

CHILD'S NAME:  _____	CASE NUMBER:  _____
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**FINDINGS AND ORDERS AFTER POSTPERMANENCY HEARING—DELINQUENCY**

**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.  Continued out of home care is in the best interest of the child.
- 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 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, including whatever steps are necessary to finalize the permanent placement of the child.
- 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.**
- 13.  The following is appropriate and ordered as the permanent plan (*choose only one plan*):
  - a.  Return the child home immediately.
  - b.  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 & Institution Code section 727.31 and an adoption assessment report ordered.  
The likely date by which the child will be placed for adoption is (*specify*):
  - c.  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*):

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13. *continued*

d.  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).

e.  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 minor's best interest and not an appropriate permanency goal.

No grounds exists 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 (*date*): \_\_\_\_\_

**Case planning and visitation**

14.  **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.

15. a.  The child was actively involved in the development of his or her case plan, including the plan for permanent placement.

b.  The child was NOT actively involved in the development of his or her case plan, including the plan for permanent placement.

1.  Probation is ordered to involve the child and submit an updated case plan within 30 days.

2.  Probation is NOT required to involve the child because the child is unable, unavailable, or unwilling to participate.

16.  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

17.  The additional services, assessments, and/or evaluations the child requires and the person(s) or agency ordered to take the steps necessary for the child to receive these services, assessments, and/or evaluations are:

a.  set forth on the record.

b.  as follows:

18.  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.

19.  Visitation with the child is ordered:

a.  As set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).

b.  As follows (*specify*): \_\_\_\_\_

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**Health and education**

20.  The  parent  legal guardians 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.
21.  A limitation on the  parents  legal guardians to make educational decisions for the child
- a.  is NOT necessary. The parents or legal guardians hold educational rights and responsibilities, including those listed in rule 5.650(e) and (f) of the California Rules of Court.
- 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).
22.  The child's school placement has changed since the last review hearing.
- a.  The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days of the change in placement.
- b.  The child is  enrolled in  attending school.

**Parentage**

23. 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*):

**Advisement** (2) alleged father (*name*):

24. 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, 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.**

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

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

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

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

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

29.  **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved.
30.  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.
31. Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER