

**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 & Hon. Susan D. Huguenor, Co-Chairs  
Ms. Jennifer Walter, Supervising Attorney, 415-865-7687,  
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Ms. Carrie Zoller, Attorney, 415-865-8829, carrie.zoller@jud.ca.gov

DATE: July 22, 2005

SUBJECT: Juvenile Dependency: Dependency Petition and Modification Forms (revise  
Judicial Council forms JV-100, JV-101, JV-110, and JV-180)  
(Action Required)

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Issue Statement

Welfare and Institutions Code section 388 allows parties and other interested individuals in a dependency proceeding to petition the court to modify or set aside a prior order. A party or individual filing such a petition must use Judicial Council form JV-180 in conjunction with either JV-100 or JV-110, *Juvenile Dependency Petition*. JV-100 and JV-110 request confidential information that nonparties do not have access to. Sometimes clerks have rejected nonparties' petitions, deeming them incomplete, because they did not contain such confidential information. The proposed revisions to the forms would assist individuals in filing petitions and aid court staff in processing modification requests by nonparties.

Recommendation

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

- 1) Revise forms JV-100, *Juvenile Dependency Petition (Version One)*, JV-101, *Additional Children Attachment*, and JV-110, *Juvenile Dependency Petition (Version Two)*, to change these forms from optional to mandatory, delete reference to modification requests under section 388 of the Welfare and Institutions Code, and revise the language to be gender-neutral.
- 2) Revise form JV-180, *Modification Petition Attachment* in order to rewrite it in plain language that will make the form easier for self-represented litigants to complete, to conform the form's content to section 388 of the Welfare and

Institutions Code, and to delete the requirement for dependent children, their siblings, and their caregivers to provide confidential information.

The revised forms are attached at pages 4–11.

#### Rationale for Recommendation

The committee recommends revising form JV-180, *Modification Petition Attachment*.

This form is revised to (1) make it easier to understand and complete by children, caregivers, and other individuals who are not represented by counsel and (2) eliminate the need to file JV-100, JV-101, or JV-110 with the modification request.

Revised JV-180, rewritten in plain language, elicits the same substantive information as the current JV-180 and retains a court order section. Also, JV-180 is revised to conform to Welfare and Institutions Code section 388, which does not require that siblings allege new evidence or a change of circumstances.

The revised form is easier to use. In instances where the dependent child feels that his or her needs are not adequately addressed by the assigned attorney, the dependent child will be able to complete and file the modification on his or her own. Siblings will also be able to complete and file the modification on their own, as will caregivers who can also assert the needs and desires of the dependent child to the court.

It will be easier to file form JV-180 because those requesting a modification need not also file form JV-100, JV-101, or JV-110. Dependent children, their siblings, and their caregivers will no longer be asked to supply confidential information. Consequently, JV-100 and JV-101 are revised to delete references in the caption to section 388 modification requests.

The committee also recommends revising forms JV-100, JV-101, and JV-110 to state that they are mandatory. Rule 1407 of the California Rules of Court allows counties to use JV-100 to file separate petitions for each child in a given family or to use JV-110 or JV-100 along with JV-101 to file a joint petition for siblings. These forms have been optional because the counties have discretion to decide whether to use JV-100 for families with one child, JV-100 and JV-101 for families with more than one child, or JV-110 for families with one child or more. The following revisions clarify that the county must file the petition on a mandatory Judicial Council form: (1) JV-100 would state that it is a “Form Adopted for Alternative Mandatory Use Instead of Form JV-110”; (2) JV-101 would state that it is a “Form Adopted for Mandatory Use”; and (3) JV-110 would state that it is a “Form Adopted For Alternative Mandatory Use Instead of JV-100.” The language is revised to be gender neutral.

#### Alternative Actions Considered

The proposed revisions are necessary to bring the forms into compliance with governing law and to clarify them. No alternative actions were considered.

### 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. We received a total of 15 comments on JV-180. Seven commentators agreed with the proposed changes. The remaining 8 commentators agreed with the proposal if modified and suggested both substantive and technical changes.

Two commentators proposed that the council adopt a separate form for individuals wishing to assert a sibling relationship. Instead of creating another form, we modified form JV-180 to enable someone to assert a sibling relationship.

Three commentators requested that the court order section of JV-180 be revised to include plain language. The entire form JV-180 was redrafted in plain language.

Seven commentators agreed with the proposed changes of forms JV-100, JV-101 and JV-110.

Two commentators agreed with changing JV-101 and JV-110 if modified. One commentator suggested minor technical changes, which have been made. The other commentator, who also commented on form JV-100, requested that information addressing educational and disability issues be added to the forms. These changes were not incorporated at this time because the committee believes that these suggestions need further review and circulation for comment.

Two additional commentators on form JV-100 agreed with the proposal if the proposed changes were modified. One commentator suggested a minor technical change, which was made. The other commentator rejected the use of gender-neutral language. Consistent with council policy, the committee recommends the adoption of gender-neutral language because it accurately reflects the composition of nontraditional families.

The comments are attached at pages 12–19.

### Implementation Requirements and Costs

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

Attachments

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 6</b> <b>09/20/05</b> <b>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:	
<b>JUVENILE DEPENDENCY PETITION (VERSION ONE)</b> (Welf. & Inst. Code, § 300 et seq.) <input type="checkbox"/> § 300—Original <input type="checkbox"/> § 342—Subsequent <input type="checkbox"/> § 387—Supplemental	CASE NUMBER:  RELATED CASES ( <i>if any</i> ):

1. Petitioner on information and belief alleges the following:

a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code ( <i>check applicable boxes; see attachment 1a for concise statements of facts</i> ): <input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d) <input type="checkbox"/> (e) <input type="checkbox"/> (f) <input type="checkbox"/> (g) <input type="checkbox"/> (h) <input type="checkbox"/> (i) <input type="checkbox"/> (j)			
b. Child's name:	c. Age:	d. Date of birth:	e. Sex:
f. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father ( <i>check all that apply</i> ): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	g. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father ( <i>check all that apply</i> ): <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 ( <i>check all that apply</i> ): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	i. Other ( <i>state name, address, and relationship to child</i> ):  <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.		
j. Prior to intervention, child resided with <input type="checkbox"/> parent ( <i>name</i> ): <input type="checkbox"/> parent ( <i>name</i> ): <input type="checkbox"/> guardian ( <i>name</i> ): <input type="checkbox"/> other ( <i>state name, address, and relationship to child</i> ):	k. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained Date and time of detention: Current place of detention ( <i>address</i> ):  <input type="checkbox"/> Relative <input type="checkbox"/> Shelter/foster care <input type="checkbox"/> Other		
l. <input type="checkbox"/> Child may be a member of, or may be eligible for membership in, a federally recognized Indian tribe.			
m. <input type="checkbox"/> Child may be of Indian ancestry.			

CHILD'S NAME: _____	CASE NUMBER: _____
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2. 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)

Address and telephone number:

Number of pages attached: \_\_\_\_\_  Other children are listed on *Additional Children Attachment* (form JV-101)

**— NOTICE —**

**TO PARENT**

Your parental rights may be permanently terminated. To protect your rights, you must appear in court and answer this petition.

**TO PARENTS OR OTHERS LEGALLY RESPONSIBLE FOR THE SUPPORT OF THE CHILD**

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 you or your child by a public defender or other attorney, and the cost of supervision of your child by order of the juvenile court.

