

# Judicial Council of California • Administrative Office of the Courts

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## INVITATION TO COMMENT SPR13-25

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Title	Action Requested
Juvenile Law: Extended Foster Care	Review and submit comments by June 19, 2013
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Adopt Cal. Rules of Court, rules 5.813 and 5.814; amend rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906; renumber form JV-682 to JV-688 and approve new form JV-682; approve forms JV-470, JV-472, JV-475, JV-477, JV-479, and JV-683; and revise forms JV-281, JV-282, JV-462, and JV-680	January 1, 2014
	Contact
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Proposed by	
Family and Juvenile Law Advisory Committee	
Hon. Kimberly J. Nystrom-Geist, Cochair	
Hon. Dean T. Stout, Cochair	

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### Executive Summary and Origin

The Family and Juvenile Law Advisory Committee (the committee) recommends adopting two new rules, approving seven new optional forms, amending seven rules, and revising five forms to implement Assembly Bill 1712 (Beall; Stats. 2012, ch. 846) and provide further guidance and procedures to fully implement earlier legislation<sup>1</sup> regarding the extension of juvenile court jurisdiction and foster care services to dependents and wards up to 21 years of age. The recommended changes include new and amended rules and forms necessary to implement the provisions of Assembly Bill 1712 that relate to court procedures. The recommended changes also include new rules and optional forms to provide guidance and tools for certain extended foster care hearings for which courts, social service agencies, and probation departments have frequently requested assistance from AOC staff. Additionally, Assembly Bill 787, which is currently pending in the Legislature, would make further amendments to the act, with an

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<sup>1</sup> Assembly Bill 12 (Beall; Stats. 2010, ch. 559), the California Fostering Connections to Success Act, as amended by Assembly Bill 212 (Beall; Stats. 2011, ch. 459). The Judicial Council adopted and approved rules and forms implementing AB 12 in 2011 and AB 212 in 2012.

*The proposals have not been approved by the Judicial Council and are not intended to represent the views of the council, its Rules and Projects Committee, or its Policy Coordination and Liaison Committee. These proposals are circulated for comment purposes only.*

expected effective date of January 1, 2014. This proposal includes amendments to rules and forms to implement certain provisions of AB 787 so that the rules and forms will be current when they become effective January 1, 2014. If AB 787 is not signed into law, the proposed amendments relating to that bill will be removed.

## **Background**

The federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (Pub.L. No. 110-351) made extensive policy and program changes to improve the outcomes for children in the foster care system, including the extension of foster care services to nonminors up to age 19, 20, or 21 years when certain education, training, or work requirements are met or are incapable of being met due to a medical condition. California chose to participate in this voluntary program, and Assembly Bill 12 (Beall; Stats. 2010, ch. 559), the California Fostering Connections to Success Act (the act), as amended by Assembly Bill 212 (Beall; Stats. 2011, ch. 459) enacted extensive changes to California statutes to comply with provisions of the federal act.

As work continued on the implementation of Assembly Bills 12 and 212, the need to revise further sections of the act to fully comply with the federal legislation and eliminate ambiguities became apparent and Assembly Bill 1712 (Beall; Stats. 2012, ch. 846) was signed into law with an effective date of January 1, 2013.

Assembly Bill 787 is currently pending in the Legislature and will also revise further sections of the act to fully comply with the federal legislation and eliminate ambiguities.

## **The Proposal**

This proposal is needed to make the current rules and forms conform to recent changes in the law. It is also responsive to identified concerns and problems that arose from work implementing AB 12 and 212, including clarifying the requirements for court hearings when a ward has met his or her rehabilitative goals, creating an optional form to document the court's findings and orders at a hearing when a nonminor requests to reenter foster care, and removing the requirement that the findings and orders required by the California Rules of Court be made orally at the hearing.<sup>2,3</sup> Additionally, this proposal includes changes to conform to pending legislation with an effective date of January 1, 2014 so that the rules and forms will be current when they become effective, also on January 1, 2014.<sup>4</sup>

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<sup>2</sup> All further rule references are to the California Rules of Court unless otherwise indicated.

<sup>3</sup> The requirement that the findings and orders be made orally on the record is not a statutory mandate and has proven to be more burdensome on the courts than anticipated.

<sup>4</sup> The changes that may be necessitated by AB 787 include those that address whether a nonminor dependent whose case plan is reunification may safely reside in the home of a parent or former legal guardian, and whether continued juvenile court jurisdiction is necessary for nonminors who have returned to the home of a parent or former legal guardian. If AB 787 is not signed into law, the committee would remove these proposed amendments from the rules and forms. If the provisions of AB 787 regarding reunification are substantially modified, new amendments would need to circulate for public comment in 2014. This is not anticipated, however, because the reunification provisions in AB 787 do not appear to be controversial.

### **Rules 5.813 and 5.814**

Many courts and probation departments have contacted AOC staff for guidance regarding the court procedure for modifying juvenile court delinquency jurisdiction to transition jurisdiction when a ward reaches his or her rehabilitative goals before a review hearing is scheduled to occur. Rule 5.813 would be adopted to address the purpose, setting and conduct, notice, written report requirements, and required findings and orders of a hearing to modify delinquency jurisdiction to transition jurisdiction for a ward more than 18 and less than 21 years of age. Because there are different requirements for children, the committee also recommends adopting rule 5.814, which addresses the above topics for a ward more than 17 years, 5 months, and less than 18 years of age.

### **Rule 5.555**

Rule 5.555 governs the hearing to consider termination of juvenile court jurisdiction over a nonminor in foster care or a nonminor dependent.<sup>5</sup> This rule would be amended to:

- Include changes necessitated by the provisions in AB 1712 that clarify that parents of nonminor dependents can continue to receive reunification services.
- Include changes expected to be needed from AB 787's clarification that nonminor dependents can return to the home of a parent or former legal guardian.
- Remove the requirement that the findings and orders be made orally at the hearing and that the court order be signed. Several courts have expressed frustration at the requirement in each of the extended foster care rules that the findings and orders be made orally at the hearing. The Family and Juvenile Law Advisory Committee recommends removing this oral requirement, which will enable courts to spend more time engaging the youth who appear before them and making inquiries to ensure they are on a path to successfully living independently. The court must still document its findings and orders in writing; optional Judicial Council forms are available to ease the burden of local courts creating their own findings and orders documents for the various extended foster care hearings.
- Clarify that the eligible age range is now under 21 years of age.<sup>6</sup>

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<sup>5</sup> Another Invitation to Comment (ITC) is proposing to amend the definition of nonminor dependent in Calif. Rules of Court, rule 5.502. That ITC also proposes to add definitions for a nonminor and a transition dependent. The definitions can be found in [SPR13-24, Juvenile Law: Access to Services for Children, Nonminors, and Nonminor Dependents](#).

<sup>6</sup> The current version of the rule contains a caveat that a nonminor can request to return to foster care until 21, or age 20 if the Legislature does not appropriate funding to extend the availability of nonminor foster placement to the age of 21 years. The Legislature has appropriated funding to extend foster care to age 21, so this caveat is no longer necessary.

**Rule 5.570<sup>7</sup>**

Rule 5.570 governs request to modify court orders under Welf. & Inst. Code, § 388. <sup>8</sup> The rule would be amended to:

- Include AB 1712's clarification that nonminor dependents can file section 388 petitions.
- Remove unnecessary language to make the rule easier to read.
- Remove statutorily incorrect uses of a section 388 petition.

**Rule 5.707**

Rule 5.707 governs the last review hearing before a dependent turns 18 years of age. It would be amended to remove the requirement that the findings and orders be made orally at the hearing and that the court order be signed.

**Rule 5.812**

Rule 5.812 governs the last status review hearing before a ward turns 18 and any hearing to terminate jurisdiction over a ward who is currently under a foster care placement order, or was under a foster care placement order when adjudged a ward. The rule would be amended to remove the requirement that the findings and orders be made orally at the hearing and that the court order be signed.

**Rule 5.900**

Rule 5.900 contains the preliminary provisions regarding nonminor dependents. It would be amended to:

- Clarify that nonminor dependents under the delinquency jurisdiction of the court are not in foster care voluntarily.
- Include AB 1712's clarification that the decision-making authority of a nonminor dependent under delinquency jurisdiction may be limited.
- As mandated by AB 1712, add a requirement that the court open a separate court file for nonminor dependents. The subdivision regarding opening a new juvenile court file was drafted in a way meant to give the courts flexibility to open court files in the most convenient way for each local court, rather than mandating a statewide procedure.

**Rule 5.903**

Rule 5.903 governs nonminor dependent status review hearings. It would be amended to:

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<sup>7</sup> Note that another Invitation to Comment, [SPR13-27, Juvenile Law: Minor Changes for Statutory Compliance](#) also proposes changes to Rule 5.570 to implement unrelated recent legislation.

<sup>8</sup> All further statutory references are to the Welfare and Institutions Code, unless otherwise indicated.

