

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue  
San Francisco, California 94102-3688

**Report**

TO: Members of the Judicial Council

FROM: Family and Juvenile Law Advisory Committee  
Hon. Mary Ann Grilli and Hon. Susan D. Huguenor, Co-chairs  
Ms. Audrey Evje, Senior Attorney, 415-865-7706, [audrey.evje@jud.ca.gov](mailto:audrey.evje@jud.ca.gov)

DATE: August 10, 2005

SUBJECT: Juvenile Law: Standard Statewide Forms for Use in Delinquency Proceedings (amend Cal. Rules of Court, rule 1402; adopt forms JV-640, JV-642, JV-644, JV-665, JV-760, and JV-794; approve forms JV-622 and JV-624; and revise forms JV-140, JV-190, JV-225, JV-280, JV-300, JV-305, JV-310, JV-320, JV-450, JV-520, JV-565, JV-567, JV-575, JV-580, JV-600, JV-615, JV-620, JV-625, JV-635, JV-735, JV-740, and JV-755)  
(Action Required)

Issue Statement

This proposal implements the recommendations of the *Probation Services Task Force Final Report*<sup>1</sup> as directed by the Judicial Council at its August 29, 2003, meeting. Specifically, staff was directed to “work with probation departments and the Chief Probation Officers of California to develop statewide standards for enhanced probation services.” This proposal was developed by a working group of court and probation representatives including judges (appellate and trial), court clerks, a chief probation officer, probation managers, and probation line staff.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2006:

1. Amend rule 1402 of the California Rules of Court to allow courts to authorize use of a legally accurate alternative form, including any existing local form or the immediate prior version of the Judicial Council form, when a new or revised mandatory form is

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<sup>1</sup> *The Probation Services Task Force Final Report* is located online at <http://www2.courtinfo.ca.gov/probation/report.htm> (accessed January 30, 2005). The Probation Services Task Force was a three-year collaborative effort of the Judicial Council, California State Association of Counties, and the Chief Probation Officers of California aimed at improving probation services and governance.

adopted, and where a computer, word processor printer, or similar process must be reprogrammed;

2. Adopt the following forms in order to provide a standard cover page and attachments for court orders and findings in juvenile delinquency proceedings:
  - JV-640, *Juvenile Court Delinquency Proceeding*
  - JV-642, *Initial Appearance Hearing—Juvenile Delinquency*
  - JV-644, *Jurisdiction Hearing—Juvenile Delinquency*
  - JV-665, *Disposition—Juvenile Delinquency*
  - JV-760, *Deferred Entry of Judgment Order*
  - JV-794, *Petition to Terminate Wardship and Order*
3. Approve the following forms to help facilitate consistent standard documentation by probation officers:
  - JV-622, *Informal Probation Agreement*
  - JV-624, *Terms and Conditions*
4. Revise JV-190 to make minor technical changes to formatting and language and revise the following forms to make four existing dependency forms (JV-225, JV-280, JV-300, and JV-320) applicable to delinquency cases and to promote uniformity by making the rest of the listed forms, currently optional, mandatory:
  - JV-140, *Notification of Mailing Address*
  - JV-225, *Health and Education Questionnaire*
  - JV-280, *Notice of Review Hearing*
  - JV-300, *Notice of Hearing on Selection of a Permanent Plan*
  - JV-305, *Citation for Publication Under Welfare and Institutions Code Section 294*
  - JV-310, *Proof of Service Section 366.26 of the Welfare and Institutions Code*
  - JV-320, *Orders Under Welfare and Institutions Code Sections 366.26, 727.3, 727.31*
  - JV-450, *Order for Prisoner's Appearance at Hearing Affecting Prisoner's Parental Rights and Waiver of Appearance*
  - JV-520, *Fax Filing Cover Sheet*
  - JV-565, *Findings and Request for Assistance Under Interstate Compact on the Placement of Children (ICPC)*
  - JV-567, *Interstate Compact on the Placement of Children—Findings and Orders*
  - JV-575, *Petition to Obtain Report of Law Enforcement Agency*
  - JV-580, *Notice to Child and Parent/Guardian Re: Release of Juvenile Police Records and Objection*
  - JV-600, *Juvenile Wardship Petition*
  - JV-615, *Deferred Entry of Judgment Notice of Noncompliance*
  - JV-620, *Violation of Law by Child*

- JV-625, *Notice of Hearing—Juvenile Delinquency Proceeding*
- JV-635, *Promise to Appear—Juvenile Delinquency (Juvenile 14 Years or Older)*
- JV-735, *Notice of Hearing to Modify, Change, or Set Aside Previous Orders*
- JV-740, *Petition to Modify Previous Orders—Change of Circumstances*
- JV-755, *Deferred Entry of Judgment—Dismissal and Sealing of Juvenile Records*

The text of the amended rule is attached at page 7. The proposed forms are attached at pages 8–54.

#### Rationale for Recommendation

The committee recommends adoption of this proposal to provide courts and probation departments with standard statewide forms for use in juvenile delinquency proceedings and a rule amendment to help facilitate transition to forms made mandatory. This proposal includes four components: (1) amendments to rule 1402, (2) new forms, (3) existing juvenile dependency forms that are revised for applicability in juvenile delinquency proceedings, and (4) existing optional juvenile forms used in delinquency proceedings that are now made mandatory.

This proposal is intended to:

- Enhance communication and consistency between counties by providing more certainty that required findings and orders will be made and enforced.
- Provide a forum for consistent and accurate forms revisions to conform to changes in the law.
- Serve as an educational vehicle to assist judicial officers and their staffs in meeting federal and state requirements and ensuring that written orders conform to orders as reported on the record.
- Assist probation departments in ensuring that orders are enforced consistently and uniformly. As filing systems adapt to the use of the new forms, it is further anticipated that preparation of departmental and court reports will be facilitated.

#### *Adopt and approve new forms*

The committee recommends adoption of six new mandatory forms and approval of two new optional forms.

Proposed new mandatory form JV-640, *Juvenile Court Delinquency Proceeding* is intended to provide a standard cover page for court findings and orders in juvenile delinquency proceedings. This form contains the common elements for each hearing type and can be saved manually (for photocopying) or electronically for use at each hearing. Specific information pertinent to each hearing would be attached using the following proposed mandatory forms JV-642, JV-644, JV-665, JV-760, and JV-794.

These proposed forms are designed for ease of use by court staff, probation, and attorneys and include all the required findings and orders for the potential outcomes in each hearing type. Currently there is wide variation in the findings and order documentation used in

California's 58 counties. This can lead to confusion and inefficiency when a case is transferred from one county to another.

Proposed new form JV-622, *Informal Probation Agreement* is an optional form for probation officers that contains information regarding informal probation and standard probation conditions.

Proposed new form JV-624, *Terms and Conditions* is intended to provide probation officers with a list of standard probation terms and conditions. It is intended as an optional attachment to proposed forms JV-622, *Informal Probation Agreement*, JV-665, *Disposition—Juvenile Delinquency*, and JV-760, *Deferred Entry of Judgment Order*.

*Revise existing forms for applicability in juvenile delinquency*

The committee recommends revising four existing juvenile dependency forms for applicability in juvenile delinquency cases. These forms currently contain small portions of text that limits their use to juvenile dependency proceedings, but the legal basis for them applies to both dependency and delinquency cases. These forms will also be used in cases where a child is deemed to have dual status under Assembly Bill 129 (Cohn) (Stats. 2004, ch. 468).

Form JV-225, *Health and Education Questionnaire* would be revised to delete the subtitle "Juvenile Dependency," to insert the words "probation officer" in the instructions at the signature line, and to add new items regarding vision assessments and health insurance coverage. Forms JV-280, *Notice of Review Hearing*, JV-300, *Notice of Hearing on Selection of a Permanent Plan*, and JV-320, *Orders Under Welfare and Institutions Code Sections 366.26, 727.3, 727.31* are used primarily in juvenile dependency proceedings but may also be used in juvenile delinquency proceedings where the child is placed in out-of-home care.

*Revise existing forms to make them mandatory*

Finally, the committee recommends revising a number of existing optional juvenile forms used in delinquency proceedings to make them mandatory. These forms are used widely across the state but not uniformly. This creates confusion and problems when a case is transferred to another jurisdiction where the court and probation need to understand what happened. Forms JV-140, JV-305, JV-310, JV-450, JV-520, JV-565, JV-567, JV-575, JV-580, JV-600, JV-615, JV-620, JV-625, JV-635, JV-735, JV-740, and JV-755 would become mandatory. In addition, JV-305, *Citation for Publication Under Welfare and Institutions Code Section 294* would be revised to replace reference to Welfare and Institutions Code section 366.23 with references to Welfare and Institutions Code section 294; JV-735, *Notice of Hearing to Modify, Change, or Set Aside Previous Orders* would be revised to replace a reference to the California Youth Authority; and JV-755, *Deferred Entry of Judgment—Dismissal and Sealing of Juvenile Records* would be revised to specify the arrest date and offense.

When it went out for comment, this proposal also included a recommendation that form JV-190, *Waiver of Rights—Juvenile Dependency* be made mandatory and applicable to delinquency. Due to comments received, the committee has withdrawn that recommendation and proposes that the form remain optional. Minor technical changes to the formatting and language were made to this form.

Finally the committee proposes amending California Rules of Court, rule 1402 to add a provision allowing counties with case management systems one year to implement new mandatory form or revisions to existing mandatory forms so long as the forms used in the interim are legally accurate.

This proposal also contains minor technical changes to improve grammar, update statutory references, and implement the mandate of Assembly Bill 205 (Goldberg) (Stats. 2003, ch. 421) for gender-neutral language.

#### Alternative Actions Considered

The committee considered whether it was necessary to adopt new forms, approve new forms, or revise existing forms. The committee determined that, for the reasons stated above, these new statewide forms and revisions are necessary.

The committee also considered asking the California State Association of Counties (CSAC) or the Chief Probation Officers of California (CPOC) to adopt statewide standards. However, because neither CSAC nor CPOC has the authority or a process for adopting administrative law, the committee decided that official Judicial Council forms were preferable.

#### Comments From Interested Parties

The invitation to comment on the proposal was circulated from April 21, 2005, through June 20, 2005, to the standard mailing list for family and juvenile law proposals, as well as the regular rules and forms mailing list. This distribution list includes judges, court administrators, attorneys, social workers, probation officers, mediators, and other family and juvenile law professionals. In addition, this proposal was sent to county administrative directors, chief probation officers, district attorneys, and public defenders.

The proposal received 12 comments. Three commentators agreed. Eight agreed if modified. And one commentator disagreed.

Appropriate changes have been made to address the vast majority of comments that suggested minor grammatical or technical changes to improve clarity or highlighted legal omissions. Other comments suggested (1) revisions that would be applicable in criminal court but not in juvenile delinquency proceedings, (2) including information on a specific form where that information would be attached or on the cover sheet, and (3) changes to an established portion of an existing form that was not out for comment and would

warrant individual attention and circulation for comment. Comments related to these suggestions were not implemented.

Three commentators objected to the mandatory nature of many of the forms due to the impact this will have on case management systems. The committee was mindful of this concern when selecting whether forms should be mandatory or optional and only selected forms where the benefits of a statewide form, particularly in a transferred case, outweighed the challenges associated with adopting a new form or making a formerly optional form mandatory. In recognition of the fact that implementation of these mandatory forms will be burdensome for counties with case management systems, the committee proposes amending rule 1402 to allow these counties one year to implement new forms and revisions so long as the forms used are legally accurate. The amendment to rule 1402 has not circulated for comment.

One commentator requested the revision of five forms to include notice that the parent or other person being notified of a court hearing may request accommodations such as assisted listening systems, computer-aided real-time transcription, or certified sign language interpreters with reference to form MC-410. This notice has been added.

Two commentators suggested adding fiscal information to the forms. The committee believes that this information is too complex for these forms and warrants a standalone form focused on fines and fees. The committee will develop such a form in a future cycle. The committee will also consider developing a plea form in response to one comment.

One commentator requested that *JV-755, Deferred Entry of Judgment—Dismissal and Sealing of Juvenile Records* be modified to clarify which arrest records must be sealed. The committee agreed that the form needs more specificity to ensure appropriate arrest records are sealed and proposes new language in item 6.

Finally, one commentator disagreed with the proposal because certain forms did not contain additional requirements for evaluation, recommendations, and inquiries and orders addressing a child's special education needs due to disability or high risk of developmental disability. The committee believes this comment has merit; however, it would not be appropriate to make these changes without circulation for comment. The committee intends to submit a proposal focused on this topic in a future cycle.

The comments are attached at pages 55–83.

#### Implementation Requirements and Costs

Implementation of the forms will require courts to retrain clerks and incur standard reproduction costs.

Attachments

Rule 1402 of the California Rules of Court is amended, effective January 1, 2006, to read:

1 **Rule 1402. Judicial Council forms**

2  
3 (a) \*\*\*

4  
5 (b) [~~Word processor-~~ **Electronically produced forms**] The forms applicable to  
6 the juvenile court may be produced entirely by computer, word processor  
7 printer, or similar process, or may be produced by the California State  
8 Department of Social Services Child Welfare Systems Case Management  
9 System.

10  
11 (c) [**Implementation of new and revised mandatory forms**] New and revised  
12 mandatory forms produced by computer, word-processor printer, or similar  
13 process must be implemented within one year of the effective date of the form.  
14 During that one-year period the court may authorize the use of a legally  
15 accurate alternative form, including any existing local form or the immediate  
16 prior version of the Judicial Council form.  
17

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>  TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>   <b>Draft 13</b> <b>09/21/05</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>JUVENILE COURT DELINQUENCY PROCEEDING</b>	CASE NUMBER: _____

Initial Hearing  
  Detention  
  Jurisdiction  
  Disposition  
  Transfer In/Out  
  Other *(specify):* \_\_\_\_\_

Date of Hearing: \_\_\_\_\_ Time: \_\_\_\_\_ Location: \_\_\_\_\_

Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	Other Court Personnel:	Probation Officer:
Interpreter:	Language:	Child's Date of Birth:
a. Child's Name:	b. Child's Address:	
c. Child's Custody Status:		
d. Parent's Name and Address: <input type="checkbox"/> Mother <input type="checkbox"/> Father	e. Parent's Name and Address: <input type="checkbox"/> Mother <input type="checkbox"/> Father	

1. Persons present:

- a.  Parent *(name):* \_\_\_\_\_  Mother  Father
- b.  Parent *(name):* \_\_\_\_\_  Mother  Father
- c.  Relative *(name and relationship to child):* \_\_\_\_\_
- d.  Relative *(name and relationship to child):* \_\_\_\_\_
- e.  Legal guardian *(name):* \_\_\_\_\_
- f.  Others with consent of child or approval of the court *(name and relationship to child):* \_\_\_\_\_

2. Attorneys present:

- a.  For child *(name):* \_\_\_\_\_
- b.  Prosecutor *(name):* \_\_\_\_\_
- c.  For parent *(name):* \_\_\_\_\_
- d.  Other *(names and indication of party represented):* \_\_\_\_\_



CHILD'S NAME: _____	CASE NUMBER: _____
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INITIAL APPEARANCE HEARING—JUVENILE DELINQUENCY

- Out-of-Custody Arraignment     In-Custody Arraignment and Detention

THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:

1.  Notice has been given as required by law.
2.  The child has not been taken into custody.
3.  The child was taken into custody at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_.
4.  The petition or notice of probation violation was filed at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_.
5.  Counsel was appointed for the child.
6.  The information on the face of the petition was  confirmed  corrected as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7.  The court advised the child and parent/legal guardian of (check all that apply):
  - a.  the contents of the petition.
  - b.  the nature and possible consequences of juvenile court proceedings.
  - c.  the purpose and scope of the initial hearing.
  - d.  the hearing rights described in rule \_\_\_\_\_.
  - e.  the reason the child was taken into custody.
8.  Reading of the petition and advice of rights were waived by  the child  the child's counsel.
9.  The prosecutor has requested that a hearing be set to determine whether the child is a fit and proper subject under Welfare and Institutions Code section 707(a) or (c).
10.  The child  through counsel (if checked, go to item 13 after completing a and b below)
  - a.  denied the allegations of the petition.
  - b.  asked the court to take no action on the petition at this time.
11.  The child (if checked and child in custody, go to item 13 after completing a and b below)
  - a.  admitted the petition  as filed  as amended (date): \_\_\_\_\_
  - b.  pleaded no contest to the petition  as filed  as amended (date): \_\_\_\_\_
12.  Dismissed counts  will  will not be considered true for disposition

Specific Statutory Violations:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13.  The court has questioned the child and finds that the child understands the nature of the allegations and the direct consequences of admitting or pleading no contest to the allegations of the petition, and understands and waives the hearing rights that were explained (check all that apply):
  - a.  The child's counsel consents to the admission or plea of no contest.
  - b.  The admission or plea of no contest is freely and voluntarily made.
  - c.  There is a factual basis for the admission or plea of no contest.

CHILD'S NAME:  _____	CASE NUMBER:  _____
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13. (Continued)

d.  The following allegations are admitted and found to be true as alleged

Count Number:

Specific Statutory Violations:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

e.  The child is described by section  601  602 of the Welfare and Institutions Code.

f.  The following counts may be considered a misdemeanor or a felony. The court finds the child's violation of:

Count Number:

Code Section:

Misdemeanor

Felony

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

g.  The maximum confinement time is \_\_\_\_\_.

h.  The child's residence is in \_\_\_\_\_ County.

i.  The matter is transferred to \_\_\_\_\_ County for disposition and further proceedings. Judicial Council form JV-550, *Juvenile Court Transfer Orders* will be completed and transmitted immediately.

**CHILD IN CUSTODY**

14.  The court has considered the detention report prepared by the probation officer  and the following documents (*specify*):

\_\_\_\_\_ and the testimony of (*name*): \_\_\_\_\_

\_\_\_\_\_ and the examination of (*name*): \_\_\_\_\_ by the court.

15.  The child is released from custody to the home of (*name, address, and relationship to child*): \_\_\_\_\_

16.  A prima facie showing has been made that the child's disposition is by section 601 or 602.

17.  Based on the facts stated on the record, continuance in the child's home is contrary to the child's welfare.

18.  Based on the facts stated on the record, there are no available services that would prevent the need for further detention.

19.  The child is detained on home supervision  on electronic monitor in the home of (*name, address, and relationship to child*): \_\_\_\_\_

20.  Based on the facts stated on the record, the child is detained in secure custody on the following grounds (*check all that apply*):

a.  The child has violated an order of the court.

b.  The child has escaped from a court commitment.

c.  The child is likely to flee the jurisdiction of the court.

d.  It is a matter of immediate and urgent necessity for the protection of the child.

e.  It is reasonably necessary for the protection of the person or property of another.

CHILD'S NAME:  _____	CASE NUMBER:  _____
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- 21.  Temporary placement and care is the responsibility of the probation officer.
- 22.  Reasonable efforts to prevent or eliminate the need for detention of the child  have been made.  
 have not been made.
- 23.  As soon as possible, the probation officer must provide services that will assist the child and the family to be reunified.
- 24.  The child and the parent/legal guardian have been advised that if the child cannot be returned home within the statutory timelines, a proceeding may be scheduled to determine an alternative permanent home, including an adoptive home after parental rights are terminated.
- 25.  The probation officer must file a case plan within 60 days.
- 26.  Other orders: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 27.  The matter is continued to (*location*): \_\_\_\_\_ on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_ for  
 further initial hearing  pretrial/settlement conference  jurisdiction hearing  disposition  
 hearing on the notice of probation violation  fitness hearing  other (*specify*): \_\_\_\_\_
- 28.  Child  Counsel waives (*check all that apply*):  
 time for jurisdiction hearing.  
 time for disposition hearing.

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

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

CHILD'S NAME:  _____	CASE NUMBER:  _____
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**JURISDICTION HEARING—JUVENILE DELINQUENCY**

**THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:**

- 1.  Notice was provided as required by law.
- 2.  Reading and explanation of the petition and advice of rights.
  - a.  Provided by court.
  - b.  Waived by  child  counsel for the child.

**ADMISSION OR NO CONTEST PLEA** (If item 3, 4 and 5 completed, go to item 14)

- 3.  The child
  - a.  admitted the petition  as filed  as amended (date): \_\_\_\_\_
  - b.  pleaded no contest to the petition  as filed  as amended (date): \_\_\_\_\_
- 4.  Dismissed counts  will  will not be considered true for disposition

Specific Statutory Violations:

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- 5.  The court has questioned the child and finds that the child understands the nature of the allegations and the direct consequences of admitting or pleading no contest to the allegations of the petition, and understands and waives the hearing rights that were explained.
  - a.  The child's counsel consents to the admission or plea of no contest.
  - b.  The admission or plea of no contest is freely and voluntarily made.
  - c.  Counsel and the child stipulate that the court may consider the  police report  probation report to support a finding that there is a factual basis for the admission or plea of no contest.
  - d.  There is a factual basis for the admission or plea of no contest.
  - e.  The following allegations are admitted and found to be true as alleged:

Count Number:

Specific Statutory Violations:

_____	_____
_____	_____
_____	_____
_____	_____

- f.  The child was under 14 years old at the time of the offense, and the child knew the wrongfulness of his or her conduct at the time the offense was committed.

**CONTESTED HEARING**

- 6.  The child denied the allegations of the petition and the court held a contested hearing.
- 7.  The names of the witnesses who testified and the documentary and other evidence that were admitted are listed on Attachment 6, Witness and Evidence List—Juvenile Hearing.
- 8.  The child was not represented by counsel and objections that could have been made are deemed made.
- 9.  The petition has not been proved beyond a reasonable doubt and is dismissed and all prior orders regarding the petition are terminated.

CHILD'S NAME:  _____	CASE NUMBER:  _____
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- 10.  The allegations of the petition are found to be true beyond a reasonable doubt.
- 11.  Counts \_\_\_\_\_ as alleged in the petition are found to be true beyond a reasonable doubt.
- 12.  Counts \_\_\_\_\_ as alleged in the petition have not been proved beyond a reasonable doubt and are dismissed.
- 13.  Counts \_\_\_\_\_ as amended are found to be true beyond a reasonable doubt.

**AFTER PETITION IS SUSTAINED**

- 14.  The child is described by section 602 of the Welfare and Institutions Code.
- 15.  The court has considered that violation of (*specify statutes*): \_\_\_\_\_ would be a misdemeanor or a felony if committed by an adult; and declares that violation of \_\_\_\_\_ is a  misdemeanor  felony; violation of \_\_\_\_\_ is a  misdemeanor  felony.
- 16.  The child's residence is in \_\_\_\_\_ County.
- 17.  The matter is transferred to \_\_\_\_\_ County for disposition and further proceedings. Judicial Council form *Juvenile Court Transfer Orders* (form JV-550) will be completed and transmitted immediately.
- 18.  The child  may remain at home  is released.
- 19.  Based on the facts stated on the record, continuance in the child's home is contrary to the child's welfare.
- 20.  Based on the facts stated on the record, there are no available services that would prevent the need for further detention.
- 21.  Pending the disposition hearing, the child is detained on home supervision/electronic monitoring program in the home of (*name, address, and relationship to child*): \_\_\_\_\_

\_\_\_\_\_ and as set forth in Attachment *Terms and Conditions*.

- 22.  Based on the facts stated on the record, the child is detained in secure custody pending the disposition hearing.
- 23.  Temporary placement and care is the responsibility of the probation officer.
- 24.  Reasonable efforts to prevent or eliminate the need for detention of the child  have been made  have not been made.
- 25.  As soon as possible, the probation officer must provide services that will assist the child and the family to be reunified.
- 26.  The matter is continued for disposition to \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.
- 27.  Child continued as ward.
- 28.  Other orders (*specify*): \_\_\_\_\_
- 29.  Other orders (*specify*): \_\_\_\_\_
- 30.  Other orders (*specify*): \_\_\_\_\_
- 31.  All prior orders not in conflict remain in effect.

Date: \_\_\_\_\_  
\_\_\_\_\_  
JUDICIAL OFFICER

Attachments:

- JV-624, *Terms and Conditions*
- Witness and Evidence List
- Other (*specify*): \_\_\_\_\_

CHILD'S NAME:  _____	CASE NUMBER:  _____
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**DISPOSITION—JUVENILE DELINQUENCY**

- The court has read and considered the social study prepared by the probation officer and any other relevant evidence.
- The child has been detained and is at risk of entering foster care. The probation officer believes the child will be able to return home, and the social study includes a case plan as described in section 636.1 of the Welfare and Institutions Code.
- The probation officer has recommended initial or continuing placement in foster care, and the social study includes a case plan as described in section 706.6 of the Welfare and Institutions Code.

**THE COURT FINDS AND ORDERS**

1.  Notice has been given as required by law.
2.  The court takes judicial notice of all prior findings, orders, and judgments in this proceeding.
3.  The court has previously sustained the petition alleging that the child violated
 

Section	Code	
_____	_____	of the _____
_____	_____	of the _____
_____	_____	of the _____
_____	_____	of the _____
_____	_____	of the _____
4.  The maximum time the child may be confined in secure custody for the offenses sustained in the petition before the court is \_\_\_\_\_.
5.  The maximum time the child may be confined in secure custody for the offenses sustained in the petition before the court, with the terms of all previously sustained petitions known to the court aggregated, is \_\_\_\_\_.
6.  The following counts may be considered a misdemeanor or a felony. The court finds the child's violation of:
 

Count Number:	Code Section:	Misdemeanor	Felony
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
7.  The child resides in \_\_\_\_\_ County.
8.  The case is transferred to \_\_\_\_\_ County for disposition. Judicial Council form JV-550, *Juvenile Court Transfer Orders* will be completed and transmitted.
9.  For the reasons stated on the record, the petition is dismissed  in the interests of justice  because the child does not need treatment or rehabilitation.
10.  The child is placed on probation for up to six months under section 725(a) of the Welfare and Institutions Code under conditions described in the attachment form JV-624, *Terms and Conditions*.
11.  The child is  declared  continued as a ward of the court.

CHILD'S NAME:  _____	CASE NUMBER:  _____
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12.  The child is to reside in the custody of
- a.  Parent (*name*):  Mother  Father
  - b.  Parent (*name*):  Mother  Father
  - c.  Legal guardian (*name*):
  - d.  Without probation supervision.
  - e.  Under the supervision of the probation officer.
  - f.  Under terms and conditions described in the attachment form JV-624, *Terms and Conditions*.
13.  The child is to serve \_\_\_\_\_ days/months in juvenile hall
- a.  and is remanded forthwith.
  - b.  and is to report to \_\_\_\_\_ by \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_.
  - c.  with credit for \_\_\_\_\_ days served.
14.  The welfare of the child requires that physical custody be removed from the parent or guardian. (*check only if applicable*):
- a.  The child's parent or guardian has failed or neglected to provide, or is incapable of providing, proper maintenance, training, and education for the child.
  - b.  The child has been on probation in the custody of the parent or guardian and has failed to reform.
15. **[Skip unless item 14 is checked.]**
- Reasonable efforts to prevent or eliminate the need for removal
- a.  have been made.
  - b.  have not been made.
16. **[Skip unless item 14 is checked.]**
- a.  The probation officer will ensure provision of reunification services, and the following will participate in the reunification services set forth in the case plan:  
 Mother  Biological father  Legal guardian  Other (*specify*):  
 Presumed father  Alleged father  Indian custodian
  - b.  Reunification services do not need to be provided to (*name*): \_\_\_\_\_ as the court finds by clear and convincing evidence that
    - (1)  Reunification services were previously terminated for that parent or not offered under section 300 et seq. of the Welfare and Institutions Code; or
    - (2)  That parent has been convicted of  murder of another child of the parent  voluntary manslaughter of another child of the parent  aiding, abetting, attempting, conspiring, or soliciting to commit murder or manslaughter of another child of the parent  felony assault resulting in serious bodily injury to the child or another child of the parent.
    - (3)  The parental rights of that parent to a sibling of the child have been terminated involuntarily.
  - c.  The child is  ordered to  continued in the care, custody, and control of the probation officer for placement in a suitable relative's home or in a foster or group home.
  - d.  The child is to be placed out of state at the following (*name and address*): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
    - (1)  In-state facilities are unavailable or inadequate to meet the needs of the child; and
    - (2)  The state Department of Social Services or its designee has performed initial and continuing inspection of the facility and has certified that it meets all California licensure standards, or has granted a waiver based on a finding that there is no adverse impact to health and safety; and
    - (3)  The requirements of section 7911.1 of the Family Code are met.

CHILD'S NAME:  	CASE NUMBER:  
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16. (Continued)

- e.  Pending placement, the child is
  - (1)  detained in juvenile hall.
  - (2)  detained on home supervision in the home of
    - (a)  Parent (name):  Mother  Father
    - (b)  Parent (name):  Mother  Father
    - (c)  Legal guardian (name):
    - (d)  Other (name and address):
    - (e)  and is subject to electronic monitoring.
  - (3)  released to
    - (a)  Parent (name):  Mother  Father
    - (b)  Parent (name):  Mother  Father
    - (c)  Legal guardian (name):
    - (d)  Other (name and address):
- f.  The parent or legal guardian must cooperate in the completion and signing of necessary documents to qualify the child for any medical or financial benefits to which the child may be entitled.
- g.  The county is authorized to pay for care, maintenance, clothing, and incidentals at the approved rate.
- h.  The case plan is likely to be completed and the child returned or services terminate the custody of the parent or legal guardian on or before \_\_\_\_\_ .
- i.  The right of the parent/guardian to make educational decisions for the child is specifically limited. Judicial Council form JV-535, *Order Limiting Parent's Right to Make Educational Decisions for the Child and Appointing Responsible Adult as Educational Representative—Juvenile* will be completed and transmitted.

17.  [Skip unless item 14 is checked.] The child is committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice and Judicial Council form JV-732, *Commitment to the Department of Corrections and Rehabilitation, Division of Juvenile Justice* will be completed and transmitted.

18.  The child and legal parent are to pay a restitution fine as specified on the attached.

19.  The child, with his or her parent, is to pay restitution

- as described on the attached restitution order.
- to each victim (name each): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

in the amount of \$ \_\_\_\_\_  in the amount and manner determined by the probation officer, with the opportunity for review by the court if disputed by the child or the parents.

20.  The child, with his or her parents, is to pay a fine in the amount of \$ \_\_\_\_\_, plus penalty assessment in the amount of \$ \_\_\_\_\_, for a total of \$ \_\_\_\_\_.

- 21.  Terms regarding vehicles. The child must
  - a.  Participate in and successfully complete \_\_\_\_\_.
  - b.  Only drive to driving to and from school, work, and/or counseling programs.
  - c.  Surrender license to  court.  probation officer.



CHILD'S NAME:  _____	CASE NUMBER:  _____
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22.  Child's driver license  
 suspended or  
 revoked or  
 delayed for  
 period of \_\_\_\_\_  months.  years.  
 until 18 years of age.

23. Court will notify the Department of Motor Vehicles of the judgment.

24.  Other (specify): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

25.  Other (specify): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

26.  The matter is continued to \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. for \_\_\_\_\_.
- a.  15-day review of placement order (if child is placed prior to the date, the court must be notified and the matter will be dropped from calendar).
  - b.  6-month review (within 6 months from the date the child enters foster care).
  - c.  permanency planning hearing.
  - d.  Other (Specify): \_\_\_\_\_

27.  All prior orders not in conflict remain in effect.

28.  Child is advised of his or her right to appeal.

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

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

Attachments:

- Terms and Conditions
- Juvenile Court Transfer Orders
- Restraining Order
- Commitment to the Department of Corrections and Rehabilitation, Division of Juvenile Justice
- Order for Restitution
- Psychotropic Medication Order
- Order Limiting Parent's Right to Make Education Decisions for the Child and Appointing Responsible Adult as Educational Representative

- Paternity Judgment
- Indian Child Welfare Act
  - Notices and Proofs of Service
  - Tribal Responses
- Victim Identification Form
- Probation Officer's Case Plan Approved by the Court
  - As submitted
  - As amended and stated on the record
- Other \_\_\_\_\_

CHILD'S NAME:  _____	CASE NUMBER:  _____
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**DEFERRED ENTRY OF JUDGMENT ORDER**

1. The court has considered the declaration of the prosecuting attorney regarding eligibility, the report and recommendations of the probation officer, and any other relevant evidence submitted by the child or other interested party.

2. The child is

- a.  eligible for deferred entry of judgment under Welfare and Institutions Code section 790.
- b.  suitable for deferred entry of judgment under Welfare and Institutions Code section 790.

3. The child has admitted violation of section

- \_\_\_\_\_ of the \_\_\_\_\_ Code.
- \_\_\_\_\_ of the \_\_\_\_\_ Code.
- \_\_\_\_\_ of the \_\_\_\_\_ Code.
- \_\_\_\_\_ of the \_\_\_\_\_ Code.
- \_\_\_\_\_ of the \_\_\_\_\_ Code.

4. The child has waived the right to a speedy disposition hearing.

5. The entry of judgment will be deferred under section 790 of the Welfare and Institutions Code.

6. Under the following terms and conditions the child must

- a.  Consent to the search of his or her person, vehicle, or place of residence, at any time, day or night, with or without a search warrant and without probable or reasonable cause, on the direction of the probation officer or a peace officer.
- b.  Submit to chemical testing in the form of, but not limited to, blood, breath, urine, or saliva on the direction of the probation officer or a peace officer.
- c.  Attend school regularly, obey school rules and regulations, and not leave the school campus during school hours without the permission of school officials or the probation officer.
- d.  Seek and maintain counseling or treatment as directed by the probation officer.
- e.  Be at his or her place of residence between the hours of \_\_\_\_\_ p.m. and \_\_\_\_\_ a.m. unless with a parent, legal guardian, or responsible adult, or with the prior permission of the probation officer.
- f.  Comply with additional terms and conditions as described in the attachment form, Terms and Conditions.

7. A review of the child's progress is set for \_\_\_\_\_. At least \_\_\_\_\_ days prior to the review hearing, the probation department is to submit to the court, the child, the child's parent or guardian, the child's attorney, and the prosecuting attorney a report on the child's progress and adherence to the terms and conditions.

Date: \_\_\_\_\_  
JUDICIAL OFFICER

Attachments:

- Terms and Conditions
- Other \_\_\_\_\_

CHILD'S NAME: _____	CASE NUMBER: _____
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PETITION TO TERMINATE WARDSHIP AND ORDER

- Wardship was declared on \_\_\_\_\_ based on a finding that the child violated the following sections:  
 \_\_\_\_\_ of the \_\_\_\_\_ Code.  
 \_\_\_\_\_ of the \_\_\_\_\_ Code.  
 \_\_\_\_\_ of the \_\_\_\_\_ Code.  
 \_\_\_\_\_ of the \_\_\_\_\_ Code.  
 \_\_\_\_\_ of the \_\_\_\_\_ Code.
- The child has adhered to the terms and conditions of probation.
- The child has successfully completed all court-ordered programs.
- The child has satisfactorily met the goals of rehabilitation.
- The child has reached the age of majority.
- The whereabouts of the child have been unknown since \_\_\_\_\_.
- Continued wardship is not required for the rehabilitation or protection of the child.
- Continued wardship is not required for the protection of the public.
- The warrant issued on \_\_\_\_\_ is recalled.
- A summary of the child's contacts with the probation department and law enforcement agencies is included as Attachment 10.
- A summary of the child's school performance and other activities is included as Attachment 11.
- The child is a dependent of the juvenile court, or a petition to have the child declared a dependent has been filed.

Petitioner requests that the court terminate the child's wardship and release him or her from all orders of the juvenile delinquency court.

Date:

\_\_\_\_\_  
TYPE OR PRINT PETITIONER'S NAME

\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

ORDER

- Wardship and delinquency court jurisdiction are terminated. All other orders of the juvenile court that are not in conflict remain in full force and effect.
- The matter is set for hearing on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.
- The petition is denied.

Date:

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

**TO THE CHILD: ADVICE REGARDING SEALING YOUR RECORD**  
 At any time after you have reached the age of 18, or five years or more after the date this order is filed, you may petition the court to have your record sealed. In some cases you will not be entitled to have the record sealed, depending on the offenses you have been found to have committed, or if the court finds that satisfactory rehabilitation has not occurred. Contact your probation officer to obtain the proper form and follow the procedures as directed.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):   TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;"><b>Draft 9 09/22/05 Not approved by the Judicial Council</b></p>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>INFORMAL PROBATION AGREEMENT</b>	CASE NUMBER:

This agreement is a **CONTRACT** between the probation officer, the above named child, and his or her parent or parents or legal guardian.

The agreement is for up to six (6) months, and during that period and for up to 90 days after that, the probation officer has the right to request that the district attorney file a petition in juvenile court to have the child declared a ward of the court if the child does not successfully complete the terms of the program described below. If within the first 60 days after this agreement is signed, the child does not become involved in the program, the probation officer **MUST** take the necessary steps to bring the case before the juvenile court.

**TERMS AND CONDITIONS OF THE PROGRAM**

The child must (check all that apply to this child):

1.  Report to the probation officer \_\_\_\_\_ times each month until or unless directed differently.
2.  Obey all city, county, state, and federal laws and ordinances.
3.  Obey his or her parent or parents or legal guardian.
4.  Attend school regularly, obey school rules and regulations, and not leave the school campus during school hours without permission of school officials or the probation officer.
5.  Not use, possess, or be under the influence of any alcoholic beverage or illegal or intoxicating substance, or possess any associated paraphernalia.
6.  Not use, possess, or be under the influence of the following (specify): \_\_\_\_\_.
7.  Not possess, own, or handle any firearm, knife, weapon, fireworks, explosives, or chemicals that can produce explosives.
8.  Not contact or associate with \_\_\_\_\_.
9.  Not be a member or associate with any known members of any criminal street gang.
10.  Participate in individual, group, or family counseling, as directed by the probation officer.
11.  Submit to chemical testing in the form of, but not limited to, blood, breath, urine, or saliva on the direction of the probation officer or a peace officer.
12.  Consent to the search of his or her person, vehicle, or place of residence at any time, day or night, with or without a search warrant and without probable or reasonable cause, on the direction of the probation officer or a peace officer.
13.  Perform \_\_\_\_\_ hours of community service and provide proof of completion by (date): \_\_\_\_\_.  
 Community service to be arranged
  - a.  by the child with the approval of the probation officer.
  - b.  through the probation officer.

CHILD'S NAME:  _____	CASE NUMBER:  _____
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14.  Be at his or her place of residence between the hours of \_\_\_\_\_ p.m. and \_\_\_\_\_ a.m. unless with a parent or legal guardian or with the prior permission of the probation officer.
15.  \_\_\_\_\_  
\_\_\_\_\_
16.  \_\_\_\_\_  
\_\_\_\_\_
17.  \_\_\_\_\_  
\_\_\_\_\_
18.  \_\_\_\_\_  
\_\_\_\_\_
19.  \_\_\_\_\_  
\_\_\_\_\_
20.  \_\_\_\_\_  
\_\_\_\_\_

I have read and understand the terms and conditions. I consent to them and promise to follow them and to cooperate with the probation officer. I understand that if I do not follow the terms and conditions, I may have to go to juvenile court. I have received a copy of this agreement.

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

(TYPE OR PRINT CHILD'S NAME)

\_\_\_\_\_

(SIGNATURE OF CHILD)

I am the  parent  legal guardian of the child, and he or she has agreed to the terms of this agreement. I agree to cooperate with the probation officer and to assist the child to follow the terms and conditions.

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

(TYPE OR PRINT NAME)

\_\_\_\_\_

(SIGNATURE OF PARENT/LEGAL GUARDIAN)

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

(TYPE OR PRINT NAME)

\_\_\_\_\_

(SIGNATURE OF PARENT/LEGAL GUARDIAN)

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

(TYPE OR PRINT NAME)

\_\_\_\_\_

(SIGNATURE OF PARENT/LEGAL GUARDIAN)

CHILD'S NAME: _____	CASE NUMBER: _____
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### TERMS AND CONDITIONS

- Home Supervision/Electronic Monitoring Program  
 Informal Probation  
 Deferred Entry of Judgment  
 Probation  
 Wardship

The parent or legal guardian must participate in a program of counseling or education as directed by the probation officer.  
The child must

1. Report to the probation officer as directed by the probation officer.
2. Obey all city, county, state, and federal laws and ordinances.
3. Obey his or her parents, legal guardian, or caregiver.
4. Keep the probation officer informed of any changes in address, phone number, family, school, or employment status.
5.  Attend school regularly, obey school rules and regulations, and not leave the school campus during school hours without permission of school officials or the probation officer.
6.  Seek and maintain employment as directed by the probation officer.
7.  Not use, possess, or be under the influence of any alcoholic beverage or illegal or intoxicating substance, or possess any associated paraphernalia.
8.  Not use, possess, or be under the influence of the following (*specify*): \_\_\_\_\_.
9.  Not possess, own, or handle any firearm, knife, weapon, fireworks, explosives, or chemicals that can produce explosives.
10.  Not contact or associate with \_\_\_\_\_.
11.  Participate in individual, group, or family counseling, as directed the probation officer.
  - a.  Alcohol and other drug counseling.
  - b.  Anger management counseling.
  - c.  Sex offender program.
  - d.  \_\_\_\_\_.
  - e.  \_\_\_\_\_.
12.  Submit to chemical testing in the form of, but not limited to, blood, breath, urine, or saliva on the direction of the probation officer or a peace officer.
13.  Consent to the search of his or her person, vehicle, or place of residence at any time, day or night, with or without a search warrant and with or without probable or reasonable cause, on the direction of the probation officer or a peace officer.
14.  Submit a DNA sample to the probation officer or juvenile hall staff within 30 days.
15.  Perform \_\_\_\_\_ hours of community service, to be arranged
  - a.  by the child with the approval of the probation officer.
  - b.  through the probation officer and provide proof of completion by (*date*): \_\_\_\_\_.
16.  Be at his or her place of residence between the hours of \_\_\_\_\_ p.m. and \_\_\_\_\_ a.m. unless with a parent or legal guardian or with prior permission of the probation officer.
17.  Not be on the campus or grounds of any school unless enrolled, accompanied by a parent or guardian or responsible adult, or authorized by the prior permission of school authorities.
18.  Comply with these terms regarding graffiti:
  - a.  Not possess any graffiti materials, or graffiti-related paraphernalia, including but not limited to spray paint, paint or ink markers, metal scribes, aerosol nozzles, or other material used to deface property.
  - b.  Perform \_\_\_\_\_ hours of community service work in a graffiti-abatement program as directed by the probation officer.

CHILD'S NAME:  _____	CASE NUMBER:  _____
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c.  Not associate with anyone engaged in graffiti or related activities.

19.  Comply with these terms regarding victims:

a.  Write a letter of apology, to be submitted to the probation officer for approval, by *(date)*: \_\_\_\_\_.

b.  Have no contact in person, in writing, by telephonic or electronic means, or directed through a third party with \_\_\_\_\_,  
any person known to the child to be a victim of the child's offense, or those identified in Attachment 19b, *Victim Identification Form*.

c.  Remain at least \_\_\_\_\_ yards from the following addresses *(residence, place of employment, etc)*:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

unless accompanied by a parent or guardian.

d.  Comply with terms and conditions of juvenile restraining order.  
 Attached.

20.  Comply with these terms regarding vehicles. The child must

a.  Participate in and successfully complete \_\_\_\_\_.

b.  Only drive to driving to and from school, work, and/or counseling programs.

c.  Surrender license to  court.  probation officer.

21.  Child's driver license:

suspended or

revoked or

delayed for

period of \_\_\_\_\_  months.  years.

until 18 years of age.

22.  Comply with these terms regarding gangs:

a.  Not be a member of, or associate with, any person the child knows, or should reasonably know, to be a member or to be involved in the activities of a criminal street gang.

b.  Not wear or display items or emblems reasonably known to be associated with or symbolic of gang membership.

c.  Not acquire any new tattoos or gang-related piercings and have any existing tattoos or piercings photographed as directed by the probation officer.

23.  \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

24.  \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

25.  \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

26.  \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>  <hr/> <p style="text-align: center;">TELEPHONE NO.: <span style="margin-left: 150px;">FAX NO. <i>(Optional):</i></span></p> <p>E-MAIL ADDRESS <i>(Optional):</i></p> <p>ATTORNEY FOR <i>(Name):</i></p>	<b>FOR COURT USE ONLY</b>  <b>Draft 9</b> <b>09/21/05</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>NOTIFICATION OF MAILING ADDRESS</b>	CASE NUMBER:

**TO THE PARENT OR GUARDIAN OF THE ABOVE NAMED CHILD:**

**YOU ARE REQUIRED TO PROVIDE YOUR PERMANENT MAILING ADDRESS TO THE COURT.**

The court, the clerk, and the social services agency or probation department will send all documents and notices to the mailing address provided, until and unless you notify the court or the social worker or probation officer on your case of your new mailing address.

**Notice of the new mailing address must be provided in writing.**

**This form is provided for notification of your mailing address or a change of mailing address.**

**MAILING ADDRESS**

1. Name:
2. Relationship to child:
3. Mailing address *(number and street):*  
*(city, state, and zip code):*

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)

▶

\_\_\_\_\_

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**CHANGE OF MAILING ADDRESS**

1. Name:
2. Relationship to child:
3. New mailing address *(number and street):*  
*(city, state, and zip code):*

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)

▶

\_\_\_\_\_

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):   TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>  <b>Draft 13</b> <b>09/21/05</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____</b> STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CHILD'S NAME: _____	HEARING DATE AND TIME: _____
<b>WAIVER OF RIGHTS—JUVENILE DEPENDENCY</b>	CASE NUMBER: _____

**TO THE PARENT OF THE ABOVE NAMED CHILD:**

Read this form carefully. The judge will ask you if you understand each right, and if you are voluntarily giving up that right.

For items 1, 2, and 3, check each box that applies, unless you have a question.

**1. Petition**

- a.  I have read the petition and I understand it.
- b.  The petition has been read to me and I understand it.

**2. Right to an Attorney.** You have the right to be represented by an attorney and one will be appointed for you if you cannot afford one, subject to a claim for payment.

- a.  I give up my right to be represented by an attorney.
- b.  I request the court to appoint an attorney for me.

**3. Admission/Submission.** I wish to

- a.  admit the allegations of the petition.
- b.  submit the petition on the basis of the social worker's or probation officer's report and other documents, if any.
- c.  plead no contest.

For items 4 and 5, initial each box that applies, unless you have a question.

**4. Waiver of Rights.** By admitting the allegations of the petition, submitting the petition on the report, or pleading no contest, I am giving up the following rights:

- a. The right to a trial or hearing. Initial
- b. The right to see and hear witnesses who testify.
- c. The right to cross-examine witnesses, the social worker or probation officer who prepared the report, and the persons whose statements are contained in the report.
- d. The right to testify in my own behalf and to present my own evidence and witnesses.
- e. The right to use the authority of the court to compel witnesses to come to court and to produce evidence.
- f. Any privilege against self-incrimination in this proceeding.

**5. Consequences**

- a. I understand that if I plead no contest or submit the petition on the report, the court will probably find that the petition is true.
- b. I understand that if the petition is found to be true and the child is declared a dependent of the court, the court may assume custody of the child, and under certain circumstances, it is possible that no reunification services will be offered or provided.
- c. (Child under age 3 years at time of initial removal) For a child under age 3 years at the time of initial removal, I understand that if the court assumes custody of the child and I fail to participate regularly in court-ordered treatment, at the review in six months services may be terminated, and the court may make a permanent plan for the child, which could result in termination of parental rights and placement of the child for adoption.

CHILD'S NAME: _____	CASE NUMBER: _____
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5. (Continued)

d. (Child age 3 years or older at time of initial removal) For a child age 3 years or older at the time of initial removal, I understand that if the court assumes custody of the child and the child is not returned within one year, or at the most 18 months from the time the child was taken into physical custody, the court will make a permanent plan for the child, which could result in termination of parental rights and placement of the child for adoption.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF PARENT OR GUARDIAN)

**DECLARATION OF INTERPRETER**

6. The primary language of the  parent  legal guardian is  
 Spanish.  
 other (specify):

I certify that I interpreted this form for the parent or legal guardian in that person's primary language to the best of my ability.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF INTERPRETER)

**DECLARATION OF ATTORNEY**

7. I am the attorney for the  parent  legal guardian.  
I have explained and discussed with my client the rights and consequences of  
 admitting the petition.  
 pleading no contest.  
 submitting the petition on the report.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF ATTORNEY)

CHILD'S NAME: _____	CASE NUMBER: _____
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HEALTH AND EDUCATION QUESTIONNAIRE

**TO THE PARENT OR GUARDIAN OF THE CHILD:** The law requires that the social worker or probation officer learn your child's medical, dental, mental health, and educational background. Please answer as many questions as you can so the necessary help may be provided to you and your child.

1. Your name: \_\_\_\_\_  
 a. Address: \_\_\_\_\_  
 \_\_\_\_\_

b. Relationship to child: \_\_\_\_\_

2. What is the child's date of birth? \_\_\_\_\_

3. Where was the child born?  
 a. City, state, and country: \_\_\_\_\_  
 \_\_\_\_\_

b. Hospital: \_\_\_\_\_

c. Child's birth weight: \_\_\_\_\_

4. Does the child have any medical problems?  Yes  No (If yes, please describe):  
 a.  Allergies: \_\_\_\_\_  
 b.  Injuries: \_\_\_\_\_  
 c.  Diseases: \_\_\_\_\_  
 d.  Disabilities: \_\_\_\_\_  
 e.  Other: \_\_\_\_\_  
 f.  Other: \_\_\_\_\_

Continued in Attachment 4.

5. Is the child taking any prescribed medicines?  Yes  No (If yes, please list them and indicate what they are treating):

Continued in Attachment 5.

6. What doctor, clinic, or hospital has the child's medical and mental health records, if any? (List names and addresses of all who have seen the child, and the date of the last visit):

a. \_\_\_\_\_  
 b. \_\_\_\_\_  
 c. \_\_\_\_\_

Continued in Attachment 6.

7. When was the child last seen by a dentist? Date: \_\_\_\_\_ (Name and address of dentist): \_\_\_\_\_

Check here if child has not been seen by a dentist.

CHILD'S NAME:  _____	CASE NUMBER:  _____
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8. When was the child's sight last evaluated? Date: \_\_\_\_\_ (Name and address of doctor): \_\_\_\_\_  
 \_\_\_\_\_

Check here if child's sight has never been evaluated.

9. Does the child wear glasses?  Yes  No

10. Is the child covered by an insurance policy?

- a. Medical  No  Yes (specify): \_\_\_\_\_
- b. Dental  No  Yes (specify): \_\_\_\_\_
- c. Vision  No  Yes (specify): \_\_\_\_\_

11. Has the child been attending  day care?  school?

- a. What grade is he or she in? \_\_\_\_\_
- b. Does he or she have any learning disabilities?  Yes  No (If yes, please describe): \_\_\_\_\_
- c. Does he or she have any special needs?  Yes  No (If yes, please describe): \_\_\_\_\_
- d. What is his or her primary language? \_\_\_\_\_
- e. (List names and addresses of schools and dates last attended): \_\_\_\_\_

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

▲ \_\_\_\_\_  
 (SIGNATURE OF SOCIAL WORKER OR PROBATION OFFICER)

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>   TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>   <b>Draft 9 09/21/05 Not approved by the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>NOTICE OF REVIEW HEARING</b> <input type="checkbox"/> 6 MONTH <input type="checkbox"/> 12 MONTH <input type="checkbox"/> 18 MONTH <input type="checkbox"/> OTHER	CASE NUMBER:

**NOTICE TO** *(name and address):*

1. A review hearing will be held

on <i>(date):</i>	at <i>(time):</i>	in Dept.:	Room:
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located at  court address above  other *(specify address):*

2. At the review hearing, the court will consider the recommendation of the social worker or probation officer and make an order concerning the following children *(names):*

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

- a.  A change in orders, services, placement, custody, or status *(specify):*
- b.  No change in orders, services, placement, custody, or status.
- c.  Other *(specify):*

4. **TO THE PARENTS, GUARDIANS, AND CHILDREN:**

- 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. Prior to 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.

5. **TO THE PRESENT CUSTODIANS OF THE CHILDREN:**

- a. You may be present at the hearing.
- b. You may submit relevant written material to the court.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF SOCIAL WORKER OR PROBATION OFFICER)



**Request 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.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;"><b>Draft 9 09/21/05 Not approved by the Judicial Council</b></p>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<p style="text-align: center;"><b>NOTICE OF HEARING ON SELECTION OF A PERMANENT PLAN</b></p>	CASE NUMBER:

NOTICE TO (name and address):

**—IMPORTANT NOTICE—**

**A hearing under Welfare and Institutions Code section 366.26 has been set for the date and time below. At the hearing the court will terminate parental rights and free the children for adoption, or establish legal guardianship or identified placement with a specific goal. You have the right to be present at this hearing.**

1. A hearing will be held

on (date):	at (time):	in Dept.:	Room:
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located at  court address above  other (specify address):

2. At the hearing, the court will consider the recommendation of the social worker or probation officer and make an order concerning the following children (names):

3. THE  SOCIAL WORKER  PROBATION OFFICER RECOMMENDS

- a.  Termination of parental rights and implementation of a plan of adoption.
- b.  Establishment of a legal guardianship.
- c.  Identified placement \_\_\_\_\_ with a specific goal (specify): \_\_\_\_\_

4. TO THE PARENTS, GUARDIANS, AND CHILDREN:

- 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. Prior to the hearing, the social worker or probation officer will prepare an assessment report with recommendations. Parents and guardians must be provided with a copy of this report. The  social worker's  probation officer's report dated: \_\_\_\_\_  is  is not attached.
- c. If the court orders termination of parental rights, the order may be final.
- d. The court will proceed with this hearing whether or not you are present.

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

▶  
\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)

# IMPORTANT NOTICE

**A hearing under Welfare and Institutions Code section 366.26 has been set for the date and time stated on the other side of this form.**

**At the hearing the court may:**

- terminate parental rights and free the child for adoption**
- or**
- establish legal guardianship**
- or**
- place the child in a planned permanent living arrangement.**

**You have the right to be present at this hearing and have an attorney represent you.**



#### **Request 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.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <hr/> TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>  <b>Draft 10</b> <b>09/22/05</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>CITATION FOR PUBLICATION UNDER WELFARE AND INSTITUTIONS CODE SECTION 294</b>	CASE NUMBER:

1. To (names of persons to be notified, if known, including names on birth certificate):

and anyone claiming to be a parent of (child's name):

born on (date):

at (name of hospital or other place of birth and city and state):

2. A hearing will be held

on (date):	at (time):	in Dept.:	Room:
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located at  court address above  other (specify address):

3. At the hearing the court will consider the recommendations of the social worker or probation officer.

4. The social worker or probation officer will recommend that your child be freed from your legal custody so that the child may be adopted. If the court follows the recommendation, all your parental rights to the child will be terminated.

**5. You have the right to be present at the hearing, to present evidence, and you have the right to be represented by an attorney. If you do not have an attorney and cannot afford to hire one, the court will appoint an attorney for you.**

**6. If the court terminates your parental rights, the order may be final.**

**7. The court will proceed with this hearing whether or not you are present.**

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy



**Request 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.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for Request for Accommodations by Persons With Disabilities and Order (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 <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>  <b>Draft 9</b> <b>09/22/05</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CASE NAME: _____	
<b>PROOF OF SERVICE UNDER</b> <b>SECTION 366.26 OF THE WELFARE AND INSTITUTIONS CODE</b>	CASE NUMBER: _____

1. I served a copy of the attached *Notice of Hearing* under section 366.26 on *(identify name and relationship to child below)*:
  - a. Name of person served: \_\_\_\_\_
  - b.  Mother  Legal/Presumed father  Alleged father  Guardian  Child 10 or over  
 Present custodian  Grandparent  Counsel of record
2. Manner of service *(check proper box)*:
  - a.  **Personal service.** By personally delivering a copy to the person served.  
 (1) Date of service: \_\_\_\_\_ (2) Time of service: \_\_\_\_\_
  - b.  **Substituted service.** By delivering copies 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 at the place where the copy was delivered.  
 (1) Name of person with whom left: \_\_\_\_\_  
 (2) Date and time of leaving: \_\_\_\_\_  
 (3) Date of mailing: \_\_\_\_\_  
 (4) Place of mailing *(city and state)*: \_\_\_\_\_
  - c.  **Certified mail to residence or business.** *(Attach evidence of mailing.)*
  - d.  **Certified mail to counsel of record.** *(Attach evidence of mailing.)*
  - e.  **First-class mail.** By placing copies in a sealed envelope and depositing the envelope  directly in the United States mail with postage paid 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)  To residence *(address)*: \_\_\_\_\_  
 (2)  To business *(address)*: \_\_\_\_\_  
 (3) Date of deposit: \_\_\_\_\_  
 (4) Place of deposit *(city and state)*: \_\_\_\_\_
  - f.  **First-class mail to grandparent.**  
 (1) Addressed as follows *(name and address)*: \_\_\_\_\_  
 (2) Date of deposit: \_\_\_\_\_  
 (3) Place of deposit *(city and state)*: \_\_\_\_\_
  - g.  **Publication.** *(Attach evidence of publication.)*
  - h.  **Other:** \_\_\_\_\_
3. 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)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):   TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>  <b>Draft 9</b> <b>09/22/05</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>ORDERS UNDER WELFARE AND INSTITUTIONS CODE</b> <b>SECTIONS 366.26, 727.3, 727.31</b>	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 366.21(i) or 366.22(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.  Notice has been given as required by law.
5.  The child is 10 years or older and is not present; the court finds that the child was properly notified of the right 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 sections 361.5, 366.21, 366.22, 727.2, or 727.3, for  
 Parent (name): \_\_\_\_\_  Mother  Father  
 Parent (name): \_\_\_\_\_  Mother  Father
8.  There is clear and convincing evidence that it is likely the child will be adopted. (If item 8 is checked, go to item 9 unless item 10 or 11 is applicable. If item 8 is not checked, go to item 13 or 14.) **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.**

CHILD'S NAME:  _____	CASE NUMBER:  _____
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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.

The adoption is likely to be finalized by (date):  
(If item 9 is checked, go to items 15, 16, 17, and 18.)

10.  Termination of parental rights would be detrimental to the child for the following reasons (if item 10 is checked, check reasons below and go to item 13 or 14):
- 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 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 relative or foster parent 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 home. Removal of the child from the physical custody of the relative or foster parent would be detrimental to the emotional well-being of the child. The child is not living with a nonrelative and is
    - (1) under the age of 6; or
    - (2) the member of a sibling group with at least one child under the age of 6 and the siblings are or should be placed together.
  - e.  There would be substantial interference with the child's sibling relationship.

11.  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 11 is checked, check reasons below and go to item 12):
- 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 or older.

12. a.  Termination of parental rights is not ordered at this time. Adoption is the permanent placement goal, 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):  
(If item 12a is checked, provide for visitation in items 12b and 12c as appropriate, and go to items 15, 16, 17, and 18.)

- 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.

CHILD'S NAME:  _____	CASE NUMBER:  _____
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13.  The child's permanent plan is legal guardianship. (Name): \_\_\_\_\_  
 is appointed legal guardian of the child, and Letters of Guardianship will issue. (If item 13 is checked, provide for visitation in items 13a and 13b as appropriate, and go to item 13c.)

- a.  Visitation between the child and
- |   |                                 |                                 |
|---|---------------------------------|---------------------------------|
| <input type="checkbox"/> Parent (name):         | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> Parent (name):         | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> Legal guardian (name): |                                 |                                 |
| <input type="checkbox"/> 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. (If item 13a is not checked, go to items 14, 15, 16, 17, 18, 19, 20, 21 and 22, as appropriate.)

The Juvenile Court retains jurisdiction of the guardianship under Welfare and Institutions Code section 366.4.

14. a.  The child's permanent plan is identified placement with (name of placement):

with a specific goal of (specify):

- |   |   |
|---|---|
| (1) <input type="checkbox"/> return home        | (4) <input type="checkbox"/> permanent placement with a fit and willing relative    |
| (2) <input type="checkbox"/> adoption           | (5) <input type="checkbox"/> a less restrictive foster setting                      |
| (3) <input type="checkbox"/> legal guardianship | (6) <input type="checkbox"/> emancipation with identification of a long-term mentor |

The child's specific goal is likely to be achieved by (date): \_\_\_\_\_  
 (If item 14a is checked, provide for visitation in items 14b and 14c as appropriate, and go to items 15, 16, 17, and 18.)

- b.  Visitation between the child and
- |   |                                 |                                 |
|---|---------------------------------|---------------------------------|
| <input type="checkbox"/> Parent (name):         | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> Parent (name):         | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> Legal guardian (name): |                                 |                                 |
| <input type="checkbox"/> Other (name):          |                                 |                                 |
- is scheduled as follows (specify):

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

CHILD'S NAME:  _____	CASE NUMBER:  
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- 15.  The child's placement is necessary and appropriate.
- 16.  The agency has complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent plan.
- 17.  The services set forth in the case plan include those needed to assist the child age 16 or older in making the transition from foster care to independent living. *(This finding is required only for a child 16 years and older.)*
- 18.  The child remains a  dependent  ward of the court. *(If this box is checked, go to items 19 and 20, if applicable, and items 21 and 22.)*
- 19.  All prior orders not in conflict with this order will remain in full force and effect.
- 20.  Other *(specify):*

21.  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.  Six-month postpermanency review

22. The  Parent *(name):* \_\_\_\_\_  Mother  Father
- Parent *(name):* \_\_\_\_\_  Mother  Father
- Child
- Other *(name):* \_\_\_\_\_
- have been advised of their appeal rights (under Cal. Rules of Court, rule 1435).

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 ( <i>Optional</i> ): _____ ATTORNEY FOR ( <i>Name</i> ): _____	<b>FOR COURT USE ONLY</b>   <b>Draft 9 09/22/05 Not approved by the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>ORDER FOR PRISONER'S APPEARANCE AT HEARING AFFECTING PRISONER'S PARENTAL RIGHTS</b> <input type="checkbox"/> <b>Waiver of Appearance</b>	CASE NUMBER:

1. A hearing regarding the custody of the following children (*names*):

will be held

on ( <i>date</i> ):	at ( <i>time</i> ):	in Dept.:	Room:
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located at  court address above  other (*specify address*):

2. The hearing will be held under:

- a.  **Welfare and Institutions Code section 300** (to declare the child a dependent of the court)
- b.  **Welfare and Institutions Code section 366.26** to
  - (1)  Terminate parental rights
  - (2)  Appoint a legal guardian
  - (3)  Identify a placement \_\_\_\_\_ with a specific goal of \_\_\_\_\_
- c.  Other (*specify code section and hearing purpose*):

3. **To the Warden or Director of** (*name of institution*): \_\_\_\_\_

You are ordered to deliver prisoner (*name and identification number*): \_\_\_\_\_  
 who is a party, into the custody of (*name*): \_\_\_\_\_ so the prisoner may be  
 transported to this court for the hearing unless the prisoner executes the attached waiver or refuses to be transported. The sheriff is  
 ordered to return the prisoner to \_\_\_\_\_ when the prisoner's appearance is no longer necessary.

Date: \_\_\_\_\_  
JUDICIAL OFFICER

- 4.  The *Waiver of Right to Be Present at Hearing Affecting Prisoner's Parental Rights* on reverse is completed (*item 7*).
- 5.  The *Declaration of Interpretation* on reverse is completed (*item 8*).
- 6.  The *Declaration That Prisoner Does Not Wish to Attend Hearing* on reverse is completed (*item 9*).

CASE NAME:  _____	CASE NUMBER:  _____
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**WAIVER OF RIGHT TO BE PRESENT AT HEARING AFFECTING PRISONER'S PARENTAL RIGHTS**

**7. I HEREBY WAIVE MY RIGHT TO ATTEND THE HEARING.**

- a.  I authorize my attorney of record to represent me at the hearing.
- b.  I request that an attorney be appointed to represent me and to appear for me at the hearing.
- c.  I waive my right to be represented by an attorney.

Date:

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF PARENT)
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**DECLARATION OF INTERPRETER**

*(To be completed if prisoner does not understand English sufficiently to read this form.)*

- 8. a. The prisoner's primary language is  Spanish  other (*specify*):
- b. I certify that I interpreted this form for the prisoner in the prisoner's primary language to the best of my ability.

Date:

(TYPE OR PRINT NAME)	▶	(SIGNATURE OF INTERPRETER)
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**DECLARATION THAT PRISONERS DOES NOT WISH TO ATTEND HEARING**

9. The prisoner (*name*): \_\_\_\_\_ has stated to me, or by conduct indicated to me, that he or she does not wish to attend the hearing in this matter.

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)
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(TITLE OF PRISON OFFICIAL)
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):   TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;"><b>Draft 7 09/2205 Not approved by the Judicial Council</b></p>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>FAX FILING COVER SHEET</b>	CASE NUMBER: _____

TO THE COURT:

1. Please file the following transmitted documents:
  - a. Petition (with any attachments and proof of service) under Welfare and Institutions Code section:
 

<input type="checkbox"/> 300	<input type="checkbox"/> 342	<input type="checkbox"/> 777
<input type="checkbox"/> 601	<input type="checkbox"/> 387	<input type="checkbox"/> 778
<input type="checkbox"/> 602	<input type="checkbox"/> 388	
  - b. Other (specify): \_\_\_\_\_
  - c. Total number of pages transmitted, including this cover sheet: \_\_\_\_\_

2. I am
  - a.  a representative of the county welfare department.
  - b.  a representative of the county probation department.
  - c.  a named party to the proceeding.
  - d.  an attorney of record in the proceeding.
  - e.  a representative of the office of the county counsel.
  - f.  a representative of the office of the district attorney.
  - g.  a Court Appointed Special Advocate (CASA).

**NOTE:** Under California Rules of Court, rule 1406.5, documents received by fax for filing will be filed immediately upon receipt and must not be placed or stored where any person not entitled to access may examine them.

**This is confidential information protected by state and federal law, including Welfare and Institutions Code sections 10850 and 827. Further disclosure of this information may violate state and federal restrictions.**



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):   TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;"><b>Draft 7 09/22/05 Not approved by the Judicial Council</b></p>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<p style="text-align: center;"><b>FINDINGS AND REQUEST FOR ASSISTANCE UNDER INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN (ICPC)</b></p>	CASE NUMBER:

**FINDINGS**

1. On (date): \_\_\_\_\_, this court made orders concerning the priority placement of the child (as described in Regulation 7 of the ICPC) with a relative in (jurisdiction): \_\_\_\_\_. A copy of that order is included as Attachment 1.
2. Records of the ICPC Administrator in this jurisdiction indicate that a copy of the order and all other required documents were sent to the Compact Administrator in the receiving jurisdiction on (date): \_\_\_\_\_.
3.  The Compact Administrator of the receiving jurisdiction has been in possession of all required documents for the priority placement request under Regulation 7, section 5a, for over 20 business days.
4.  The Compact Administrator of the receiving jurisdiction has been in possession of the completed ICPC-100A form (Regulation 7, section 5b) and supporting documents for over 30 business days.
5. The sending agency has not received notice under article 111(d) of the ICPC indicating whether or not the child may be placed as requested.

**REQUEST FOR ASSISTANCE**

6. THEREFORE, in an effort to promote further cooperation between our jurisdictions and our courts and to continue to promote and protect the interests of the children who come before us, I am requesting that the court take whatever steps it feels appropriate or necessary, including issuing court orders to assist the sending court in determining the suitability of the proposed placement; and expedite the completion of the home study, as directed by Regulation 7, section 3.
7. IN ADDITION, I request and urge you, consistent with applicable laws, to communicate directly with me to discuss any issues raised in this request or submitted documents.

**NOTE: Under article V(a) of the ICPC, the sending agency will retain jurisdiction over the child and the sending agency will continue to assume financial responsibility for the support and maintenance of the child during the period of placement.**

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

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

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>	<b>FOR COURT USE ONLY</b>   <b>Draft 9 09/22/05 Not approved by the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____</b> STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CASE NAME: _____	
<b>INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN FINDINGS AND ORDERS</b>	CASE NUMBER: _____

1. The child is within the jurisdiction of this court.
2. The home of (*name and relationship to child*): \_\_\_\_\_ is available to the child for placement.
3. The placement recipient(s) under consideration for placement of the child  is  are qualified under statute.
4. The child qualifies for priority placement under Regulation 7, section 5a or section 5b of the ICPC.
  - a.  The receiving jurisdiction has been in possession of the completed placement request form for over 30 business days, and the sending jurisdiction has not received a notice indicating whether or not placement is contrary to the best interest of the child.
  - b.  The proposed placement recipient is a parent, stepparent, grandparent, adult sibling, adult aunt or uncle, or legal guardian of the child and
    - (1)  the child is under two years of age;
    - (2)  the child is in an emergency shelter;
    - (3)  the child has spent a substantial length of time in the home of the proposed placement recipient.
5. Subject to an approved home study and case plan, this placement would not be contrary to the best interest of the child.
6. Within three business days of receipt of this order, (*sending agency*): \_\_\_\_\_ must transmit a copy of this order, a completed form ICPC-100A, and supporting documentation to the Compact Administrator of the sending jurisdiction with a cover notice of the priority status of this request for placement.
7. The Compact Administrator of the sending jurisdiction and all other persons to whom article VII of the ICPC applies must comply with Regulation 7 and must fully implement the procedures for the request for priority placement.
8. (*Sending agency*): \_\_\_\_\_ must
  - a. Take whatever additional steps are necessary, including follow-up contacts, to ensure that the process is completed in a timely manner so as to protect the best interest of the child; and
  - b. Inform this court promptly and on a regular basis of the progress and results of this order.
9. Hearing for  progress report  further disposition  other (*specify*): \_\_\_\_\_

**NOTE: Under article V(a) of the ICPC, the sending agency will retain jurisdiction over the child and will continue to assume financial responsibility for the support and maintenance of the child during the period of placement.**

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 <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>  <b>Draft 8 09/2205 Not approved by the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CHILD'S NAME: _____ CHILD'S DATE OF BIRTH: _____	CASE NUMBER: _____
<b>PETITION TO OBTAIN REPORT OF LAW ENFORCEMENT AGENCY</b>	RELATED CASES <i>(if any):</i> _____
1. Petitioner's name and address <i>(if representing another person, organization, or agency, provide names and addresses):</i>	
2. Petitioner's relationship to child <i>(if any):</i>	
3. Police department or law enforcement agency possessing records:  Report number: _____	
4. The reasons for this request are: <i>(Describe in detail. Attach additional pages if necessary.)</i>  <input type="checkbox"/> Continued in Attachment 4.	
5. <input type="checkbox"/> The <i>Notice to Child and Parent/Guardian Re: Release of Juvenile Police Records and Objections</i> (form JV-580) was served on the <input type="checkbox"/> child or <input type="checkbox"/> parent on (date): _____	

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

Number of pages attached: \_\_\_\_\_

PETITION GRANTED     PETITION DENIED

ADDITIONAL ORDERS:

Date:

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

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>  <b>Draft 8</b> <b>09/22/05</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>NOTICE TO CHILD AND PARENT/GUARDIAN</b> <b>RE: RELEASE OF JUVENILE POLICE RECORDS AND OBJECTION</b>	

**NOTICE TO CHILD AND PARENT/GUARDIAN**

**TO (names):**

1. Please take notice that a copy of your juvenile police records is being sought by (name):
2. The requested records are described in the attached *Petition to Obtain Report of Law Enforcement Agency (Juvenile)* (form JV-575).
3. If you object to the disclosure of these records, you must do one of the following before the date specified in item a or b below:
  - a. If this notice was served on you by mail or confirmed fax, you must submit your objection to the law enforcement agency in possession of the records within 20 days of the date you receive this notice.
  - b. If this notice was served on you by personal service, you must submit your objection to the law enforcement agency in possession of the records within 15 days of the date you receive this notice.

**WARNING:** If your objection is not received by the law enforcement agency in possession of the records before the date specified in item 3, your records may be produced or otherwise be made available to the person or entity listed in item 1.

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

\_\_\_\_\_ \_\_\_\_\_

(TYPE OR PRINT NAME) (SIGNATURE OF REQUESTING PERSON)

**OBJECTION TO RELEASE OF RECORDS**

Objections to the release of the records described in the attached *Petition to Obtain Report of Law Enforcement Agency (Juvenile)* (form JV-575) must be sent to the originating law enforcement agency.

1.  I object to the production of my juvenile police records to the person or entity specified above.
2.  I object only to the production of the following specified records:

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

\_\_\_\_\_ \_\_\_\_\_

(TYPE OR PRINT NAME) (SIGNATURE OF OBJECTING PERSON)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  _____  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>  <b>Draft 9</b> <b>09/22/05</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>JUVENILE WARDSHIP PETITION</b> <input type="checkbox"/> § 601(a) <input type="checkbox"/> § 601(b) <input type="checkbox"/> § 602(a)	CASE NUMBER:

1. Petitioner on information and belief alleges the following:

a. <input type="checkbox"/> The child named below comes within the jurisdiction of the juvenile court under the following sections of the Welfare and Institutions Code (check applicable boxes; see attachments for concise statements of facts): <input type="checkbox"/> 601(a) <input type="checkbox"/> 601(b) <input type="checkbox"/> 602(a)    Violation (specify code section):			
b. <input type="checkbox"/> Under a previous order of this court, dated _____, the child was declared a ward under Welfare and Institutions Code section <input type="checkbox"/> 601(a) <input type="checkbox"/> 601(b) <input type="checkbox"/> 602(a).			
c. Child's name and address:	d. Age:	e. Date of birth:	f. Sex:
g. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	h. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged		
i. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	j. Other (state name, address, and relationship to child):  <input type="checkbox"/> No known parent or guardian resides within this state. This adult relative lives in this county or is closest to this court.		
k. Attorney for child (if known): Address:  Phone number:	l. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained. Date and time of detention (custody):		
m. <input type="checkbox"/> Child may be a member of, or may be eligible for membership in, a federally recognized Indian tribe.			
n. <input type="checkbox"/> Child may be of Indian ancestry.			

2.  Petitioner requests a hearing to determine whether the child is a fit and proper subject under juvenile court law under Welfare and Institutions Code section  707(a)(1)     707(a)(2)     707(c).

(See important notice on page 2.)

CHILD'S NAME: _____	CASE NUMBER: _____
------------------------	-----------------------

3. Petitioner requests that the court find these allegations to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
(SIGNATURE OF PETITIONER)

Number of pages attached: \_\_\_\_\_

# — NOTICE —

<p><b>TO PARENTS OR OTHERS LEGALLY RESPONSIBLE FOR THE SUPPORT OF THE CHILD</b></p>
---

<p>You and the estate of your child may be jointly and severally liable for the cost of the care, support, and maintenance of your child in any placement or detention facility, the cost of legal services for your child or you by a public defender or other attorney, the cost of supervision of your child by order of the juvenile court, and the cost of any restitution owed to the victim.</p>
---

CASE NAME:  	CASE NUMBER:  
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**DEFERRED ENTRY OF JUDGMENT NOTICE OF NONCOMPLIANCE**

1. The youth was granted a deferred entry of judgment on *(date)*:  
Relevant conditions of probation were *(briefly describe as (a), (b), etc.)*:
  
2.  Petitioner  Probation Officer  Deputy District Attorney requests the court to exercise the court's discretion to set a hearing within 15 court days because the youth committed one or more misdemeanors on a single occasion *(state date and offenses)*:  See Attachment 2.
  
3.  Petitioner  Probation Officer  Deputy District Attorney requests that the mandatory hearing be set within 10 court days because
  - a.  The youth is not performing satisfactorily in the assigned program or complying with the terms of probation in that *(describe as (1), (2), etc.)*:  See Attachment 3a.
  
  - b.  The youth is not benefiting from education, treatment, or rehabilitation in that *(describe as (1), (2), etc.)*:  
 See Attachment 3b.
  
  - c.  The youth committed a felony offense on *(state date and offense)*:
  
  - d.  The youth committed two or more misdemeanors on separate occasions *(state dates and offenses)*:

**4. THE COURT ORDERS**

- a.  No hearing is set; all prior orders to continue.
- b.  A hearing set within 15 court days on *(date)*: *at (time):*
- c.  A hearing set within 10 court days on *(date)*: *at (time):*

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

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

CASE NAME: —	CASE NUMBER:
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### VIOLATION OF LAW BY CHILD

The child is a person described by section 602 in that

1. the child was under the age of 18 years at the time of the law violations alleged below, and
2. the child has violated the following laws of the State of California, or of the United States, or any ordinance of a city or county of California.

*(State, describe, and number as separate counts each code section and subdivision that the child is alleged to have violated, and as to each count, whether it is a misdemeanor or felony.)*

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | <b>Petitioner intends to move for an increase of the maximum term of confinement by aggregating the terms of all previously sustained petitions known to petitioner at the time of disposition.</b>  |
| <input type="checkbox"/> | <b><i>(If a violation of Penal Code section 640.5 is alleged)</i> The child may be required to perform community service and to be supervised by the parent or legal guardian. The parent or legal guardian may be liable for payment of a fine.</b> |
| <input type="checkbox"/> | <b>The parent or legal guardian may be liable for the payment of court-ordered restitution.</b>  |



ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>   TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>   <b>Draft 10 09/22/05 Not approved by the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>NOTICE OF HEARING—JUVENILE DELINQUENCY PROCEEDING</b> Welfare and Institutions Code, §§ <input type="checkbox"/> 601 <input type="checkbox"/> 602	CASE NUMBER:

**NOTICE TO** *(name and address):*

- **A hearing has been set for the date and time below. The child and the parent or legal guardian or noticed adult relative are entitled to be represented by an attorney.**
- **The court will appoint an attorney for the child if the child cannot afford an attorney.**

**See important notice on page 2.**

1. A hearing will be held

on *(date):* \_\_\_\_\_ at *(time):* \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

located at  court address above  other *(specify address):* \_\_\_\_\_

2. The hearing is for the purpose of

- a.  detention hearing.
- b.  formal reading of petition, advisement of rights, and plea.
- c.  jurisdiction hearing.
- d.  disposition hearing.
- e.  review.
- f.  permanency hearing.
- g.  other *(specify):* \_\_\_\_\_

**3. TO THE CHILD:**

**You have the right to be present and to present evidence at the hearing and to be represented by an attorney. The court will appoint an attorney for you if you cannot afford one.**

You are ordered to be present at the hearing.

**4. TO THE PARENT, LEGAL GUARDIAN, OR ADULT RELATIVE:**

You have the right to be present at the hearing. You have the right to have an attorney present to represent you at the hearing.

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

(SIGNATURE)

**— NOTICE TO PARENT OR LEGAL GUARDIAN —**

1. If your child is ordered to make restitution to the victim, you will be liable to the extent of your ability to pay.
2. You will be liable to the extent of your ability to pay for the following:
  - Fees for an attorney who is appointed to represent your child.
  - Fines and penalty assessments ordered against your child.
3. You may be liable for the costs of support of your child in a county placement or institution.



**Request 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.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8.)

<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	<i>FOR COURT USE ONLY</i>  <b>Draft 10          09/22/05          Not approved by          the Judicial Council</b>
CASE NAME:	
<b>PROMISE TO APPEAR—JUVENILE DELINQUENCY          (Juvenile 14 Years or Older)</b>	
LAW ENFORCEMENT AGENCY: REPORT NUMBER:	

Name of child:

Date of birth of child:

Address of child:

Phone number of child:

Name of parent, legal guardian, or adult relative:

Address of parent, legal guardian, or adult relative *(if different from that of child)*:

Phone number of parent, legal guardian, or adult relative *(if different from that of child)*:

1. I have been arrested for one or more of the following felony offenses *(list code violations alleged)*:

2. The  police officer  probation officer is releasing me to *(name)*:  
who is my  mother  father  legal guardian  relative *(state relationship)*:

**3. I PROMISE TO APPEAR**

on <i>(date)</i> :	at <i>(time)</i> :	in Dept.:	Room:
--------------------	--------------------	-----------	-------

located at  courthouse address above  other *(specify address)*:

4. I understand that if I do not come to court on the date and at the time indicated, the court may order that a warrant be issued for my arrest.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
(SIGNATURE OF CHILD)

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
(SIGNATURE OF  PARENT  LEGAL GUARDIAN  RELATIVE)

**Witnessed by:**

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
(SIGNATURE OF  PROBATION OFFICER  
 POLICE OFFICER *(agency)*):



**Request 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.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8.)

<b>• ORIGINAL—Transmitted to court • Copy to youth • Copy to parent, guardian, or relative • Copy to probation</b>
--

CASE NAME:  	CASE NUMBER:  
--------------------	----------------------

**NOTICE OF HEARING TO MODIFY, CHANGE, OR SET ASIDE PREVIOUS ORDERS  
VIOLATION OF PROBATION**

1. The child is a  probationer or  ward of the court under Welfare and Institutions Code section  601  602, and the child has violated a condition of probation.

*(State supporting facts concisely, and number them 1, 2, etc.)*

See Attachment 1.

2. The recommended  modification  consequence is:

- a.  Removal from the custody of a  parent  guardian  relative  friend
- b.  Placement in a foster home or relative's home
- c.  Commitment to a private institution
- d.  Commitment to a county institution
- e.  Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice
- f.  To be determined
- g.  Other *(specify)*:

CASE NAME:  _____	CASE NUMBER:  _____
-------------------------	---------------------------

**PETITION TO MODIFY PREVIOUS ORDERS—  
CHANGE OF CIRCUMSTANCES**

1. The child is a ward of the court under Welfare and Institutions Code section  601  602.
2. Petitioner is the
  - a.  parent
  - b.  legal guardian
  - c.  adult relative (*state relationship*):
  - d.  probation officer
  - e.  attorney for the child
  - f.  child
  - g.  other interested person (*describe interest*):
3. Petitioner alleges the following changes of circumstances or new evidence regarding the child (*describe changes concisely, and number e-1, e-2, etc.*):

See Attachment 3 for further grounds.

4. Petitioner requests the following modifications of prior orders:

5. Petitioner requests that the court order a hearing to be held on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_ and cause notice to be given to persons prescribed by law.

**THE COURT FINDS AND ORDERS**

6. Petition to modify previous order filed (*date*): \_\_\_\_\_
  - a.  is denied.
  - b.  states a change of circumstances or new evidence.
  - c.  is agreed to by all parties and attorneys of record.
7.  It appears that the best interest of the child may be promoted by the proposed modification.
8.  The petition for modification is granted
  - a.  as requested in item 4.
  - b.  as follows (*state specific modifications*):

Continued in Attachment 8b.

9.  The matter is set for hearing

on ( <i>date</i> ):	at ( <i>time</i> ):	in Dept.:	Room:
---------------------	---------------------	-----------	-------

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

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



**Request 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.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Order* (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 <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>       <b>Draft 14</b> <b>09/22/05</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>DEFERRED ENTRY OF JUDGMENT— DISMISSAL AND SEALING OF JUVENILE RECORDS</b>	CASE NUMBER:

1. Name of subject child: \_\_\_\_\_ Date of birth: \_\_\_\_\_
2. a. Date of hearing: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
 b. Judicial officer *(name)*: \_\_\_\_\_
3. The court has read and considered the report of the probation officer and any other evidence presented or information provided.

**THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:**

4. The child has complied satisfactorily with the conditions imposed.
5. The petition filed on *(date)*: \_\_\_\_\_ is dismissed.
6. The child's juvenile records related to the arrest on *(date)*: \_\_\_\_\_ regarding an alleged violation of *(specify offense)*: \_\_\_\_\_ in the custody of this court and of the courts, agencies, and officials listed below are ordered sealed:

- District Attorney *(specify county)*:
- Child's Attorney *(name)*:
- Probation Dept. *(specify county)*:
- California Dept. of Justice
- Other *(specify)*:

Attachment

7. All *Deferred Entry of Judgment* records are to be destroyed according to Welfare and Institutions Code section 793(c), and the arrest is deemed never to have occurred except that the prosecuting attorney and the probation officer of any county can access these records for the limited purpose of determining eligibility for deferred entry of judgment.

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

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

SPR05-34

Juvenile Law: Standard Statewide Forms for Use in Delinquency Proceedings

(amend Cal. Rules of Court, rule 1402; adopt forms JV-640, JV-642, JV-644, JV-665, JV-760 and JV-794; approve forms JV-622 and JV-624; and revise forms JV-140, JV-190, JV-225, JV-280, JV-300, JV-305, JV-310, JV-320, JV-450, JV-520, JV-565, JV-567, JV-575, JV-580, JV-600, JV-615, JV-620, JV-625, JV-635, JV-735, JV-740 and JV-755)

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Ms. Grace Andrrs Program Manager Superior Court of Solano County	A	N	<i>No specific comment</i>	No response required.
2.	Hon. Donald Coleman Judge Superior Court of Ventura County	AM	N	From the perspective of a bench officer, the forms are excellent and will enhance the need for more consistency between counties. However, mandating the forms JV-640, 642, 644, 666 (renumbered as 665), 760, and 794 may cause problems for counties with automated systems.	The committee recognizes that implementation of these mandatory forms will be burdensome for counties with case management systems. But the need for statewide uniformity, particularly in transfer cases outweighs these programming concerns. To assist in implementation the committee proposes amending rule 1402 to add a provision allowing counties with case management systems one year to implement changes so long as the forms used are legally accurate.
3.	Ms. Larisa Cummings Staff Attorney Disability Rights Education & Defense Fund Berkeley	N	Y	Forms JV-640, 642, 666 (renumbered as 665), 794, 622, 624, 225, 280, 300, 320, 600, and 740 should contain additional requirements for evaluation, recommendations, and inquiries and orders addressing a child’s special education needs due to disability or high risk of developmental disability.	The committee believes that this suggestion need further review and circulation for comment of any proposed changes.
4.	Mr. Paul Gaines Court Services Supervisor DPSS Riverside County	A	N	<i>No specific comment</i>	No response required.

SPR05-34

Juvenile Law: Standard Statewide Forms for Use in Delinquency Proceedings

(amend Cal. Rules of Court, rule 1402; adopt forms JV-640, JV-642, JV-644, JV-665, JV-760 and JV-794; approve forms JV-622 and JV-624; and revise forms JV-140, JV-190, JV-225, JV-280, JV-300, JV-305, JV-310, JV-320, JV-450, JV-520, JV-565, JV-567, JV-575, JV-580, JV-600, JV-615, JV-620, JV-625, JV-635, JV-735, JV-740 and JV-755)

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
	Murrieta				
5.	Mr. J. Kendrick Kresse Executive Director California Center for Law and the Deaf San Leandro	AM	N	The following forms should include notice that the parent or other person being notified of a court hearing may request accommodations such as assisted listening systems, computer-aided real-time transcription, or certified sign language interpreters with reference to Form MC-410:  <ul style="list-style-type: none"> <li>a. JV-280 Notice of review hearing—Juvenile</li> <li>b. JV-300 Notice of Hearing on Selection of Permanent Plan</li> <li>c. JV-305 Citation for Publication Under W&amp;I section 366.23</li> <li>d. JV-625 Notice of Hearing—Juvenile Wardship Proceedings</li> <li>e. JV-635 Promise to Appear—Juvenile</li> </ul> Please refer to Proposal SPR05-43 for the reasons and for an example of specific wording. The notices should at least be provided on the reverse side of the forms.	The forms will be revised to include notice that the parent or other person being notified of a court hearing may request accommodations such as assisted listening systems, computer-aided real-time transcription, or certified sign language interpreters with reference to Form MC-410.
6.	David LaBahn Executive Director California District Attorneys Association Sacramento	AM	Y	Form JV-760 Deferred Entry of Judgment Order, item 2: While it is appropriate that the court find the child “eligible” for DEJ, it does not address the separate and distinct finding that the child is “suitable” for DEJ under rule 1495(d)(3) per the case of <i>In re Sergio R.</i> (2003)	Item 2 will be revised to reference suitability.