CHILD'S NAME:  	CASE NUMBER:  
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3. Petitioner on information and belief further alleges the following:

a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code (check applicable boxes; see attachment 3a for concise statements of facts):  
 (a)  (b)  (c)  (d)  (e)  (f)  (g)  (h)  (i)  (j)

b. Child's name:	c. Age:	d. Date of birth:	e. Sex:
<input type="checkbox"/> Information is the same as that given for the child in item 1. (If not the same, provide different information below.)			
f. 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	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. 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.		
j. Prior to intervention, child resided with <input type="checkbox"/> parent (name): <input type="checkbox"/> parent (name): <input type="checkbox"/> guardian (name): <input type="checkbox"/> other (state name, address, and relationship to child):	k. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained Date and time of detention: Current place of detention (address):  <input type="checkbox"/> Relative <input type="checkbox"/> Shelter/foster care <input type="checkbox"/> Other		
l. <input type="checkbox"/> Child may be a member of, or may be eligible for membership in, a federally recognized Indian tribe.			
m. <input type="checkbox"/> Child may be of Indian ancestry.			

4. a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code (check applicable boxes; see attachment 3a for concise statements of facts):  
 (a)  (b)  (c)  (d)  (e)  (f)  (g)  (h)  (i)  (j)

b. Child's name:	c. Age:	d. Date of birth:	e. Sex:
<input type="checkbox"/> Information is the same as that given for the child in item 1. (If not the same, provide different information below.)			
f. 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	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. 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.		
j. Prior to intervention, child resided with <input type="checkbox"/> parent (name): <input type="checkbox"/> parent (name): <input type="checkbox"/> guardian (name): <input type="checkbox"/> other (state name, address, and relationship to child):	k. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained Date and time of detention: Current place of detention (address):  <input type="checkbox"/> Relative <input type="checkbox"/> Shelter/foster care <input type="checkbox"/> Other		
l. <input type="checkbox"/> Child may be a member of, or may be eligible for membership in, a federally recognized Indian tribe.			
m. <input type="checkbox"/> Child may be of Indian ancestry.			

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>Draft8</b> <b>09/20/05</b> <b>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:	CASE NUMBER:
<b>JUVENILE DEPENDENCY PETITION (VERSION TWO)</b> <b>(Welf. &amp; Inst. Code, § 300 et seq.)</b> <input type="checkbox"/> § 300—Original <input type="checkbox"/> § 342—Subsequent <input type="checkbox"/> § 387—Supplemental	RELATED CASES ( <i>If any</i> ):

1. Petitioner on information and belief alleges the following:

a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code ( <i>check applicable subdivisions for each child; see attachment 1a for concise statements of facts</i> ):	
b. <u>Child's name</u> <u>Age</u> <u>Date of birth</u> <u>Sex</u> <u>Section 300 subdivisions</u> ( <i>check all that apply</i> ):	
1. _____ 2. _____ 3. _____ 4. _____ 5. _____	_a _b _c _d _e _f _g _h _i _j _a _b _c _d _e _f _g _h _i _j _a _b _c _d _e _f _g _h _i _j _a _b _c _d _e _f _g _h _i _j _a _b _c _d _e _f _g _h _i _j
c. Name: _____ Address: _____ <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father ( <i>check all that apply</i> ): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	d. Name: _____ Address: _____ <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father ( <i>check all that apply</i> ): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged
e. Name: _____ Address: _____ <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father ( <i>check all that apply</i> ): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	f. Other ( <i>state name, address, and relationship to child</i> ):  <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.
g. Prior to intervention, child resided with <input type="checkbox"/> parent ( <i>name</i> ): <input type="checkbox"/> parent ( <i>name</i> ): <input type="checkbox"/> guardian ( <i>name</i> ): <input type="checkbox"/> other ( <i>state name, address and relationship to child</i> ):	h. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained Date and time of detention: Current place of detention ( <i>address</i> ):  <input type="checkbox"/> Relative <input type="checkbox"/> Shelter/foster care <input type="checkbox"/> Other
i. <input type="checkbox"/> Child may be a member of, or may be eligible for membership in, a federally recognized Indian tribe. j. <input type="checkbox"/> Child may be of Indian ancestry.	

CHILD'S NAME: _____	CASE NUMBER: _____
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2. 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)

Address and telephone number:

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

**— NOTICE —**

**TO PARENT**

Your parental rights may be permanently terminated. To protect your rights, you must appear in court and answer this petition.

**TO PARENTS OR OTHERS LEGALLY RESPONSIBLE FOR THE SUPPORT OF THE CHILD**

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 you or your child by a public defender or other attorney, and the cost of supervision of your child by order of the juvenile court.



Clerk stamps date here when form is filed.

**DRAFT 13  
09/20/05  
Not Approved by the Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number, if known:

**Case Number:**

- 1 Type of request:
  - a.  I am asking to change a court order.
  - b.  I am asking to have a relationship with my brother or sister.  
We share the same parent or parents (*name*): \_\_\_\_\_

- 2 Your information:
  - a. Your name: \_\_\_\_\_
  - b. *If you are an attorney filling out this form for a client, complete the following information and then skip to item 3.*  
Your client's name: \_\_\_\_\_  
Your client's relationship to the child: \_\_\_\_\_
  - c. Your relationship to the child: \_\_\_\_\_

- 3 Child's information:
  - a. Child's name: \_\_\_\_\_
  - b. Date of birth: \_\_\_\_\_
  - c. Child's attorney (*if known*): \_\_\_\_\_
  - d. The child lives with (*check all that apply, if known*):
    - parent       legal guardian       relative
    - foster home       group home
  - e. Name of person with whom, or place where, the child lives (*if known*): \_\_\_\_\_
  - f. Names of child's parents or legal guardians (*if known*): \_\_\_\_\_
  - g. Child's Indian tribe (*if applicable and known*): \_\_\_\_\_
  - h. Child's Court Appointed Special Advocate (*if applicable and known*): \_\_\_\_\_
  - i. Child's education surrogate (*if applicable and known*): \_\_\_\_\_
  - j. Child's social worker (*if applicable and known*): \_\_\_\_\_

*If you are asking to have a relationship with a brother or sister, you may skip to item 6. Here are some examples of what you can ask: (1) to visit or live with or nearby your brother or sister; (2) to be part of case planning or permanency planning for your brother or sister.*

*If you are a brother or sister of the child and you want the judge to change a court order, you must complete all items.*

- 4 On (*date, if known*): \_\_\_\_\_ the judge made the following order that you feel should be changed:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Your name: \_\_\_\_\_

5 What changed after the judge's order that would change the judge's mind? *(Give information that the judge did not have when the original decision was made):*

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

6 What order do you want the judge to make now?

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

7 Why would the changes you are requesting be better for the child?

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

Check here if you need more space for any of the answers. Attach a sheet of paper and write "JV-180," at the top of the page.

8 I have sent a copy of my request to the following people listed below, as applicable. I have checked the correct boxes to show if these people agree with my request.

	Agree	Disagree	Don't Know	Not Applicable
Child <i>(if 10 years old, or older)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child's attorney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parent <i>(name):</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parent <i>(name):</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal guardian <i>(name):</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal guardian <i>(name):</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social worker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Current caregiver/foster parent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pre-adoptive parent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court Appointed Special Advocate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indian tribe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indian custodian	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attorney for <i>(name):</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attorney for <i>(name):</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attorney for <i>(name):</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other <i>(name):</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*If you do not have an attorney, the clerk will send notice and copies of your request to all persons required to receive notice under Welfare and Institutions Code sections 297 and 380, and rules 1407 and 1432 of the California Rules of Court.*

Your name: \_\_\_\_\_

9 You can ask the judge to make a decision without a court hearing if everyone agrees with your request. Check here  if you want a decision without a hearing.

10 Does anyone disagree with your request? Who and why (if known)?

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

11 I declare under penalty of perjury under the laws of the State of California that the information in this form is true and correct to my knowledge. I understand that this means I am guilty of a crime if I lie on this form.

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

\_\_\_\_\_  
Type or print your name

▶ \_\_\_\_\_  
Sign your name

**Court Order**

Court will fill out section below.

**The Court Finds and Orders:**

12  All parties and attorneys agree to the request. The request to change a court order is granted  
a.  as requested in item 6.  
b.  as follows (state specific modifications): \_\_\_\_\_  
\_\_\_\_\_

13  The best interest of the child may be promoted by the requested new order, and either (a) the request states a change of circumstances or new evidence, or (b) the request has been filed for the purpose of asserting a brother or a sister relationship with the child. A hearing shall be held on the request as follows:  
a.  The matter is set for a hearing on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ a.m./p.m. in Dept. \_\_\_\_\_  
b.  The judge will not hold a hearing. The judge will make a decision based on your request and any other papers filed by those listed in item 8. You and anyone listed in item 8 may ask for a hearing which the judge will hold if there is good cause.

14 The request is denied because  
a.  the request is not signed.  
b.  the facts do not support what is requested.  
c.  the request does not state new evidence or a change of circumstances.  
d.  the request does not show how it will be in the best interest of the child.  
e.  Other (state specific reasons): \_\_\_\_\_  
\_\_\_\_\_

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

▶ \_\_\_\_\_  
Judge (or Judicial Officer)

**SPR05-30**  
**Juvenile: Request to Change Dependency Petitions and Modification Request**  
**(revise forms JV-100, JV-101, JV-110, JV-180)**

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Grace Andres Program Manager Superior Court of Solano County Fairfield	A	N	<i>No specific comment</i>	No response required.
2.	Sheila Ballin Family Law Facilitator Superior Court of San Joaquin County Stockton	A	N	<i>No specific comment</i>	No response required.
3.	Margaret Coyne Executive Director Advokids Corte Madera	AM	Y	<b>JV-180:</b> a. Thank you for your proposed revisions of the JV-180. Our Advokids hotline has received several calls from caregivers and interested persons seeking to file and serve the JV-180 form. It is our belief that a simpler form will encourage “interested persons” to bring matters to the attention of the juvenile court that may further serve to protect the welfare and safety of foster children. b. California code sections pertinent to notice requirements for request for modification refer to the filed document as either a “petition” or an “application.” It may be best to relate the title of the new form to the existing language. c. The form flows more logically if the order of items 6 and 7 are switched. Siblings should be directed to skip to the item addressing what the petitioner is requesting. d. The section addressing notice should	a. No response required.  b. The title was not changed because “request” is plain language.  c. Items were re-ordered and siblings informed that they may skip the next two items.  d. The form was modified to

**SPR05-30**  
**Juvenile: Request to Change Dependency Petitions and Modification Request**  
**(revise forms JV-100, JV-101, JV-110, JV-180)**

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
				<p>indicate that the clerk will send COPIES of the petition.</p> <p>e. It would be helpful to specify all the persons who will receive copies.</p> <p>f. Items 11 and 12 in the court order section are awkward and confusing.</p>	<p>include the requested language.</p> <p>e. The form was revised to include a list of individuals receiving notice.</p> <p>f. The court order section was rewritten in plain language.</p>
4.	Larisa Cummings Staff Attorney Disability Rights Education & Defense Fund Berkeley	AM	Y	<p><b>1. JV-100, JV-101 and JV-110:</b>            Include inquiry and space for response:</p> <p>a) The school the child attends and/or the school district in which the child resides, and local regional center if child is or may be developmentally disabled</p> <p>b) Services receiving, including whether child should be evaluated or is identified as a special education student with an IEP or 504 plan, regional center IPP for child age 3+ or IFSP for child age 0 - 3</p> <p>c) Unmet services needs</p> <p>d) Status of assessment or evaluation</p> <p>e) If the child is 0 - 3 years, any identified need for early intervention; including factors listed in Title 17 CCR 52022</p> <p><b>2. JV-180:</b>            Include inquiry and space for response:</p> <p>a) The school the child attends and/or the school district in which the child resides, and local regional center if child is or may be developmentally disabled</p> <p>b) Services receiving, including whether</p>	<p>1. a - e) These changes were not incorporated at this time because the committee believes that these suggestions need further review and circulation for comment.</p> <p>2. a - e) These changes were not incorporated at this time because the committee believes that these suggestions need further review and circulation for comment.</p>

**SPR05-30**  
**Juvenile: Request to Change Dependency Petitions and Modification Request**  
**(revise forms JV-100, JV-101, JV-110, JV-180)**

	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
				<p>child should be evaluated or is identified as a special education student with an IEP or 504 plan, regional center IPP or IFSP</p> <p>c) Unmet service needs</p> <p>d) Status of assessment or evaluation</p> <p>e) If the child is 0 - 3 years, any identified need for early intervention</p> <p>f) Have the parent/guardian's educational rights been limited? If so, who is the appointed surrogate?</p>	f) Form was modified as requested.
5.	Regina Deihl Executive Director Legal Advocates for Permanent Parenting San Mateo	AM	Y	<p><b>JV-180:</b></p> <p>1) The proposed changes to JV-180 will allow unrepresented individual, including a child's foster or kinship caregiver to complete and file the form. The words, "<i>if known</i>" in several sections reflects the common experience of unrepresented individuals who have important information to convey to the court, but lack the specific information required on the existing JV-180 form.</p> <p>2) The court order section of the form should be revised to clarify what "declarations and other documentary evidence" is acceptable and how it should be provided to the court. Terms such as "offers of proof" should be changed to plain language so that unrepresented individuals understand what is required.</p>	<p>1) No response required.</p> <p>2) Court order section was rewritten in plain language.</p>
6.	Paul Gaines	A	N	<i>No specific comment</i>	No response required.

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	<b>Commentator</b>	<b>Position</b>	<b>Comment on behalf of group?</b>	<b>Comment</b>	<b>Committee Response</b>
	Court Services Supervisor DPSS Riverside County Murrieta				
7.	Linda A. Gorham Court Manager Superior Court of San Francisco County San Francisco	A	N	<i>No specific comment</i>	No response required.
8.	Carole Greeley Bay Area Dependency Chapter of California Appellate Defense Counsel Fairfield	AM	Y	<p><b>JV-180:</b></p> <p>a) Create separate forms for situations where a sibling is asserting a sibling relationship and another form for other situations. If only one form is used, have separate findings for the two situations.</p> <p>b) There is nothing on the form to indicate any agreement by the parties.</p> <p>c) The part of item 11 about not allowing testimony probably violates due process. The court will not know until the documentary evidence is submitted at the hearing whether testimony will be necessary, so it is premature to make this order when setting the hearing. This should be taken out.</p> <p>d) The signature is by a “judge or judicial officer.” Isn’t a judge a judicial officer?</p>	<p>a) Since a sibling may seek to establish a relationship or seek to change a court order and because both issues fall under Welf. &amp; Inst. Code, §388, the committee believes that it is best to use a single form. Separate findings were added.</p> <p>b) The form was modified to include this information.</p> <p>c) Rule 1432 allows for a decision without a hearing except in instances where there is a due process right to confront and cross-examine witnesses. Rule 1432 applies to this form.</p> <p>d) The signature line specifying use by either a</p>

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					judge or judicial officer allows for a judge, referee, or commissioner to sign the order.
9.	Superior Court of Los Angeles County Los Angeles	A	Y	<i>No specific comment</i>	No response required.
10.	Cheryl Kanatzar Sr. Court Program Manager Superior Court of Ventura County	A	N	<i>No specific comment</i>	No response required.
11.	Stephen V. Love Executive Officer Superior Court of San Diego County San Diego	AM	Y	<p>1. <b>JV-100</b>: Move phrase “Indian tribe” to appropriate line. Insert section symbol.</p> <p>2. <b>JV-101</b>: Add semicolon and use lower case for parenthetical in order to be consistent with JV-100.</p> <p>3. <b>JV-110</b>: Add commas.</p> <p>4. <b>JV-180</b>: Delete duplicative reference to case number. Insert additional citations.</p>	<p>1. Text modified as requested.</p> <p>2. Form modified as requested.</p> <p>3. Form modified as requested.</p> <p>4. Form modified as requested</p>
12.	William Rentz Sr. Deputy County Counsel Monterey County Salinas	N	Y	<p>1. <b>JV-180</b>:</p> <p>a) I suggest that you create a separate petition for asserting a sibling relationship and delete the references in the form which are applicable only to the sibling petition.</p> <p>b) I suggest that “if known” be deleted wherever it is found.</p>	<p>a) Since a sibling may seek to establish a relationship or seek to change a court order and because both issues fall under Welf. &amp; Inst. Code §388, the committee believes that it is best to use a single form.</p> <p>b) Deletion of “if known” would reduce the ability of</p>