- Include the expected changes necessitated by the pending AB 787 regarding continuing reunification services and possible residence in the home of a parent or former legal guardian.
- Remove the requirement that the findings and orders be made orally at the hearing and that the court order be signed.

**Rule 5.906**

Rule 5.906 governs a nonminor’s request to reenter foster care and resume juvenile court jurisdiction. It would be amended to:

- Clarify that the eligible age range is under 21 years of age.
- Remove the requirement that the findings and orders be made orally at the hearing and that the court order be signed.

**JV-281: Notice of Hearing—Nonminor**

Current *Notice of Hearing—Nonminor* (form JV-281) would be amended to:

- Clarify that parents of nonminor dependents can continue to receive reunification services, as provided in AB 1712.
- Add notices to parents receiving reunification services, including that they have a right to be present, to present evidence, and to be represented by an attorney.
- Add an option to item 2 regarding what the court may do at the hearing. Adding this information and the notices increases the form from one page to two. The committee is concerned with balancing the need for detailed notice with shorter, user-friendly forms. One possible way to keep the form at one page is to simplify item 2, which gives the option to state what the court will do at the hearing. The current notice form for other dependency hearing types<sup>9</sup> (JV-280) simply says “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): \_\_\_\_\_”. The committee is seeking comment on whether the need for detailed notice of what may occur at the hearing outweighs the increased form length.

**JV-282: Proof of Service—Nonminor**

Current *Proof of Service—Nonminor* (form JV-282) would be amended to add that notice to a parent must be provided if the parent is receiving court-ordered reunification services. This change is necessary to comply with AB 1712’s requirement that parents receiving court-ordered

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<sup>9</sup> *Notice of Review Hearing* (form JV-280).

family reunification services must be provided notice of nonminor dependent status review hearings.

**JV-462: Findings and Orders After Nonminor Dependent Status Review Hearing**

Current *Findings and Orders After Nonminor Dependent Status Review Hearing* (form JV-462) would be amended to:

- Include an item for additional findings and orders for a nonminor dependent with a case plan of family reunification services. These changes are necessary to comply with AB 1712’s requirement for court findings in these cases.
- Include an item for additional findings and orders for a nonminor residing in the home of a parent or former legal guardian. These changes would be required if AB 787 is signed into law, and would make the forms consistent with the law on their effective date of January 1, 2014.

**JV-470 and JV-472: New reentry forms**

Two new optional forms would be adopted to facilitate the process whereby a nonminor who chose to exit foster care could request to reenter foster care and have juvenile court jurisdiction resumed over him or her. Courts, social service agencies, and probation departments have frequently requested guidance from AOC staff regarding the findings and orders required for this reentry process. *Findings and Orders Regarding Prima Facie Showing on a Nonminor’s Request to Reenter Foster Care* (form JV-470) and *Findings and Orders After a Hearing to Consider A Nonminor’s Request to Reenter Foster Care* (form JV-472) would provide a way for agencies to make recommended findings and orders, and for courts to make the findings and orders required under section 388(e) and rule 5.906.

**JV-475, JV-477, and JV-479: New adoption forms**

Assembly Bill 1712 created a new permanent plan for nonminor dependents—adult adoption. Three new forms would be approved for optional use to provide courts with tools for finalizing adoptions of nonminor dependents. These forms would be *Agreement of Adoption of Nonminor Dependent* (form JV-475), *Consent of Spouse or Registered Domestic Partner to Adoption of Nonminor Dependent* (form JV-477), and *Order of Adoption of Nonminor Dependent* (form JV-479).

**JV-680: Findings and Orders for Minor Approaching Majority—Delinquency**

Current *Findings and Orders for Minor Approaching Majority—Delinquency* (form JV-680) would be amended to allow its use as a “standalone” form. Currently, JV-680 is an attachment, meant to be used along with findings and orders for status review hearings. However, the hearing when a ward is approaching majority must be scheduled 90 days before the child turns 18. Due to this time requirement, many courts are scheduling the 90-day hearing for a child approaching majority independently from any status review hearings. Courts and probation departments are using various methods to ensure the current version of the JV-680 is placed into the court file, with varying degrees of success. This form would be amended to include case-identifying

information on the top of the form to make it possible to file as a standalone document or concurrent with findings and orders from status review hearings. It would also be amended to indicate that if the hearing for a child approaching majority is also a status review hearing under section 727.2 or 727.3, the findings and orders required in that section, as well as the findings and orders in section 727.2(i) and rule 5.810 must be made in addition to those on the JV-680. Additionally, all references to “minor” would be changed to “child” to make the form consistent with other forms and rules.

### **JV-682 and JV-683: New transition jurisdiction forms**

Courts and probation departments have frequently requested guidance from AOC staff on which findings and orders are required when a court modifies delinquency jurisdiction to transition jurisdiction when a ward reaches his or her rehabilitative goals in between scheduled hearings. Two forms would be adopted for optional use, *Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for a Ward Less Than 18 Years of Age* (JV-682) and *Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for a Ward Over 18* (JV-683), to provide a mechanism for probation departments to make recommended findings and orders, and for courts to make the findings and orders required under sections 451 and 727.2 and newly proposed rules 5.813 and 5.814.

### **JV-688: Continuance form**

*Continuance—Juvenile Delinquency* is currently numbered as form JV-682. Form JV-682 would be slightly revised and renumbered as form JV-688. This renumbering would allow all the forms related to nonminor dependents in delinquency proceedings to be grouped together in numerical order, making them easier to locate.

### **Alternatives Considered**

The committee considered amending only existing rules and forms and not creating new rules and forms, however, the new proposed rules and optional forms are in response to multiple requests from courts and agencies throughout the state for help implementing the procedures necessary to comply with this complex area of the law. Additionally, new forms and rules will implement a statewide court process to provide guidance and assistance to courts, social service agencies, and probation departments in implementing a relatively recent extension of juvenile court jurisdiction and foster care services that has a significant impact on a vulnerable segment of the young adult population.

The committee considered only revising rules and forms to implement AB 1712. This, however, would be unresponsive to the multiple requests from courts, social service agencies, and probation departments for assistance on findings and orders received by AOC staff since the original legislation became effective in 2012. Additionally that approach would maintain the requirement that the finding and orders be made on the record, which has proved more burdensome than helpful.

The committee also considered not including the changes in the pending AB 787. This, however, would have made the rules and forms inconsistent with the law on their effective date. It would also require an additional circulation of proposed changes that would delay implementation. It would also increase costs to courts due to the need to reproduce new forms very soon after the forms in this proposal become effective.

### **Implementation Requirements, Costs, and Operational Impacts**

This proposal will have some positive operational impact in implementing the statutory requirements of the act. The proposed new rules and optional forms are in response to requests for guidance from courts and agencies. The hearings must be held, and findings and orders made. The new proposed optional forms will offer courts an option and eliminate the burden of creating new minute orders or local forms.

Assembly Bill 1712 created a moderate operational impact by requiring a separate court file for nonminor dependents. Proposed rule 5.900(f) tracks the statutory language and was written to allow courts flexibility in how they open this separate court file rather than mandating a statewide procedure. It is intended that courts be able to use existing methods of protecting confidential documents or proceedings.

In implementing the new and revised forms, courts will incur standard reproduction costs and retraining of affected staff. There are no new hearings or new court processes created by this proposal.

## **Request for Specific Comments**

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal reasonably achieve the stated purpose?
- Would this proposal have an impact on public's access to the courts? If a positive impact, please describe. If a negative impact, what changes might lessen the impact?
- Should the requirement that courts make the findings and orders orally on the record after each hearing be removed from the rules?
- Should item 2 on *Notice of Hearing—Nonminor* (form JV-281) be amended to read “At the hearing the court will consider the recommendation of the social worker or probation officer and make orders concerning the nonminor dependent” so that the form would remain a one page form or should the item read as proposed and result in a two-page form? The item as proposed reads: “At the hearing the court will: a.  Review the nonminor dependent's goals and services as described in the Transitional Independent Living Case Plan and the efforts and progress made toward achieving independence. b.  Determine if the nonminor dependent can return to the home of a parent or former legal guardian, or whether to terminate or continue court-ordered family reunification services. c.  Other (*specify*): ”

- *Attachment: Hearing for Dismissal-Additional Findings and Orders—Foster Care Placement—Delinquency* (form JV-681) is a current form that is not included with this Invitation to Comment. Should it be amended to allow its use as a standalone form, similar to the proposed change to *Findings and Orders for Minor Approaching Majority—Delinquency* (form JV-680)?
- Are the definitions of a nonminor, a nonminor dependent, and a transition dependent, which are circulating for comment in SP13-22— *Juvenile Law: Access to Services for Children, Nonminors, and Nonminor Dependents*—accurate? Would the proposed definitions adequately distinguish all categories of adults under juvenile court jurisdiction? If not, what terms do you suggest?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide costs savings? If so, please quantify. If not, what changes might be made that would provide savings, or greater savings?
- What would the implementation requirements be for courts? For example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems.
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- If this proposal would be cumbersome or difficult to implement in a court of your size, what changes would allow the proposal to be implemented more easily or simply in a court of your size?

### **Attachments and Links**

1. Rules 5.555, 5.570, 5.707, 5.812, 5.813, 5.814, 5.900, 5.903, and 5.906, at pages 10–28.
2. Judicial Council forms JV-281, JV-282, JV-462, JV-470, JV-472, JV-475, JV-477, JV-479, JV-680, JV-682, JV-683, and JV-688, at pages 29–57.
3. Link to AB 1712 [http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab\\_1701-1750/ab\\_1712\\_bill\\_20120930\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1701-1750/ab_1712_bill_20120930_chaptered.pdf)
4. Link to AB 787, as introduced [http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab\\_0751-0800/ab\\_787\\_bill\\_20130221\\_introduced.htm](http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_0751-0800/ab_787_bill_20130221_introduced.htm)
5. Link to [SPR13-24, \*Juvenile Law: Access to Services for Children, Nonminors, and Nonminor Dependents\*](#)
6. Link to [SPR13- 27, \*Juvenile Law: Minor Changes for Statutory Compliance\*](#)

Rules 5.813 and 5.814 of the California Rules of Court would be adopted effective January 1, 2014; and rules 5.555, 5.570, 5.707, 5.812, 5.900, 5.903, and 5.906 of the California Rules of Court would be amended, effective January 1, 2014, to read:

1 **Rule 5.555. Hearing to consider termination of juvenile court jurisdiction over a**  
2 **nonminor—dependents or wards of the juvenile court in a foster care**  
3 **placement and nonminor dependents (§§ 224.1(b), 303, 366.31, 391, 452, 607.3,**  
4 **16501.1(f)(16))**

5  
6 **(a) Applicability**

7  
8 (1) This rule applies to any hearing during which the termination of the juvenile  
9 court's jurisdiction over the following nonminors will be considered:

10  
11 (A) A nonminor dependent as defined in section 11400(v); ~~and~~

12  
13 (B) A ward or dependent of the juvenile court who is 18 years of age or  
14 older and subject to an order for a foster care placement; and

15  
16 (C) A ward or dependent of the juvenile court who is 18 years of age or  
17 older and living in the home of the parent or former legal guardian.

18  
19 (2) \*\*\*

20  
21 **(b) Setting a hearing**

22  
23 (1) \*\*\*

24  
25 (2) The hearing under this rule may be held during a hearing required under  
26 section 366(~~f~~) (g), 366.21, 366.22, 366.25, 366.3, 366.31, 727.2, or 727.3 or  
27 rule 5.903.

28  
29 (3) Notice of the hearing to the parents of a nonminor dependent as defined in  
30 section 11400(v) is not required; unless the parents are receiving court-  
31 ordered family reunification services or the nonminor is living in the home of  
32 the parent or former legal guardian.

33  
34 (4)–(5) \*\*\*

35  
36 **(c) Reports**

37  
38 (1) In addition to complying with all other statutory and rule requirements  
39 applicable to the report prepared by the social worker or probation officer for  
40 any hearing during which termination of the court's jurisdiction will be  
41 considered, the report must include:

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(A)–(F) \*\*\*

(G) When and how the nonminor was informed that if juvenile court jurisdiction is terminated, the court maintains general jurisdiction over him or her for the purpose of resuming jurisdiction and he or she has the right to file a request to return to foster care and have the juvenile court resume jurisdiction over him or her as a nonminor dependent until he or she has attained the age of 21 years ~~or the age of 20 years if the Legislature does not appropriate funding to extend the availability of foster care placement to the age of 21 years;~~

(H)–(K) \*\*\*

(2)–(3) \*\*\*

(4) The social worker’s or probation officer’s report and all documents required by (c)(2)–(3) must be filed with the court at least 10 calendar days before the hearing, and the social worker or probation officer must provide copies of the report and other documents to the nonminor, the nonminor’s parents, and all attorneys of record. If the nonminor is under juvenile court jurisdiction as a nonminor dependent, the social worker or probation officer is not required to provide copies of the report and other documents to the nonminor dependent’s parents, unless the nonminor dependent’s parents are receiving court-ordered family reunification services.

**(d) Findings and orders**

In addition to complying with all other statutory and rule requirements applicable to the hearing, the following judicial findings and orders must be ~~made on the record and~~ included in the written, ~~signed~~ court documentation of the hearing:

(1) *Findings*

(A)–(H) \*\*\*

(I) Whether the nonminor has been informed that if juvenile court jurisdiction is terminated, he or she has the right to file a request to return to foster care and have the juvenile court resume jurisdiction over him or her as a nonminor dependent until he or she has attained the age of 21 years ~~or the age of 20 years if the Legislature does not appropriate funding to extend the availability of nonminor foster care placement to the age of 21 years;~~

1  
2 (J)–(M) \*\*\*

3  
4 (2) *Orders*

5  
6 (A)–(D) \*\*\*

7  
8 (E) For a nonminor (1) who does not meet one or more of the eligibility  
9 criteria of section 11403(b) and is not otherwise eligible to remain  
10 under juvenile court jurisdiction, (2) who does meet one or more of the  
11 eligibility criteria of section 11403(b) but does not wish to remain  
12 under the jurisdiction of the juvenile court as a nonminor dependent, or  
13 (3) who does meet one or more of the eligibility criteria of section  
14 11403(b) but is not participating in a reasonable and appropriate  
15 Transitional Independent Living Case Plan, the court may order the  
16 termination of juvenile court jurisdiction only after entering the  
17 following findings and orders:

18  
19 (i)–(ii) \*\*\*

20  
21 (iii) The nonminor was informed that if juvenile court jurisdiction is  
22 terminated, he or she has the right to return to foster care and to  
23 file a request to have the juvenile court resume jurisdiction over  
24 him or her as a nonminor dependent until he or she has attained  
25 the age of 21 years ~~or the age of 20 years if the Legislature does~~  
26 ~~not appropriate funding to extend the availability of nonminor~~  
27 ~~foster care placement to the age of 21 years;~~

28  
29 (iv)–(vi) \*\*\*

30  
31 **Rule 5.570. Request to change court order (petition for modification)**

32  
33 **(a) Contents of petition (§§ 388, 778)**

34  
35 A petition for modification must be liberally construed in favor of its sufficiency.  
36 The petition must be verified and, to the extent known to the petitioner, must  
37 contain the following:

38  
39 (1)–(2) \*\*\*

40  
41 (3) The name and age of the child, nonminor, or nonminor dependent;

42

- 1 (4) The address of the child, nonminor, or nonminor dependent unless  
2 confidential under (c);  
3  
4 (5) The name and ~~residence~~ address of the parent or guardian ~~or an adult relative~~  
5 of the child or nonminor, ~~if appropriate, to receive notice following the~~  
6 ~~procedures found in Welfare and Institutions Code sections 291 and 297(c);~~  
7  
8 (6)–(8) \*\*\*  
9  
10 (9) A statement of the petitioner’s relationship or interest in the child, nonminor,  
11 or nonminor dependent, if the application is made by a person other than the  
12 child, nonminor, or nonminor dependent; and  
13  
14 (10) \*\*\*

15  
16 **(b) \*\*\***

17  
18 **(c) Confidentiality**

19  
20 The addresses and telephone numbers of the person requesting to change the court  
21 order, the child, nonminor, or nonminor dependent, and the ~~child’s~~ caregiver may  
22 be kept confidential by filing form *Confidential Information (Request to Change*  
23 *Court Order)* (form JV-182) with form JV-180. Form JV-182 must be kept in the  
24 court file under seal, and only the court, the agency, and the ~~child’s~~ attorney for the  
25 child, nonminor, or nonminor dependent may have access to this information.  
26

27 **(d) Denial of hearing**

28  
29 The court may deny the petition ex parte if:

- 30  
31 (1) The petition filed under section 388(a) or section 778 fails to state a change  
32 of circumstance or new evidence that may require a change of order or  
33 termination of jurisdiction or, that the requested modification would promote  
34 the best interest of the child, nonminor, or nonminor dependent.  
35

36 (2)–(3) \*\*\*  
37

38 **(e) Grounds for grant of petition (§§ 388, 778)**

- 39  
40 (1) If the petition filed under section 388(a) or section 778 states a change of  
41 circumstance or new evidence and it appears that the best interest of the  
42 child, nonminor, or nonminor dependent may be promoted by the proposed

1 change of order or termination of jurisdiction, the court may grant the petition  
2 after following the procedures in (f), (g), and (h) or (i).

- 3  
4 (2) If the petition is filed under section 388(b) and it appears that the best interest  
5 of the child, nonminor, or nonminor dependent may be promoted by the  
6 proposed recognition of a sibling relationship and other requested orders, the  
7 court may grant the petition after following the procedures in (f), (g), and (h).

8  
9 (3)–(4) \*\*\*

10  
11 (f) \*\*\*

12  
13 (g) **Notice of petition and hearing (§§ 388, 778)**

14  
15 The clerk must cause notice of the hearing to be given to the persons and in the  
16 same manner prescribed by rule 5.524. The ~~present custodian~~ caregiver of a  
17 ~~dependent~~ the child, nonminor, or nonminor dependent and the tribe of an  
18 ~~dependent~~ Indian child must be similarly notified. The parent or legal guardian of a  
19 nonminor dependent must not be notified unless the nonminor dependent requests  
20 that they receive notice or the parent or legal guardian is receiving court-ordered  
21 family reunification services.

22  
23 (h) **Conduct of hearing (§ 388)**

- 24  
25 (1) The petitioner requesting the modification under section 388 has the burden  
26 of proof.

27  
28 (A) ~~If the request is for the removal of the child from the child's home, the~~  
29 ~~petitioner must show by clear and convincing evidence that the grounds~~  
30 ~~for removal in section 361(c) exist.~~

31  
32 (B) ~~If the request is for removal to a more restrictive level of placement, the~~  
33 ~~petitioner must show by clear and convincing evidence that the change~~  
34 ~~is necessary to protect the physical or emotional well-being of the~~  
35 ~~child.~~

36  
37 (C) (A) If the request is for termination of court-ordered reunification  
38 services, the petitioner must show by clear and convincing evidence  
39 that one of the conditions in section 388(c)(1)(A) or (B) exists and must  
40 show by a preponderance of the evidence that reasonable services have  
41 been offered or provided.  
42

1           ~~(D)~~ (B)     All other requests require a preponderance of the evidence to  
2                           show that the child’s welfare requires such a modification.  
3

4           (2)   The hearing must be conducted as a dispositional hearing under rules 5.690  
5                           and 5.695 if:

6  
7           ~~(A)~~ —The request is for removal from the home of the parent or guardian or  
8                           to a more restrictive level of placement;

9  
10          ~~(B)~~ (A)     The request is for termination of court-ordered reunification  
11                           services; or

12  
13          ~~(C)~~ (B)     There is a due process right to confront and cross-examine  
14                           witnesses.  
15

16           Otherwise, proof may be by declaration and other documentary evidence, or by  
17                           testimony, or both, at the discretion of the court.  
18

19   (i)   \*\*\*  
20

21   **Rule 5.707. Review hearing requirements for child approaching majority (§§ 224.1,**  
22           **366(a)(1)(F), 366.3(l)–(n), 16501.1(f)(16))**  
23

24   (a)–(b) \*\*\*  
25

26   (c)   **Findings**  
27

28          (1)   At the last review hearing before the child attains 18 years of age held under  
29                           section 366.21, 366.22, 366.25, or 366.3, in addition to complying with all  
30                           other statutory and rule requirements applicable to the hearing, the court must  
31                           find ~~on the record and~~ in the written, ~~signed~~ orders:  
32

33           ~~(A)–(I)~~ \*\*\*  
34

35          (2)   \*\*\*

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(d) \*\*\*

**Rule 5.812. Additional requirements for any hearing to terminate jurisdiction over child in foster care and for status review hearing for child approaching majority (§§ 450, 451, 727.2(i)–(j), 778)**

(a)–(c) \*\*\*

**(d) Findings**

(1) At the hearing described in (a)(1)–(4), in addition to complying with all other statutory and rule requirements applicable to the hearing, the court must find ~~on the record and~~ in the written, ~~signed~~ orders:

(A)–(D) \*\*\*

(2) At the review hearing held on behalf of a child approaching majority described in (a)(1) and any hearing under (a)(2) or (a)(3) held on behalf of a child more than 17 years, 5 months old and less than 18 years of age, in addition to complying with all other statutory and rule requirements applicable to the hearing, the court must find ~~on the record and~~ in the written, ~~signed~~ orders:

(A)–(J) \*\*\*

(e)–(f) \*\*\*

**Rule 5.813. Modification to transition jurisdiction for a ward more than 18 years and less than 21 years of age (§§ 450, 451)**

**(a) Purpose**

This rule provides the procedures that must be followed when it appears to a probation officer that a ward who is more than 18 years and less than 21 years of age has met his or her rehabilitative goals and wants to remain in extended foster care under the jurisdiction of the court.

**(b) Setting and conduct of hearing**

(1) The probation officer must request a hearing for the court to consider modifying delinquency jurisdiction to transition jurisdiction.

1           (2) The hearing must be held before a judicial officer and recorded by a court  
2           reporter.

3  
4           (3) The hearing must be continued for no more than five court days for the  
5           submission of additional evidence as ordered by the court if the court finds  
6           that the report and, if required, the Transitional Independent Living Case Plan  
7           submitted by the probation officer, do not provide the information required  
8           by (d) and the court is unable to make all the findings required by (e).

9  
10       **(c) Notice of hearing**

11  
12           (1) The probation officer must serve written notice of the hearing in the manner  
13           provided in section 295.

14  
15           (2) Proof of service of notice must be filed by the probation officer at least five  
16           court days before the hearing.

17  
18       **(d) Reports**

19  
20           At least 10 calendar days before the hearing, the probation officer must submit a  
21           report to the court that includes information regarding:

22  
23           (1) Whether the ward is a nonminor who was subject to an order for foster care  
24           placement on the day of the ward's 18th birthday and is within the age  
25           eligibility requirements for extended foster care;

26  
27           (2) Whether the ward was removed from the physical custody of his or her  
28           parents, adjudged to be a ward of the juvenile court under section 725, and  
29           ordered into foster care placement as a ward; or that the ward was removed  
30           from the custody of his or her parents as a dependent of the court with an  
31           order for foster care placement in effect at the time the court adjudged him or  
32           her to be a ward of the juvenile court under section 725, and was ordered into  
33           a foster care placement as a ward;

34  
35           (3) Whether the ward's rehabilitative goals as set forth in the case plan have been  
36           met and whether juvenile court jurisdiction over the ward is no longer  
37           required;

38  
39           (4) Whether the probation officer recommends the modification of juvenile court  
40           jurisdiction over the ward from that of a ward under section 601 or 602 to  
41           that of a nonminor dependent under section 450 and the facts in support of  
42           that recommendation;

43

- 1           (5) Whether the ward signed a mutual agreement with the probation department  
2 or social service agency for placement in a supervised setting as a nonminor  
3 dependent;  
4
- 5           (6) Whether the ward has plans to meet at least one of the conditions in section  
6 11403(b) and what efforts the probation officer has made to help the ward  
7 meet any of the conditions;  
8
- 9           (7) When and how the ward was informed of the benefits of remaining under  
10 juvenile court jurisdiction as a nonminor dependent and the probation  
11 officer's assessment of the ward's understanding of those benefits;  
12
- 13          (8) When and how the ward was informed that he or she may decline to become  
14 a nonminor dependent and have the juvenile court terminate jurisdiction at a  
15 hearing under section 391 and rule 5.555; and  
16
- 17          (9) When and how the ward was informed that if juvenile court jurisdiction is  
18 terminated, he or she can file a request to return to foster care and have the  
19 court resume jurisdiction over him or her as a nonminor.  
20

21 **(e) Findings**

22  
23 At the hearing described in (a), the court must make the following findings:  
24

- 25          (1) Whether notice has been given as required by law;  
26
- 27          (2) Whether the nonminor comes within the description of section 450;  
28
- 29          (3) Whether the ward has been informed that he or she may decline to become a  
30 nonminor dependent and have juvenile court jurisdiction terminated at a  
31 hearing set under rule 5.555;  
32
- 33          (4) Whether the ward was informed that if juvenile court jurisdiction is  
34 terminated, the ward can file a request to return to foster care and may have  
35 the court resume jurisdiction over the ward as a nonminor;  
36
- 37          (5) Whether the benefits of remaining under juvenile court jurisdiction as a  
38 nonminor dependent were explained and whether the ward understands them;  
39
- 40          (6) Whether the ward has signed a mutual agreement with the probation  
41 department for placement in a supervised setting as a nonminor dependent;  
42

1           (7) Whether the ward’s Transitional Independent Living Case Plan includes a  
2           plan for the ward to satisfy at least one of the conditions in section 11403(b);  
3           and

4  
5           (8) Whether the ward has had an opportunity to confer with his or her attorney.

6  
7       **(f) Orders**

8  
9           For a child who comes within the description of section 450(a), the court must enter  
10          the following orders:

11  
12          (1) An order modifying its jurisdiction over him or her from delinquency to  
13          transition jurisdiction and set a nonminor dependent status review hearing  
14          under section 366.31 and rule 5.903 within six months of the last hearing held  
15          under section 727.2 or 366.31. The order modifying the court’s jurisdiction  
16          must contain all of the following provisions:

17  
18               (A) A reference to the initial removal findings, the date those findings were  
19               made, and a statement that the finding “continuance in the home is  
20               contrary to the child’s welfare” and the findings “reasonable efforts  
21               were made to prevent removal” made at that hearing remain in effect;

22  
23               (B) A statement that the child continues to be removed from the parents or  
24               legal guardian from whom the child was removed under the original  
25               petition; and

26  
27               (C) Identification of the agency that is responsible for placement and care  
28               of the child based upon the modification of jurisdiction.

29  
30          (2) An order continuing the appointment of the attorney of record, or appointing  
31          a new attorney, as the attorney of record for the nonminor dependent.

32  
33       **Rule 5.814. Modification to transition jurisdiction for a ward more than 17 years, 5**  
34       **months, and less than 18 years of age**

35  
36       **(a) Purpose**

37  
38           This rule provides the procedures that must be followed to modify delinquency  
39           jurisdiction to transition jurisdiction for a ward more than 17 years, 5 months, and  
40           less than 18 years of age, and who:

41  
42          (1) Appears to have met his or her rehabilitative goals;

43

- 1           (2) Is under a foster care placement order;  
2  
3           (3) Wants to remain in extended foster care under the transition jurisdiction of  
4           the juvenile court;  
5  
6           (4) Is not receiving reunification services; and  
7  
8           (5) Does not have a hearing set for termination of parental rights or  
9           establishment of guardianship.

10  
11 **(b) Setting and conduct of hearing**

- 12  
13           (1) The probation officer must request a hearing for the court to consider  
14           modifying delinquency jurisdiction to transition jurisdiction.  
15  
16           (2) The hearing must be held before a judicial officer and recorded by a court  
17           reporter.  
18  
19           (3) The hearing must be continued for no more than five court days for the  
20           submission of additional evidence as ordered by the court if the court finds  
21           that the report and, if required, the Transitional Independent Living Case Plan  
22           submitted by the probation officer do not provide the information required by  
23           (d) and the court is unable to make all the findings required by (e).  
24

25 **(c) Notice of hearing**

- 26  
27           (1) The probation officer must serve written notice of the hearing in the manner  
28           provided in section 295.  
29  
30           (2) Proof of service of notice must be filed by the probation officer at least five  
31           court days before the hearing.  
32

33 **(d) Reports**

34  
35 At least 10 calendar days before the hearing, the probation officer must submit a  
36 report to the court that includes information regarding:  
37

- 38           (1) Whether the ward is a nonminor who was subject to an order for foster care  
39           placement on the day of his or her 18th birthday and is within the age  
40           eligibility requirements for extended foster care;  
41  
42           (2) Whether the ward was removed from the physical custody of his or her  
43           parents, adjudged to be a ward of the juvenile court under section 725, and

1 ordered into foster care placement as a ward; or that the ward was removed  
2 from the custody of his or her parents as a dependent of the court with an  
3 order for foster care placement in effect at the time the court adjudged him or  
4 her to be a ward of the juvenile court under section 725, and was ordered into  
5 a foster care placement as a ward;

6  
7 (3) Whether the ward's rehabilitative goals as set forth in the case plan have been  
8 met and whether juvenile court jurisdiction over the ward is no longer  
9 required;

10  
11 (4) Whether each parent or legal guardian is currently able to provide the care,  
12 custody, supervision, and support the child requires in a safe and healthy  
13 environment;

14  
15 (5) Whether the probation officer recommends the modification of the juvenile  
16 court's jurisdiction over the ward from that of a ward under section 601 or  
17 602 to that of a transition dependent under section 450, and the facts in  
18 support of the recommendation;

19  
20 (6) Whether the ward intends to sign a mutual agreement with the probation  
21 department or social services agency for placement in a supervised setting as  
22 a nonminor dependent;

23  
24 (7) Whether the ward has plans to meet at least one of the conditions in section  
25 11403(b) and what efforts the probation officer has made to help the ward  
26 meet any of these conditions;

27  
28 (8) When and how the ward was informed of the benefits of remaining under  
29 juvenile court jurisdiction as a transition dependent and the probation  
30 officer's assessment of the ward's understanding of those benefits;

31  
32 (9) When and how the ward was informed that he or she may decline to become  
33 a transition dependent and have the juvenile court terminate jurisdiction at a  
34 hearing under section 391 and rule 5.555; and

35  
36 (10) When and how the ward was informed that if juvenile court jurisdiction is  
37 terminated, he or she can file a request to return to foster care and have the  
38 court resume jurisdiction over him or her as a nonminor.

39  
40 (e) **Findings**

41  
42 At the hearing, the court must make the following findings:  
43

- 1           (1) Whether notice has been given as required by law;
- 2
- 3           (2) Whether the ward comes within the description of section 450;
- 4
- 5           (3) Whether the ward has been informed that he or she may decline to become a
- 6           nonminor dependent and have juvenile court jurisdiction terminated at a
- 7           hearing set under rule 5.555;
- 8
- 9           (4) Whether the ward's return to the home of his or her parent or legal guardian
- 10           would create a substantial risk of detriment to the child's safety, protection,
- 11           or physical or emotional well-being. The facts supporting this finding must
- 12           be stated on the record;
- 13
- 14           (5) Whether reunification services have been terminated;
- 15
- 16           (6) Whether the ward's case has been set for a hearing to terminate parental
- 17           rights or establish a guardianship;
- 18
- 19           (7) Whether the ward intends to sign a mutual agreement with the probation
- 20           department or social services agency for placement in a supervised setting as
- 21           a nonminor dependent;
- 22
- 23           (8) Whether the ward was informed that if juvenile court jurisdiction is
- 24           terminated, the ward can file a request to return to foster care and may have
- 25           the court resume jurisdiction over the ward as a nonminor;
- 26
- 27           (9) Whether the benefits of remaining under juvenile court jurisdiction as a
- 28           nonminor dependent were explained and whether the ward understands them;
- 29
- 30           (10) Whether the ward's Transitional Independent Living Case Plan includes a
- 31           plan for the ward to satisfy at least one of the conditions in section 11403(b);
- 32           and
- 33
- 34           (11) Whether the ward has had an opportunity to confer with his or her attorney.

35

36 **(f) Orders**

37

38 For a child who comes within the description of section 450(a), the court must enter

39 the following orders:

- 40
- 41           (1) An order modifying its jurisdiction over him or her from delinquency to
  - 42           transition jurisdiction and adjudging the ward a transition dependent pending
  - 43           turning 18 years old and assuming the status of a nonminor dependent under

1           the transition jurisdiction of the court. The order modifying the court's  
2           jurisdiction must contain all of the following provisions:

3  
4           (A) A reference to the initial removal findings, the date those findings were  
5           made, and a statement that the finding "continuance in the home is  
6           contrary to the child's welfare" and the findings "reasonable efforts  
7           were made to prevent removal" made at that hearing remain in effect;

8  
9           (B) A statement that the child continues to be removed from the parents or  
10          legal guardian from whom the child was removed under the original  
11          petition; and

12  
13          (C) Identification of the agency that is responsible for placement and care  
14          of the child based upon the modification of jurisdiction.

15  
16          (2) An order continuing the appointment of the attorney of record, or appointing  
17          a new attorney, as the attorney of record for the nonminor dependent.

18  
19          (3) An order setting a nonminor dependent status review hearing under section  
20          366.31 and rule 5.903 within six months of the last hearing held under section  
21          727.2 or 727.3.

22  
23       **5.900. Nonminor dependent—preliminary provisions (§§ 224.1(b), 295, 303, 366,**  
24       **366.3, 388, 391, 607(a))**

25  
26       (a) \*\*\*

27  
28       (b) **Purpose**

29  
30       (1) Maintaining juvenile court jurisdiction under sections 300, ~~or 450, 601, or~~  
31       ~~602~~ over a person as a nonminor dependent is the result of a consensual  
32       agreement between the person and child welfare services agency or the  
33       probation department for a voluntary placement in a supervised setting and  
34       includes the agreement between the social worker or probation officer and the  
35       person to work together to facilitate the implementation of the mutually  
36       developed supervised placement agreement or reentry agreement. ~~and~~  
37       ~~Transitional Independent Living Case Plan.~~

38  
39       (2) Maintaining juvenile court jurisdiction and supervision by the child welfare  
40       services agency or probation department under sections 300, 450, 601, or 602  
41       over a person as a nonminor dependent is for the purpose of implementation  
42       of the mutually developed Transitional Independent Living Case Plan and to  
43       provide providing support, guidance, and foster care services to the person as

1 a nonminor dependent so he or she is able to successfully achieve  
2 independence, including relationships with caring and committed adults who  
3 can serve as lifelong connections.  
4

5 **(c) Legal status**

6  
7 (1) \*\*\*  
8

9 (2) A nonminor dependent retains all his or her legal decision-making authority  
10 as an adult. The decision-making authority of a nonminor dependent under  
11 delinquency jurisdiction may be limited by and subject to the care,  
12 supervision, custody, conduct, and maintenance orders in section 727.  
13

14 **(d)–(e) \*\*\***  
15

16 **(f) Separate court file**  
17

18 (1) The clerk of the superior court must open a separate court file for nonminor  
19 dependents under the dependency, delinquency, or transition jurisdiction of  
20 the court that ensures the confidentiality of the nonminor dependent and only  
21 allows access to those listed in section 362.5.  
22

23 **Rule 5.903. Nonminor dependent status review hearing (§§ 224.1(b), 295, 366(f),**  
24 **366.1, 366.3, 366.31)**  
25

26 **(a)–(c) \*\*\***  
27

28 **(d) Reports**  
29

30 (1) The social worker or probation officer must submit a report to the court that  
31 includes information regarding:

32  
33 (A)–(I) \*\*\*  
34

35 (J) The efforts made by the social worker or probation officer to establish  
36 or maintain the nonminor dependent’s relationship with his or her  
37 siblings who are under the juvenile court’s jurisdiction as required in  
38 section 366(a)(1)(D);  
39

40 (K) For a nonminor dependent whose case plan is continued court-ordered  
41 family reunification services, the information required in section  
42 366.31(d); and  
43

1                   (L) For a nonminor who has returned to the home of the parent or former  
2                   legal guardian, whether continued juvenile court jurisdiction is  
3                   necessary and the facts in support of that conclusion.  
4

5                   (2)–(3) \*\*\*  
6

7                   (e) **Findings and orders**  
8

9                   The court must consider the safety of the nonminor dependent, and the following  
10                  judicial determinations and orders must be made ~~on the record~~ and included in the  
11                  written, signed court documentation of the hearing:  
12

13                  (1) *Findings*  
14

15                   (A)–(N) \*\*\*  
16

17                   (O) Whether reasonable efforts were made by the social worker or  
18                   probation officer to maintain relationships between the nonminor  
19                   dependent and individuals who are important to him or her, including  
20                   the efforts made to establish and maintain relationships with caring and  
21                   committed adults who can serve as lifelong connections; ~~and~~  
22

23                   (P) Whether reasonable efforts were made by the social worker or  
24                   probation officer to establish or maintain the nonminor dependent’s  
25                   relationship with his or her siblings who are under the juvenile court’s  
26                   jurisdiction as required in section 366(a)(1)(D);  
27

28                   (Q) For a nonminor dependent whose case plan is continued court-ordered  
29                   family reunification services, the findings required in section  
30                   366.31(d); and  
31

32                   (R) For a nonminor who has returned to the home of the parent or former  
33                   legal guardian, whether continued juvenile court jurisdiction is  
34                   necessary.  
35

36                  (2) *Orders*  
37

38                   (A) Order the continuation of juvenile court jurisdiction and set a nonminor  
39                   dependent review hearing under this rule within six months, and:  
40

41                   (i)       \*\*\*  
42

1 (ii) Specify the likely date by which independence is anticipated to  
2 be achieved; ~~or~~ and

3  
4 (iii) For a nonminor dependent whose parents are receiving court-  
5 ordered family reunification services:

6  
7 a. Order the continuation of reunification services;

8  
9 b. Order the termination of reunification services; or

10  
11 c. Order that the nonminor may reside in the home of the parent  
12 or former legal guardian and that juvenile court jurisdiction is  
13 terminated or that juvenile court jurisdiction is continued  
14 under section 303(a) and a status review hearing is set within  
15 six months.

16  
17 (B)–(C) \*\*\*

18  
19 **Rule 5.906. Request by nonminor for the juvenile court to resume jurisdiction (§§**  
20 **224.1(b), 303, 388(e))**

21  
22 **(a) Purpose**

23  
24 This rule provides the procedures that must be followed when a nonminor wants to  
25 have juvenile court jurisdiction resumed over him or her as a nonminor dependent  
26 as defined in section 11400(v).

27  
28 **(b)–(c) \*\*\***

29  
30 **(d) Determination of prima facie showing**

31  
32 (1) Within three court days of the filing of form JV-466 with the clerk of the  
33 juvenile court of general jurisdiction, a juvenile court judicial officer must  
34 review the form JV-466 and determine whether a prima facie showing has  
35 been made that the nonminor meets all of the criteria set forth below in  
36 (d)(1)(A)–(D) and enter an order as set forth in (d)(2) or (d)(3).

37  
38 (A) \*\*\*

39  
40 (B) ~~On and after January 1, 2012, the nonminor will not have not attained~~  
41 ~~19 years of age; or commencing January 1, 2013, he or she will not~~  
42 ~~have attained 20 years of age; or commencing on January 1, 2014, he or~~  
43 ~~she will not have~~ The nonminor has not attained 21 years of age;

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(C)–(D) \*\*\*

(2)–(3) \*\*\*

(e)–(g) \*\*\*

**(h) Reports**

(1) The social worker, probation officer, or Indian tribal agency case worker (tribal case worker) must submit a report to the court that includes:

(A) Confirmation that the nonminor was previously under juvenile court jurisdiction subject to an order for foster care placement when he or she attained 18 years of age and that ~~on and after January 1, 2012, the nonminor will not have not attained 19 years of age; or commencing January 1, 2013, he or she will not have attained 20 years of age; or commencing on January 1, 2014, he or she will not have~~ has not attained 21 years of age;

(B)–(F) \*\*\*

(2)–(3) \*\*\*

**(i) Findings and orders**

The court must read and consider, and state on the record that it has read and considered, the report; the supporting documentation submitted by the social worker, probation officer, or tribal case worker; the evidence submitted by the nonminor; and any other evidence. The following judicial findings and orders must be made ~~on the record~~ and included in the written, ~~signed~~ court documentation of the hearing:

(1) *Findings*

(A)–(B) \*\*\*

(C) Whether ~~on and after January 1, 2012, the nonminor will not have attained 19 years of age; or commencing January 1, 2013, he or she will not have attained 20 years of age; or commencing on January 1, 2014, he or she will not have~~ the nonminor has not attained 21 years of age;

(D)–(H) \*\*\*

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(2) *Orders*

(A) If the court finds that the nonminor ~~comes within the age requirements under (i)(1)(C)~~, has not attained 21 years of age, that the nonminor intends to satisfy at least one condition under section 11403(b), and that the nonminor and placing agency have entered into a reentry agreement, the court must:

(i)-(v) \*\*\*

(B) If the court finds that the nonminor ~~comes within the age requirements under (i)(1)(C)~~, has not attained 21 years of age, but the nonminor does not intend to satisfy at least one of the conditions under section 11403(b) and/or the nonminor and placing agency have not entered into a reentry agreement, the court must:

(i)-(iii) \*\*\*

(C) If the court finds that the nonminor ~~does not come within the age requirements under (i)(1)(C)~~, is over 21 years of age, the court must:

(i)-(ii) \*\*\*

(3) \*\*\*

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>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
NONMINOR'S NAME:	
<b>NOTICE OF HEARING</b> <input type="checkbox"/> <b>NONMINOR DEPENDENT REVIEW HEARING</b> <input type="checkbox"/> <b>OTHER</b>	CASE NUMBER:

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

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:

- a.  Review the nonminor dependent's goals and services as described in the Transitional Independent Living Case Plan and the efforts and progress made toward achieving independence.
- b.  Determine if the nonminor dependent can return to the home of a parent or former legal guardian, or whether to terminate or continue court-ordered family reunification services.
- c.  Other (specify):

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

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

4. **TO THE NONMINOR:**

- a. **You have the right to be present at the hearing, to present evidence, and to be represented by an attorney.** You may invite other persons to attend the hearing.
- b. **You may appear for the hearing by telephone.** Instructions about the local court procedures for arranging to appear and appearing at the hearing by telephone are included with this notice.
- c. Prior to the hearing, the social worker or probation officer will prepare a report with recommendations. You must be provided with a copy of this report.
- d. The court will proceed with this hearing whether or not you are present.

5. **TO THE PRESENT SUPERVISOR OF THE NONMINOR DEPENDENT'S RESIDENCE, IF ANY:**

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

NONMINOR'S NAME:	CASE NUMBER:
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6. **TO THE PARENT(S) RECEIVING COURT-ORDERED FAMILY REUNIFICATION SERVICES, IF ANY:**
- 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. Before 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.

Date:

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

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



**Requests 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.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) for *Request for Accommodations by Persons With Disabilities and Response* (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): _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
NONMINOR'S NAME:	
<b>PROOF OF SERVICE—NONMINOR</b>	CASE NUMBER:

I served a copy of the *(name of document)*

on the following persons or entities by personally delivering a copy to the person served, OR by delivering a copy 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 served at the place where the copy was delivered, OR by placing a copy in a sealed envelope and depositing the envelope directly in the United States mail with postage prepaid 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. <input type="checkbox"/> Nonminor<br>a. Name and address:<br><br>b. Date of service:<br>c. Method of service: | <input type="checkbox"/> Attorney<br>a. Name and address:<br><br>b. Date of service:<br>c. Method of service: |
|--|---|

- |  |   |
|--|---|
| 2. <input type="checkbox"/> Social worker <input type="checkbox"/> Probation officer<br>a. Name and address:<br><br>b. Date of service:<br>c. Method of service: | <input type="checkbox"/> Attorney<br>a. Name and address:<br><br>b. Date of service:<br>c. Method of service: |
|--|---|

- |  |   |
|--|---|
| 3. <input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Legal guardian<br>a. Name and address:<br><br>b. Date of service:<br>c. Method of service: | <input type="checkbox"/> Attorney<br>a. Name and address:<br><br>b. Date of service:<br>c. Method of service: |
|--|---|
- Notice provided only if requested by nonminor dependent or the parent is receiving court-ordered family reunification services.

- |   |   |
|---|---|
| 4. <input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Former legal guardian<br>a. Name and address:<br><br>b. Date of service:<br>c. Method of service: | <input type="checkbox"/> Attorney<br>a. Name and address:<br><br>b. Date of service:<br>c. Method of service: |
|---|---|
- Notice provided only if requested by nonminor dependent or the parent is receiving court-ordered family reunification services.

NONMINOR'S NAME:	CASE NUMBER:
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5.  Nonminor dependent's sibling under juvenile court jurisdiction  Attorney
- a. Name and address: a. Name and address:
- b. Date of service: b. Date of service:
- c. Method of service: c. Method of service:
- 
6.  Nonminor dependent's sibling under juvenile court jurisdiction  Attorney
- a. Name and address: a. Name and address:
- b. Date of service: b. Date of service:
- c. Method of service: c. Method of service:
- 
7.  Supervisor of nonminor dependent's residence  Attorney
- a. Name and address: a. Name and address:
- b. Date of service: b. Date of service:
- c. Method of service: c. Method of service:
- 
8.  Other  Attorney
- a. Name and address: a. Name and address:
- b. Date of service: b. Date of service:
- c. Method of service: c. Method of service:
- 
9.  Other  Attorney
- a. Name and address: a. Name and address:
- b. Date of service: b. Date of service:
- c. Method of service: c. Method of service:

10. 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 ( <i>Name, State Bar number, and address</i> ):  TELEPHONE NO.: _____ FAX NO. : _____ E-MAIL ADDRESS: _____ ATTORNEY FOR ( <i>Name</i> ): _____		FOR COURT USE ONLY  <h2 style="margin: 0;">Draft</h2> <h2 style="margin: 0;">Not approved by the</h2> <h2 style="margin: 0;">Judicial Council</h2>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
NONMINOR'S NAME: NONMINOR'S DATE OF BIRTH: HEARING DATE AND TIME: _____ DEPT.: _____		
<b>FINDINGS AND ORDERS AFTER NONMINOR DEPENDENT STATUS REVIEW HEARING</b>		CASE NUMBER:
Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	Other court Personnel:	Interpreter: Language:

- |                                  |                          |                                |                          |
|----------------------------------|--------------------------|--------------------------------|--------------------------|
| <b>1. Parties (<i>name</i>):</b> | <b>Present</b>           | <b>Attorney (<i>name</i>):</b> | <b>Present</b>           |
| a. Nonminor:                     | <input type="checkbox"/> |                                | <input type="checkbox"/> |
| b. Probation officer:            | <input type="checkbox"/> |                                | <input type="checkbox"/> |
| c. County agency social worker:  | <input type="checkbox"/> |                                | <input type="checkbox"/> |
| d. Other ( <i>specify</i> ):     | <input type="checkbox"/> |                                | <input type="checkbox"/> |

2. Tribal representative (*name*):

3. Others present in courtroom:

- a. Other (*specify*):
- b. Other (*specify*):
- c. Other (*specify*):
- d. Other (*specify*):

4. **The court has read and considered and admits into evidence:**

- a.  Report of social worker dated:
- b.  Report of probation officer dated:
- c.  Other (*specify*):
- d.  Other (*specify*):

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

- 5. Notice of the date, time, and location of the hearing was given as required by law.
- 6.  **The nonminor dependent's continued placement is necessary.**
- 7.  **The nonminor dependent's continued placement is no longer necessary.**

NONMINOR'S NAME:	CASE NUMBER:
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8.  **The nonminor dependent's current placement is appropriate.**
9.  **The nonminor dependent's current placement is not appropriate.** The county agency and the nonminor dependent must work collaboratively to locate an appropriate placement.
10.  The nonminor dependent's Transitional Independent Living Case Plan does include a plan for him or her to satisfy the criteria in Welf. & Inst. Code, § 11403(b) to remain in foster care under juvenile court jurisdiction. The specific criteria it is anticipated the nonminor dependent will continue to satisfy are indicated below:
- Attending high school or a high school equivalency certificate (GED) program.
  - Attending a college, a community college, or a vocational education program.
  - Attending a program or participating in an activity that will promote or help remove a barrier to employment.
  - Employed at least 80 hours per month.
  - The nonminor dependent is not able to attend a high school, a high school equivalency certificate (GED) program, a college, a community college, a vocational education program, an employment program or activity, or to work 80 hours per month due to a medical condition.
11.  The county agency  has  has not made reasonable efforts and provided assistance to help the nonminor dependent establish and maintain compliance with the conditions in Welf. & Inst. Code, § 11403(b).
12.  The nonminor dependent  was  was not provided with the information, documents, and services as required under Welf. & Inst. Code, § 391(e).
13.  The Transitional Independent Living Case Plan  was  was not developed jointly by the nonminor dependent and the county agency.
14.  For the nonminor dependent who has elected to have the Indian Child Welfare Act continue to apply, the representative from his or her tribe  was  was not consulted during the development of the nonminor dependent's Transitional Independent Living Case Plan.
15.  The nonminor dependent's Transitional Independent Living Case Plan  does  does not reflect the living situation and services consistent, in the nonminor dependent's opinion, with what he or she needs to gain independence and sets out benchmarks that indicate how both will know when independence can be achieved.
16.  The nonminor dependent's Transitional Independent Living Case Plan  does  does not include appropriate and meaningful independent living skill services that will assist the youth with the transition from foster care to independent living.
17.  The county agency  has  has not made reasonable efforts to comply with the nonminor dependent's Transitional Independent Living Case Plan, including efforts to finalize the youth's permanent plan and prepare him or her for independence.
18.  The nonminor dependent  did  did not sign and receive a copy of his or her Transitional Independent Living Case Plan.
19. a. The extent of progress made by the nonminor dependent toward meeting the Transitional Independent Living Case Plan goals has been:  excellent  satisfactory  minimal.
- b.  The modifications to the Transitional Independent Living Case Plan goals needed to assist the nonminor dependent in his or her efforts to attain those goals were stated on the record.

NONMINOR'S NAME:	CASE NUMBER:
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20. The county agency  has  has not made reasonable efforts to maintain relations between the nonminor dependent and individuals who are important to him or her, including efforts to establish and maintain relationships with caring and committed adults who can serve as lifelong connections.

21. The county agency  has  has not made reasonable efforts to establish or maintain the nonminor dependent's relationship with his or her siblings who are under juvenile court jurisdiction.

22. The likely date by which it is anticipated the nonminor dependent will achieve independence is:

23.  It appears that juvenile court jurisdiction over the nonminor may no longer be necessary and a hearing to consider termination of juvenile court jurisdiction under Cal. Rules of Court, rule 5.555 is ordered.

24.  At a hearing under Cal. Rules of Court, rule 5.555 held on the date below, the juvenile court entered the findings and orders as recorded on the *Findings and Orders After Hearing to Consider Termination of Juvenile Court Jurisdiction Over a Nonminor* (form JV-367) and juvenile court jurisdiction is terminated pursuant to those findings and orders.

25.  Juvenile court jurisdiction over the youth as a nonminor dependent is continued and

a.  The youth's permanent plan is:

(1)  Independence after a period of placement in supervised settings specified in Welf. & Inst. Code, § 11402.

(2)  Other (specify):

b.  Family reunification services are continued.

c. The matter is continued for a hearing set under Welf. & Inst. Code, § 366.31 and Cal. Rules of Court, rule 5.903 within the next six months.

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

27.  Other findings and orders:

a.  See attachment 27a.

b.  (Specify):

28.  Additional findings and orders for nonminor dependent with case plan of continued family reunification services:

a. The agency  has  has not complied with the case plan by making reasonable efforts to create a safe home for the nonminor dependent to reside in and to complete whatever steps are necessary to finalize the permanent plan.

b. The extent of progress made toward alleviating or mitigating the causes necessitating the current out of home placement has been

by the father:

by the mother:

by the nonminor:

Other (specify):

c. The likely date by which the nonminor dependent may safely reside in the family home or achieve independence is:

d. (1)  The nonminor can safely reside in the family home and may return to the family home.

(a)  The court maintains jurisdiction under Welf. & Inst. Code, § 303(a) and a review hearing under Welf. & Inst. Code, § 366.31 is ordered.

(b)  It appears that juvenile court jurisdiction over the nonminor may no longer be necessary and a hearing to consider termination of juvenile court jurisdiction under Welf. & Inst. Code, § 391 and Cal. Rules of Court, rule 5.555 is ordered.

