropriate placement for the child.
- 10. The agency has has not complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child, and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent plan.
- 11. **The child is an Indian child**, and, by clear and convincing evidence, active efforts were were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.
- 12. **The child has no known Indian heritage.**

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

	None	Minimal	Adequate	Substantial	Excellent
a. <input type="checkbox"/> Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. <input type="checkbox"/> Mother	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. <input type="checkbox"/> Father	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. <input type="checkbox"/> Legal guardian	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. <input type="checkbox"/> Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. <input type="checkbox"/> Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. Reunification services are continued terminated.

15. The following is appropriate and ordered as the permanent plan (choose only one plan):

- a. Return the child home immediately.
- b. Return the child to the physical custody of the mother father legal guardian after an additional 6 months of reunification services. The minor and the parent or guardian have demonstrated the capacity and ability to complete the objectives of the case plan. **There is a substantial probability that the child will be returned to and safely maintained in the home within 18 months of the initial removal date.** The court advises all parents that if the child is not returned to the custody of a parent within the next six months, a hearing under Welfare & Institution Code section 727.31 may be held which could result in the termination of their parental rights and the child's adoption. The case is continued for a subsequent permanency planning hearing.
- c. Adoption. The court finds by clear and convincing evidence that reasonable services have been provided or offered to the parents. A hearing is set under the procedures described in Welfare and Institutions Code section 727.31 and an adoption assessment report ordered.
The likely date by which the child will be placed for adoption is (specify):
- d. Legal guardianship. A hearing is set under Welfare and Institutions Code section 728(c).
The likely date by which the child will be placed for guardianship is (specify):
- e. Placement on a permanent basis with (name): _____, a fit and willing relative.
The likely date by which the child will be placed for adoption or guardianship is (specify):
 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).
- f. By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welfare and Institutions Code section 727.31 is not in the best interest of the child based on evidence that (specify all that apply):
 - Adoption is not in the child's best interest and not an appropriate permanency goal.
 - No grounds exist to file for termination of parental rights.
 - The probation department did not make reasonable efforts to reunify the minor with the family.
 - The child is an unaccompanied refugee minor or foreign policy reasons preclude terminating parental rights.

The permanent plan is placement with (name or indicate placement is confidential):
with a specific goal of

- (1) returning home.
- (2) adoption.
- (3) legal guardianship.
- (4) permanent placement with a fit and willing relative.
- (5) a less restrictive foster care setting.
- (6) independent living with identification of a caring adult to serve as a lifelong connection for the youth.

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

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Case planning and visitation

16. **The child is 16 years or older.** The services set forth in the case plan include those needed to assist the child in making the transition from foster care to independence and adulthood.
17. a. The following were actively involved in the case plan development, including the plan for permanent placement:
 child mother father legal guardian tribal representative other:
- b. The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is ordered to actively involve them and submit an updated case plan within 30 days from today.
 child mother father legal guardian tribal representative other:
- c. The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is not required to involve them because they are unable, unavailable or unwilling to participate.
 child mother father legal guardian tribal representative other:
18. The court finds that the child's:
- a. developmental needs are are not being met c. physical needs are are not being met
b. mental health needs are are not being met d. education needs are are not being met
19. The additional services, assessments, and evaluations the child requires and the person or agency ordered to take the steps necessary for the child to receive these services, assessments, and evaluations are:
- a. set forth on the record.
b. as follows:
20. a. The following are ordered by the court to participate with the child in a counseling or education program as directed by probation: Mother Father Legal guardian Other (*specify*):
- b. The participation by the following is deemed by the court to be inappropriate or potentially detrimental to the child and their participation with the child in a counseling or education program is NOT ordered:
 Mother Father Legal guardian Other (*specify*):
21. The child has siblings under the court's jurisdiction and all of the siblings are NOT placed together in the same home.
- a. Visitation between the child and child's siblings who are not placed together is appropriate and ordered.
b. The court finds by clear and convincing evidence that visitation between the siblings who are not placed together would be detrimental to at least one of the children. No visitation is ordered.
22. Visitation with the child is ordered:
- a. As set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400) and attached.
b. As follows (*specify*):

Health and education

23. The parent legal guardian are 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 Welfare and Institutions Code section 739 and vested with the probation department.
24. A limitation on the parent legal guardian to make educational decisions for the child
- a. is NOT necessary. The parents or legal guardian hold educational rights and responsibilities, including those listed in California Rules of Court, rule 5.650(e) and (f).
b. is necessary. Those rights are limited as ordered and as set forth in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535).
25. The child's school placement has changed since the last hearing.
- a. The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days since the placement change.
b. The child is enrolled in attending (*specify school*):

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Parentage

26. a. The court inquired of the mother others (*names and relationships*):

as to the identities and addresses of all presumed or alleged fathers. All alleged fathers present during the hearing who had not previously submitted a *Statement Regarding Paternity (Juvenile)* (form JV-505) were provided with and ordered to complete and submit the form to the court.

b. The court clerk probation department shall provide the notice required by Welfare and Institutions Code section 726.4 to:

- (1) alleged father (*name*):
- (2) alleged father (*name*):

Advisement

27. The court informed all parties present at the time of the hearing and further advises all parties that if the child is not returned to the home at the permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred under Welfare and Institutions Code section 727.31 to a selection and implementation hearing **that could result in the termination of parental rights and the adoption of the child.**

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

29. Other findings and orders:

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

30. The date the child entered foster care is (*specify*):

31. **The next hearings will be:**

Date:	Time:	Dept:	Type of hearing:
Date:	Time:	Dept:	Type of hearing:

32. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved.

33. The sealing process has been explained to the youth, and the youth has received any materials relevant to the sealing process and the name of his or her attorney who can assist with sealing records.

34. Number of pages attached: _____

Date: _____
JUDICIAL OFFICER