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				<ul style="list-style-type: none"> <li>c) Change the name to “Request to Change <u>Court</u> Order” and include additional headings to the document.</li> <li>d) List all of the persons with whom the child might reside in the singular and provide an underlined blank space to allow for insertion of the name of the person(s) with whom the child resides.</li> <li>e) It is helpful to anyone who reviews this petition if the person completing the form gives the name of the parents and guardians so they should be named on the form.</li> <li>f) In item 5, the form refers to the judge having “made a decision.” Items 6 and 7 should continue to use the same words and phrases.</li> <li>g) If a separate sibling form is not created, then item 6 should include, “If this is a petition to assert a sibling relationship, describe what orders you want the court to make affecting your participation as a sibling to the dependent child. The requested orders may include orders affecting your visitation with the dependent child, your placement with or</li> </ul>	<p>unrepresented individuals to file the JV-180 and this is counter to the goal of improving court accessibility.</p> <ul style="list-style-type: none"> <li>c) Changed the name of form and added headings as requested.</li> <li>d) Modified as requested.</li>   <li>e) Modified as requested.</li>   <li>f) Modified as requested.</li>   <li>g) Modified as requested.</li> </ul>

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				<p>near the child, your participation in case plan activities involving the child, the selection of a permanent plan for the child, and other orders made in the best interest of the child.”</p> <p>h) Item 7 should request more information from the petitioner.</p> <p>i) Include sections describing what notice has been given and if the parties are consenting.</p> <p>j) Include more room on form for counties to add county-specific language.</p> <p>k) Change the heading for the court order to one less ambiguous.</p> <p>l) Do not indicate that the clerk will fill court order out.</p> <p>m) Add a box to check in front of items 10 and 11.</p> <p>n) Rewrite item 10 to allow for the judge to approve a waiver of notice to or consent by particular parties.</p> <p>o) Rewrite item 11 to have more separation between instances where a sibling is asserting a relationship and where a modification of a current order is requested.</p> <p>p) Delete “is not filed by a sibling and” from item 12 because the court does not need this reminder.</p>	<p>h) Modified as requested.</p> <p>i) Modified as requested.</p> <p>j) Modified as requested.</p> <p>k) Modified court order title.</p> <p>l) Modified to reflect that court will complete court order.</p> <p>m) Modified as requested.</p> <p>n) Modified as requested.</p> <p>o) Modified as requested.</p> <p>p) Modified as requested.</p>

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				2. <b>JV-100:</b> Don't make the changes proposed to blocks 1.f, 1.g, and 1.h. Form JV-100 works perfectly well the way it is now. Every child has a mother and a father. So every petition should have one information box designated specifically for a mother and one designated specifically for a father.	2. The parentage boxes were altered to accommodate nontraditional families. California law recognizes that children may have same-sex parents. The assumption that every child has a mother and a father is no longer accurate.
13.	Monique Wilson Administrative Services Manager Riverside	AM	N	<b>JV-180:</b> The form should have a line to indicate that the petitioner is the social worker.	Because the form requires that the person filing the petition indicate his or her relationship to the child, a social worker is able to provide that information to the court.
14.	David M. Yorton, Jr. Sr. Deputy County Counsel Shasta County Redding	AM	N	<b>JV-180:</b> Line 8 should use the term "best interest" of the child rather than "be better for the child."	"Best interest" is a specific legal term and not as clear on its face as the proposed language.
15.	Dean Zipser Orange County Bar Association	A	N	<i>No specific comment</i>	No response required.