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	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
				106 Cal.App.4th 597, where the court specifically held that the suitability determination is separate and apart from statutory eligibility. Suggest adding new item 3 (and renumbering accordingly):  “The child is suitable for deferred entry of judgment under Welfare and Institutions Code section 790.”	
7.	Superior Court of Los Angeles County	A	Y	<i>No specific comment</i>	No response required.
8.	Mr. Stephen Love Executive Officer Superior Court of San Diego County	AM	Y	1. The new forms would have a profound impact on the court’s and probation’s case management systems. The new and amended forms would also require extensive new procedures to be developed because they have not been incorporated to date into the existing automated case management systems. It is recommended that the use of the new and revised forms be optional and made mandatory, if necessary, only after an extended period of time within which they could be incorporated in the applicable case management systems.	1. The committee recognizes that implementation of these mandatory forms will be burdensome for counties with case management systems. But the need for statewide uniformity, particularly in transfer cases outweighs these programming concerns. To assist in implementation the committee proposes amending rule 1402 to add a provision allowing counties with case management systems one year to implement changes so long as the forms used are legally accurate.  2. It is not necessary to add this

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>2. JV-642, item 7: add 1412(j)</p> <p>3. JV-642, item 12: Add CRC 1487(f), birthdate of child, does cover page equal a finding?</p> <p>4. JV-642, item 13, CRC 1474 A prime facie showing</p> <p>5. JV-644, item 13: Need to clarify that this applies to a plea or contested hearing.</p> <p>6. JV-644, item 15: CRC 1488 also requires birthdate</p> <p>7. JV-666 (renumbered as 665), item 10: DEJ WIC 790?</p> <p>8. JV-666 (renumbered as 665), item 14: lower case "Check"</p> <p>9. JV-666 (renumbered as 665), item 16b.2.: delete "ly" after "serious"</p> <p>10. JV-666 (renumbered as 665), item 18: Does this mean joint and several? What if there is a</p>	<p>specific rule reference.</p> <p>3. This information will be provided on the cover sheet as a separate finding is not necessary.</p> <p>4. Will add new item 15 re a prime facie showing.</p> <p>5. Will add header to distinction next items.</p> <p>6. The birth date will be on the cover sheet.</p> <p>7. DEJ is not an issue at disposition and is therefore not appropriate for this form.</p> <p>8. Agree to modify form.</p> <p>9. Agree to modify form.</p> <p>10. Will modify form to clarify restitution.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>co-participant? What if the amounts differ for each victim?</p> <p>11.JV-760 Correct typographical errors (inset space after item 2, close up text of “C hild”, insert space after item 5, close up “en try”, insert space after item 6 and close up space between “under” and “the”.</p> <p>12. JV-622, item 11: delete “the form of” and insert comma after “urine tests”</p> <p>13. JV-622, paragraph following item 20: delete “received or” and delete comma after “read”</p> <p>14. JV-624, item 3: delete “approved by the court”</p> <p>15. JV-624, item 5: delete “s” from “probation officer”</p> <p>16.. JV-624, item 12: delete “the form of” and add a comma after “ saliva tests”</p> <p>17. JV-624, item 20: delete mark after word “Victim”</p> <p>18. JV-624, item 21b: delete “program” after</p>	<p>11. Agree to modify form.</p> <p>12. Agree to modify form.</p> <p>13. Agree to modify form.</p> <p>14. Agree to modify form.</p> <p>15. Agree to modify form.</p> <p>16. Agree to modify form.</p> <p>17. Agree to modify form.</p> <p>18. Agree to modify form.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>“programs”</p> <p>19. 22a: add comma after “ associated with” and delete “of” after “activities”</p> <p>20. JV-140: delete second section symbol in caption box, footer and lower right corner.</p> <p>21. JV-140: In initial notice, add probation officer in line two after “the court or the social worker”</p> <p>22. JV-140: form refers to probation officer but all statutory references are to dependency.</p> <p>23. JV-190: Is this applicable in delinquency?</p>	<p>19. Agree to modify form.</p> <p>20. Agree to modify form.</p> <p>21. Agree to modify form.</p> <p>22. In 2001 the legislature chaptered Assembly Bill 1696 (ch. 831 [Aroner]). This bill brought delinquency statutes into compliance with the federal Adoption and Safe Family Act. Therefore this form may be used in all juvenile proceedings.</p> <p>The form will be revised to clarify applicability in all juvenile proceedings.</p> <p>23. This form will be revised to clearly identify it as exclusively a dependency form.</p>

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				<p>24. JV-225, item 5: Add check box and reference to attachment.”</p> <p>25. JV-300, item 4a: Delete “The court will”</p> <p>26. JV-300, notice on page 2: change “children” to “child”; insert “a” before “planned permanent”</p> <p>27. JV-305, item 1: delete mark near “other place of birth”</p> <p>28. JV-305, item 4: add space between “may” and “be”</p> <p>29. JV-310: delete extra section symbol in lower right corner</p> <p>30. JV-565, item 6: delete “and” after “promote”</p> <p>31. JV-600: In notice section add notice of parent’s liability for restitution orders (see WIC 730.7) and place to show who received petition</p> <p>32. JV-615: delete em-dash after “Noncompliance” in header</p>	<p>24. Agree to modify form.</p> <p>25. Agree to modify form.</p> <p>26. Agree to modify form.</p> <p>27. Agree to modify form.</p> <p>28. Agree to modify form.</p> <p>29. Agree to modify form.</p> <p>30. Agree to modify form.</p> <p>31. Agree to modify form.</p> <p>32. Agree to modify form.</p>

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	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
				33. JV-755, item 6: add more space and checkboxes for district attorney, minor's counsel, probation department, CA department of justice and others.	33. Agree to modify form.
9.	Ms. Janet Neeley Suprevising Deputy Attorney General California Department of Justice	AM	Y	To assist with the sealing of records revise JV-755 to specify the arrest date and offense. Since the sealing under section 793(c) pertains to a specific arrest and not the entire record, we must have the date of arrest at issue.	Item 5 will be revised to add date of arrest and alleged offense.
10.	Mr. Jim Salio Probation Manager Probation San Luis Obispo	AM	N	1. JV-666 (renumbered as 665), item 18: cite WIC 730.7(a) holding the parents liable for restitution  2. JV-622: Remove court information. WIC 654 does not involve the court.  3. JV-624, item 13: Search should be with reasonable suspicion.	1. Agree to modify form.  2. While this form is not filed in court this information is necessary for all Judicial Council forms.  3. As drafted language complies with current applicable law.
11.	Kim Yarbor Deputy County Counsel County of Solano Fairfield	AM	Y	1. General Comments  1a. Form Revision: No more than every other year, to avoid confusion among users.	1a. The Judicial Council revises forms only when necessary but no more than twice each year.

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				<p>1b. Format: Forms should be on 8.5x14 paper, which makes them easier to find in the files.</p> <p>1c. It is much easier to work with check-boxes rather than requiring any extensive writing. Check boxes are recommended wherever possible.</p> <p>1d. All references to “the child” should be changed to “the minor.”</p> <p>2. FORM NO. JV-640—JUVENILE COURT DELINQUENCY PROCEEDING (W&amp;I §§ 650, 656, 676</p> <p>2a. Check Box Section on reasons for hearing: Add boxes for the following: Arraignment, Transfer In/Out, Further Proceedings, Readiness Conference, Contest and Review.</p> <p>2b. In the boxes where the Judicial Officer, Court Clerk, etc. are identified: Delete box for bailiff, and add box for Interpreter, with a space for entry of the language being interpreted.</p> <p>2c. Add a section for reference to continuances</p>	<p>1b. Rule 201c requires all papers be submitted on 8 1/2 by 11 inches paper.</p> <p>1c. Every effort is made to use checkboxes.</p> <p>1d. In the juvenile rules of court “child” is the standard term for a person under the age of 18.</p> <p>2a. Will add additional box for transfers, other hearings can be included in “other” as terminology varies between counties.</p> <p>2b. Will add space for interpreter and language to be interpreted.</p> <p>2c. This information is contained on</p>

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				<p>for subsequent dates, in substantially the following form (similar to # 25 on proposed JV 642, because JV 642 would not be used unless it was an initial appearance, and there is nowhere on the other forms for this information).</p> <p><input type="checkbox"/> Continued to: Date _____ Time _____                      _____ Dept _____ for:</p> <p><input type="checkbox"/> Further Arraignment <span style="float: right;"><input type="checkbox"/></span>                      Stay on Bench Warrant  <input type="checkbox"/> Readiness Conference <span style="float: right;"><input type="checkbox"/></span>                      Motion  <input type="checkbox"/> Setting <span style="float: right;"><input type="checkbox"/></span>                      Contest  <input type="checkbox"/> Psych. Report (s) <span style="float: right;"><input type="checkbox"/></span>                      DEJ/Disposition  <input type="checkbox"/> 645 Report <span style="float: right;"><input type="checkbox"/> 241.1</span>                      Report  <input type="checkbox"/> Restitution Hearing <span style="float: right;"><input type="checkbox"/> Return on</span>                      Warrant  <input type="checkbox"/> Review Type _____ <span style="float: right;"><input type="checkbox"/></span>                      Other Further Proceedings</p> <p>2d. Add a section to indicate the minor's current custody status.</p> <p>2e. Add a section to indicate the minor's</p>	<p>the cover page.</p> <p>2d. Will revise to allow a place for current custody status.</p>



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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>custody status after hearing.</p> <p>2f. Add a space to date the form</p> <p>3. FORM NO. JV-642—INITIAL APPEARANCE HEARING</p> <p>3a. Generally: consider adding headings to various sections of the form, for ease of locating information (i.e., required Title IV(e) findings could have its own heading, as could continuance information, and other information could be similarly categorized).</p> <p>3b. Combine Nos. 9 and 11 (having #10 in between these two makes the form more difficult to follow.</p> <p>3c. No. 11(b), add a blank line after the box labeled “as amended.”</p> <p>3d. No. 12, add a box for maximum confinement time.</p> <p>3e. No. 12(d): should be replaced with 4(e) from proposed JV-644.</p>	<p>2e. This information would be contained on attachment.</p> <p>2f. JV-640 is a cover page, the date is contained on all attachments.</p> <p>3a. Headings are used as necessary. On this 2-page form additional headings would be burdensome and make it a 3-page form necessitating an additional sheet of paper.</p> <p>3b. Will switch order of 9 and 10</p> <p>3c. Will add space to add date petition was amended.</p> <p>3d. Will add new 12(i).</p> <p>3e. Agree to modify form.</p>

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				<p>3f. No. 12(f): Remove reference to specific code sections, and instead state: “The court has considered that Counts(s) _____ (list counts) would be a misdemeanor or a felony if committed by an adult, and declares that Count(s) _____ is/are misdemeanor and Count(s) _____ is/are a felony.”</p> <p>3g. No. 25: add a space for the location of the hearing, as well as a box labeled “other” with a line to fill in the purpose of the hearing (in case the hearing is not one specifically listed).</p> <p>3h. No. 26: replaced “a jurisdiction hearing” with “further hearings”</p> <p>3i. Add a section on financial responsibility, which includes boxes for (1) the \$25.00 registration fee under W&amp;I section 903.15; (2) the order for the parent or other person responsible for support of the minor to appear before the financial officer under W&amp;I section 903; (3) a finding of the amount of fees incurred for court-appointed counsel under W&amp;I section 903.45. (We have specific language examples in our current orders that we can share if you are</p>	<p>3f. Agree to modify form.</p> <p>3g. Agree to modify form.</p> <p>3h. Will add boxes allowing time to be waived for jurisdiction and disposition hearings.</p> <p>3i. The committee will consider developing a new form focused on fiscal issues other than restitution to provide the necessary information. The issue is too complex for this form.</p>

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				<p>interested).</p> <p>3j. Add boxes for (1) Minor requests Dennis H. hearing; (2) Gladys R. waiver entered; (3) Arbuckle waiver entered.</p> <p>3k. Add a section for ordering custody status, including any change in custody status and terms of release, in substantially the following form:</p> <p>Custody Status: Minor to be cared for in: <input type="checkbox"/> home of parent/guardian <input type="checkbox"/> home supervision <input type="checkbox"/> home detention <input type="checkbox"/> electronic monitoring program <input type="checkbox"/> Juvenile Hall <input type="checkbox"/> County Jail <input type="checkbox"/> Fouts <input type="checkbox"/> CYA <input type="checkbox"/> Foster Home/Group <input type="checkbox"/> DPO's discretion <input type="checkbox"/> Other _____ <input type="checkbox"/></p> <p>minor to be transferred to County Jail upon reaching 18 years</p> <p>Terms of Release: <input type="checkbox"/> Standard terms established by Probation <input type="checkbox"/> Search/Seizure <input type="checkbox"/> Drug/alcohol testing <input type="checkbox"/> gang terms <input type="checkbox"/> no weapons or ammunition <input type="checkbox"/> have no contact with _____ <input type="checkbox"/> minor to be returned to Juvenile Hall on any violation <input type="checkbox"/> furloughs at discretion of P.O. for _____ medical or</p>	<p>3j. Other hearing dates may be set and identified. The committee does not identify case names on the forms.</p> <p>3k. It is not necessary to put this information on the initial appearance form.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>___ placement [ ] P.O. has discretion to release minor [ ] other _____</p> <p>3l. Add space for transfer in.</p> <p>3m. Add new check-box section stating “Submit a _____ sample to the Probation Officer/Juvenile Hall staff within thirty days, pursuant to 296.1 PC.”</p> <p>4. FORM NO. JV-644—JURISDICTION HEARING</p> <p>4a. No. 3(a), add a blank line after the box labeled “as amended.”</p> <p>4b. Add 3(d), “Minor waives disposition report.”</p> <p>4c. Add 3(e), “Minor may withdraw plea if not granted DEJ.</p> <p>4d. No. 20, should state “Home Supervision/Electronic Monitoring Program” instead of just “Home Supervision.”</p>	<p>3l. This form would not be used for a transfer in and therefore the information is not necessary.</p> <p>3m. Will add submission of a DNA sample to the terms and conditions form.</p> <p>4a. Will add space for date amended.</p> <p>4b. The committee declines to add this item.</p> <p>4c. This is not required by the DEJ statutes and because of varying local practices should not be added.</p> <p>4d. Agree to modify form.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>4e. Add section as follows: “Matter referred to Probation for report.” <input type="checkbox"/> dispo <input type="checkbox"/> DEJ <input type="checkbox"/> 241.1 <input type="checkbox"/> 725 <input type="checkbox"/> 654</p> <p>4f. Add a check-box line stating “Minor continued as ward.”</p> <p>4g. Add a check-box line stating “All prior orders remain in full force and effect.”</p> <p>4h. Add a check-box line for “Gladys R. waiver entered.”</p> <p>4i. Add a section in substantially the following form:</p> <p>Minor to be cared for in: <input type="checkbox"/> home of parent/guardian <input type="checkbox"/> home supervision <input type="checkbox"/> home detention <input type="checkbox"/> electronic monitoring program <input type="checkbox"/> Juvenile hall <input type="checkbox"/> County Jail <input type="checkbox"/> Fouts <input type="checkbox"/> CYA <input type="checkbox"/> Foster Home/Group Home <input type="checkbox"/> DPO’s discretion <input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> minor to be transferred to County Jail upon reaching 18 years.</p> <p>4j. Add a section in substantially the following</p>	<p>4e. These are included in “other” because each county practices vary.</p> <p>4f. Will add check box.</p> <p>4g. Will revise to add.</p> <p>4h. The committee declines to state specific case names on the forms.</p> <p>4i. This information is not necessary on the jurisdiction form.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>form:</p> <p>Terms of Release: <input type="checkbox"/> Standard terms established by Probation <input type="checkbox"/> Search/Seizure <input type="checkbox"/> Drug/alcohol testing <input type="checkbox"/> gang terms <input type="checkbox"/> no weapons or ammunition <input type="checkbox"/> have no contact with _____ <input type="checkbox"/> minor to be returned to Juvenile Hall on any violation <input type="checkbox"/> furloughs at discretion of P.O. for __medical or __placement <input type="checkbox"/> P.O. has discretion to release minor <input type="checkbox"/> other _____</p> <p>4k. Add a new check-box section stating “Submit a DNA sample to the Probation Officer/Juvenile Hall staff within thirty days, pursuant to 296.1 PC.”</p> <p>5. FORM NO. JV-666 (renumbered as 665)—DISPOSITION</p> <p>5a. No. 3: Delete listing of specific code sections that were violated. Instead, use the following language: “The court has previously sustained the petition as to Count(s) __, __, __, __, <input type="checkbox"/> VCOP.”</p> <p>5b. No. 6: Replace this with the language from No. 12(f) on Form JV-642 as revised,</p>	<p>4j. These items are contained on optional form JV-624.</p> <p>4k. This will be added to terms and conditions.</p> <p>5a. The committee believes it is necessary to list out the codes and allow the specific statutory references to be filled in.</p> <p>5b. Will revise to clarify.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>specifically: “The court has considered that Count(s) _____ (list counts) would be a misdemeanor or a felony if committed by an adult, and declared that Count(s) _____ is/are misdemeanor and Count(s) _____ is/are a felony”</p> <p>5c. No. 4. Eliminate</p> <p>5d. Add 13(d): “Total custody credits _____.”</p> <p>5e. Add new check-box: “All prior orders remain in full force and effect.”</p> <p>5f. Add new check-box: “Responsible parties were informed of their liability for cost of support/legal services/probation, and were ordered to appear before the Financial Evaluation Officer. Responsible parties are advised that failure to appear before the Financial Evaluation Officer as ordered may result in an order requiring payment of the full amount of the costs of support of the minor,</p>	<p>5c. The committee believes it is important to list the maximum confinement time.</p> <p>5d. This is unnecessary since item 13c. lists credit for days served and JV-732, item 7 contains this information.</p> <p>5e. Will revise form.</p> <p>5f. The committee will consider developing a new form focused on fiscal issues other than restitution to provide the necessary information. The issue is too complex for this form.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>legal services, and probation costs.” (W&amp;I 903 et seq.)</p> <p>5g. Add new check-box: “Court finds that fees for Court-appointed counsel are _____.”</p> <p>5h. Add new check-box: “Minor is advised of his right to appeal.”</p> <p>5i. Add new check-box: “Minor is [ ] continued [ ] declared a ward.</p> <p>5j. No. 14 contains a typographical error. The word “ceck” should be “check”</p> <p>5k. Add a section regarding restitution: “The court has considered the parents/legal guardians inability to pay and hereby orders: [ ] Parent/Legal Guardians are jointly and severally liable with minor for full amount of restitution ordered [ ] Parents/Legal Guardians are jointly and severally liable with minor for restitution in the amount of \$_____ [ ] Parents/Legal Guardians are not liable for restitution.”</p>	<p>5g. The committee will consider developing a new form focused on fiscal issues other than restitution to provide the necessary information. The issue varies from county to county.</p> <p>5h. Will revise accordingly.</p> <p>5i. Will revise item 11 to add check box for continued.</p> <p>5j. Agree to modify form.</p> <p>5k. Information regarding restitution would be included as an attachment.</p>



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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>5l. Add a new check-box: “Probation shall notify victim(s) within 60 days of the restitution order.”</p> <p>5m. Add a new check-box: “Submit a DNA sample to the Probation Officer/Juvenile Hall staff within thirty days, pursuant to 296.1 PC.”</p> <p>5n. Add a new section for DUI advisement, stating, “<input type="checkbox"/> DUI Adjudication Advisement pursuant to 23593(a) VC: (Upon adjudication of 23103.5, 23152 or 23153 VC): “You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving, someone is killed, you can be charged with murder.”</p> <p>5o. Add sections dealing with confinement to California Youth Authority, as follows: “The minor was under the age of 18 years at the</p>	<p>5l. This information is appropriate for the restitution form and will be considered when that form is revised.</p> <p>5m. Will revise terms and conditions.</p> <p>5n. The committee will consider developing a plea form that will include this advisement.</p> <p>5o. This information is contained on the youth authority attachment form.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>time of commission of the offense for which he/she is being committed to the California Youth Authority. The mental and physical condition and qualifications of the minor are such as to render it probable that he/she will be benefited by the reformatory educational discipline or other treatment provided by the Youth Authority.”</p> <p>“Minor is committed to the California Youth Authority for a period of _____ days. Minor to pay restitution of \$_____.”</p> <p>6. FORM NO. JV-794—PETITION TO TERMINATE WARDSHIP AND ORDER</p> <p>Should be re-titled—“Termination of Wardship and Order.” The term “Petition” is misleading, as it implies that there would be a full pleading/caption/hearing date &amp; time, etc.</p> <p>7. FORM NO. JV-622—INFORMAL PROBATION AGREEMENT</p> <p>In second paragraph of form, change “six (6) months” to “one (1) year.”</p> <p>8. FORM NO. JV-624—TERMS AND</p>	<p>6. Petition is consistent with the language on the form.</p> <p>7. Under Welfare and Institutions Code section 654, informal probation cannot exceed six months.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>CONDITIONS</p> <p>8a. Check boxes at top of form should read:</p> <p><input type="checkbox"/> Home Supervision/EMP  <input type="checkbox"/> Deferred Entry of Judgment  <input type="checkbox"/> Wardship  <input type="checkbox"/> Probation</p> <p>8b. Add sections regarding payment of fines, penalties and restitution as follows:</p> <p><input type="checkbox"/> Pay fine and penalty assessment of \$_____ (730.5 W&amp;I)            Parents or Legal Guardians may be jointly and severally liable with minor pursuant to 730.7 W&amp;I.  <input type="checkbox"/> Minor and parents/legal guardians were verbally informed by the Court of their right to a judicial determination of the amount of restitution pursuant to section 730.7 W&amp;I.  <input type="checkbox"/> Pay restitution of <input type="checkbox"/> \$_____ <input type="checkbox"/> As determined by Probation officer Parents or Legal Guardians may be jointly and severally liable with minor pursuant to section 730.7 up to the limits set forth in Civil Code sections 1414.1 and 1714.3.  <input type="checkbox"/> See attached Order(s) of Restitution. <input type="checkbox"/></p>	<p>8a. Will revise to add wardship.</p> <p>8b. This information will be included on future financial form.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>Number of attachment: _____</p> <p><input type="checkbox"/> Pay a restitution fine of \$_____ per section 730.6 W&amp;I</p> <p>Parents or Legal Guardians may be jointly and severally liable with minor pursuant to section W&amp;I.</p> <p><input type="checkbox"/> Pay \$20.00 fee (security surcharge) pursuant to 1465.8 PC</p> <p>Parents or Legal Guardians may be jointly and severally liable with minor pursuant to section 730.7 W&amp;I.</p> <p>8c. Add section re: suspension, revocation or delay of driver's license:</p> <p><input type="checkbox"/> Have drivers license suspended, revoked, or delayed <input type="checkbox"/> for period of ____ months/years, <input type="checkbox"/> Until 18 years of age. Pursuant to <input type="checkbox"/> 13202.5 VC [alcohol/drugs] <input type="checkbox"/> 13352.3 VC [DUI] <input type="checkbox"/> 13202.6 VC [vandalism] <input type="checkbox"/> Other _____.</p> <p><input type="checkbox"/> Minor to surrender license to court <input type="checkbox"/> Minor not to drive unless properly licensed and insured.</p> <p><input type="checkbox"/> Minor to complete AK Bean or other certified DUI program.</p> <p>8d. Add a new check-box section stating</p>	<p>8c. Will add additional items.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>“Submit a DNA sample to the Probation Officer/Juvenile Hall staff within thirty days, pursuant to 296.1 PC.”</p> <p>8e. No. 22: Add check-boxes, as follows:  <input type="checkbox"/> Not be present at any known gathering area of _____</p> <p>8f. No. 22: Add check-boxes, as follows:  <input type="checkbox"/> Not possess any known or identified gang related paraphernalia, including but not limited to gang graffiti, symbols, photographs, members rosters or other gang writings or publications.</p> <p>8g. No. 22: Add check-boxes, as follows:  <input type="checkbox"/> Not be present at any Court proceeding to which the minor is not a party, defendant or a subpoenaed witness.</p> <p>9. FORM NO. JV-190—WAIVER OF RIGHTS</p> <p>9a. Generally: Need clarification on this form, e.g., if it is to apply to 602 proceedings. If not, the title of the form should be “Waiver of Rights—Dependency”</p>	<p>8d. Will add additional item.</p> <p>8e. The current non-association provision is legally sufficient. Other terms can be added as appropriate in an individual case.</p> <p>8f. The current non-association provision is legally sufficient. Other terms can be added as appropriate in an individual case.</p> <p>8g. The court has the authority to exclude any individual as appropriate; therefore, this is not necessary.</p> <p>9a. Will revise to clarify exclusive applicability to dependency.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>9b. Since sections 1, 2, and 5 have headings, please add headings to 3 and 4:            Section 3: Should be entitled:            “Admission/Submission.”            Section 3: add additional check-box [ ] Admit allegations as to Counts _____.            Section 3: Check-box “a.” should read: “Admit all allegations in the petition.”            Section 4: Should be entitled “Waiver of Rights.”</p> <p>10. FORM NO. JV-735—NOTICE OF HEARING TO MODIFY, CHANGE OR SET ASIDE PREVIOUS ORDERS</p> <p>Suggest elimination of this form entirely as unnecessary.</p> <p>11. FORM NO. JV-740—PETITION TO MODIFY PREVIOUS ORDERS—CHANGE OF CIRCUMSTANCES</p> <p>Suggest elimination of this form entirely as unnecessary.</p> <p>12. FORM NO. JV-755—DEFERRED ENTRY OF JUDGMENT—DISMISSAL AND</p>	<p>9b. Headers will be added to items 3 and 4.</p> <p>10. This form has been in use for a number of years without objection. The committee believes it is important for this form to be used for modifications.</p> <p>11. This form has been in use for a number of years without objection. The committee believes it is important for this form to be used for modifications. However, the form will remain optional.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>SEALING OF ORDER</p> <p>12a. This may be mis-titled. Should it be “sealing of file” instead of “sealing of order?”</p> <p>12b. Add more space between #6 and #7.</p> <p>12c.No. 7: Should cite to W&amp;I 793(c) rather than 781(d). Also should state the exception in 793(c) regarding access to sealed files by the District Attorney and Probation staff.</p> <p>13. FORM NO. JV-600—JUVENILE WARDSHIP PETITION</p> <p>The Solano County District Attorney recently spent a substantial sum of money on upgrades to its CRIMES Program, which is a computer database used to generate petitions. The addition of a mandatory Judicial Council petition form would cause the County to incur substantial additional costs to integrate the form with the CRIMES Program (if that is possible). In the event that the proposed form cannot be integrated, the District Attorney’s office would be seriously burdened by additional staff time and costs necessary to individually prepare a</p>	<p>12a. Will revise to say sealing of juvenile records.</p> <p>12b. Agree to modify form.</p> <p>12c. Agree to modify form.</p> <p>13. The committee recognizes that implementation of these mandatory forms will be burdensome for counties with case management systems. But the need for statewide uniformity, particularly in transfer cases outweighs these programming concerns. To assist in implementation the committee proposes amending rule 1402 to add a provision allowing counties with case management systems one year to implement changes so long as the forms used are legally accurate.</p>

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	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
				petition form for each new case without a database to assist in that process. This form would simply be added to the existing petitions, which would also result in additional unnecessary paperwork.	
12.	Mr. Dean Zipser President Orange County Bar Association Irvine	AM	Y	<p>1. JV-644, item 14: Add to box 14 “The court will decide whether the violation was a misdemeanor or felony at the disposition hearing stage.” The juvenile court is permitted to fix the degree of an offense at the disposition hearing (Ca. Rules of Ct., Rule 1488(e)(5)). Courts may assume that they have to decide the issue regarding misdemeanor or felony at the end of the jurisdiction hearing unless the form clearly indicates that the court can defer the decision until disposition.</p> <p>Deferring the decision until the disposition hearing allows the court to take all the dispositional information into account when setting the degree of the crime and to exercise leniency by declaring the offense to be of the lesser degree, despite the facts that the circumstances of the offense alone might justify sustaining the petition for a higher degree. (In re Dorothy B. (1986) 182 Cal.App.3d 509, 520-521; see also In re Raymond M. (1991) 228</p>	1. Agree to modify form.



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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>Cal.App.3d 1508, 1513.)</p> <p>2. JV-740: This “Petition to Modify Previous Orders—Change of Circumstances,” is overkill if made mandatory. Local jurisdictions should be entitled to create their own forms or procedures for bringing cases to the attention of the court, to make minor changes. It is inappropriate to saddle all jurisdictions with this “one size fits all” form. Local procedures already in place have been developed that accomplish fine-tuning of previous court orders without excessive effort on the part of the various interested agencies and parties.</p> <p>3. JV-760: There appears to have been a decision to conform this DEJ form to the skeletal authority and findings implicit in 2 DEJ statutes (WIC 790 and 794). A broader list of potential “terms and conditions” found in rule 1495 were excluded. This form should contain just what is in 790 and 794 and not exclude many other equally appropriate additional terms.</p> <p>4. JV-760 Item 6c: delete “, obey school rules and regulations,”</p>	<p>2. Agree to keep this form optional.</p> <p>3. This form contains only those terms and conditions that are legally required or that are used in the vast majority of cases. Those counties that wish to add additional terms and conditions can use an attachment while many counties would find this form sufficient.</p> <p>4. The committee’s review of existing forms indicates that this is standard language across the state.</p>

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				5. JV-760 Item 6d: delete “Seek and maintain counseling or treatment as directed by the probation officer.”	5. The committee’s review of existing forms indicates that this is standard language across the state.