NONMINOR'S NAME:	CASE NUMBER:
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28. d. (2)  The nonminor cannot safely reside in the family home and reunification services are continued.
- (a)  The nonminor dependent and parent(s) or guardian(s) are in agreement with the continuation of reunification services.
  - (b)  Continued reunification services are in the best interest of the nonminor dependent.
  - (c)  There is a substantial probability that the nonminor dependent will be able to safely reside in the family home by the next review hearing.
  - (d)  The matter is continued for a review hearing under Welf. & Inst. Code, § 366.31 and Cal. Rules of Court, rule 5.903 within the next six months.
- d. (3)  The nonminor cannot safely reside in the family home and reunification services are terminated (*check all that apply*):
- (a)  The nonminor dependent and parent(s) or guardian(s) are not in agreement with the continuation of reunification services.
  - (b)  Continued reunification services are not in the best interest of the nonminor dependent.
  - (c)  There is not a substantial probability that the nonminor dependent will be able to safely reside in the family home by the next review hearing.

29.  **Additional findings and orders for nonminor residing in the home of a parent or former legal guardian:**
- a. (1)  It appears that juvenile court jurisdiction over the nonminor may no longer be necessary and a hearing to consider termination of juvenile court jurisdiction under Welf. & Inst. Code, § 391 and Cal. Rules of Court, rule 5.555 is ordered.
  - (2)  Court supervision and juvenile court jurisdiction continues to be necessary. The court maintains jurisdiction under Welf. & Inst. Code, § 303(a). The matter is continued for a review hearing under Welf. & Inst. Code, § 366.31 and Cal. Rules of Court, rule 5.903 within the next six months.
  - b. The county agency  has  has not  complied with the case plan by making reasonable efforts to maintain a safe family home for the nonminor.
  - c. The county agency  has  has not  complied with the nonminor's Transitional Independent Living Case Plan, including efforts to prepare the nonminor for independence.

30. **The next hearings are scheduled as follows:**
- a.  Nonminor dependent review hearing (Welf. Inst. Code, § 366.31; Cal. Rules of Court, rule 5.903)
 

Hearing date:	Time:	Dept:	Room:
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  - b.  Hearing to consider termination of jurisdiction under Cal. Rules of Court, rule 5.555
 

Hearing date:	Time:	Dept:	Room:
---------------	-------	-------	-------
  - c.  Other (*specify*):
 

Hearing date:	Time:	Dept:	Room:
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31. Number of pages attached:

Date:

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

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):  TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR ( <i>Name</i> ): _____	<b>FOR COURT USE ONLY</b>  Draft Not approved by the Judicial Council
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
NONMINOR'S NAME:	
<b>FINDINGS AND ORDERS REGARDING PRIMA FACIE SHOWING ON A NONMINOR'S REQUEST TO REENTER FOSTER CARE</b>	CASE NUMBER:

**Findings and Orders: Prima Facie Showing Made**

1. The court has read and considered:
  - a. *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466) filed by (*insert name*) on (*insert date*)
  - b. Other (*specify*):
  - c. Other (*specify*):
  
2.  The court finds that a prima facie showing has been made that:
  - a. The nonminor was previously under juvenile court jurisdiction subject to an order for foster care placement when he or she attained 18 years of age.
  - b. The nonminor is under 21 years of age.
  - c. The nonminor wants assistance to maintain or secure an appropriate, supervised placement or is in need of immediate placement and agrees to a supervised placement under a voluntary reentry agreement.
  - d. The nonminor intends to satisfy at least one of the conditions described in Welf. & Inst. Code, § 11403(b) (*check all that apply*):
    - (1)  Attending high school or a high school equivalency certificate (GED)
    - (2)  Attending a college, community college, or vocational education program.
    - (3)  Attending a program or participating in an activity that will promote or help remove a barrier to employment.
    - (4)  Employed for at least 80 hours per month.
    - (5)  The nonminor is not able to attend a high school, GED program, a college, a community college, a vocational education program, an employment program or activity, or to work 80 hours per month due to a medical condition.
  
3. The court orders:
  - a. The nonminor's request to return to foster care is set for hearing on (*specify date within 15 days of the date form JV-466 was filed*):
  - b. An attorney is appointed to represent the nonminor solely for the hearing on the request.
  - c.  Other orders:

**Findings and orders: Prima Facie Showing Not Made**

4. The court has read and considered:
  - a.  *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466) filed by (*insert name*) on (*insert date*)

NONMINOR'S NAME:	CASE NUMBER:
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4.  b. Other (specify):  
 c. Other (specify):
5.  The court finds that a prima facie showing has not been made. The nonminor's request to return to foster care is denied because (check all that apply):
- a.  The nonminor was not previously under juvenile court jurisdiction subject to an order for foster care placement when he or she attained 18 years of age.
  - b.  The nonminor is over 21 years of age.
  - c.  The nonminor does not want assistance to maintain or secure an appropriate, supervised placement or does not agree to a supervised placement under a voluntary reentry agreement.
  - d.  The nonminor does not intend to satisfy at least one of the conditions described in Welf. & Inst. Code, § 11403(b) and stated below:
    - (1) Attending high school or a high school equivalency certificate (GED) program
    - (2) Attending a college, community college, or vocational education program
    - (3) Attending a program or participating in an activity that will promote or help remove a barrier to employment
    - (4) Being employed for at least 80 hours per month
    - (5) The nonminor is not able to attend a high school, GED program, a college, a community college, a vocational education program, an employment program or activity, or to work 80 hours per month due to a medical condition.
  - e.  Other (specify reason for denial):
6. The nonminor may file a new request when the issues are resolved.
7. The court clerk must serve on the nonminor the following documents:
- a. A copy of the written order.
  - b. Blank copies of *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466) and *Confidential Information— Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468)
  - c. A copy of *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-464-INFO).
  - d. The names and contact information of attorneys approved by the court to represent children in juvenile court proceedings who have agreed to provide a consultation to nonminors whose requests are denied due to the failure to make a prima facie showing.

Date:

---

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):  TELEPHONE NO.: _____ FAX NO. : _____ E-MAIL ADDRESS: _____ ATTORNEY FOR ( <i>Name</i> ): _____		<b>FOR COURT USE ONLY</b>  Draft Not approved by the Judicial Council
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
NONMINOR'S NAME:		
<b>FINDINGS AND ORDERS AFTER A HEARING TO CONSIDER A NONMINOR'S REQUEST TO REENTER FOSTER CARE</b>		CASE NUMBER:
Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	Other Court Personnel:	Interpreter: Language:

- |                                 | Present                  | <u>Attorney (name):</u> | Present                  |
|---------------------------------|--------------------------|-------------------------|--------------------------|
| 1. <u>Parties (name):</u>       |                          |                         |                          |
| a. Nonminor:                    | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| b. Probation officer:           | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| c. County agency social worker: | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| d. Other ( <i>specify</i> ):    | <input type="checkbox"/> |                         | <input type="checkbox"/> |

2.  Others present
- a. Other (*name*):
- b. Other (*name*):
- c. Other (*name*):

3. **The court has read and considered and admits into evidence:**
- a.  Report of social worker dated:
- b.  Report of probation officer dated:
- c.  Other (*specify*):
- d.  Other (*specify*):
- e.  Other (*specify*):

**Court Grants Request**

4.  **The court makes the findings stated below:**
- a. Notice of the date, time, and location of the hearing was given as required by law.
- b. The nonminor was previously under juvenile court jurisdiction subject to an order for foster care placement when he or she attained 18 years of age.
- c. The nonminor is under 21 years of age.
- d. The nonminor intends to satisfy a condition or conditions under Welf. & Inst. Code § 11403(b).
- e. The condition or conditions under Welf. & Inst. Code § 11403(b) that the nonminor intends to satisfy are (*specify all that apply*):
- (1)  Attending high school or a high school equivalency certificate (GED) program

NONMINOR'S NAME:	CASE NUMBER:
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4. e. (2)  Attending college, a community college, or a vocational education program  
 (3)  Attending a program or participating in an activity that will promote or help remove a barrier to employment  
 (4)  Being employed for at least 80 hours per month  
 (5)  The nonminor is unable to do any of the activities in e(1) –(5) due to a medical condition.
- f. Continuing in a foster care placement is in the nonminor's best interest.
- g. The nonminor and the placing agency have entered into a reentry agreement for placement in a supervised setting under the placement and care responsibility of the placing agency.
- h.  The nonminor who is an Indian child chooses to have the Indian Child Welfare Act apply to him or her as a nonminor dependent.
5.  **The court makes the orders stated below:**
- a. The court grants the request to resume jurisdiction, and juvenile court jurisdiction shall resume over the nonminor as a nonminor dependent.
- b. Placement and care are vested with the placing agency.
- c. The placing agency must develop with the nonminor a new Transitional Independent Living Case Plan and file it with the court within 60 days.
- d.  The social worker or probation officer must consult with the tribal representative regarding a new Transitional Independent Living Case Plan.
- e. A nonminor dependent review hearing under Welf. & Inst. Code, § 391 and Cal. Rules of Court, rule 5.903 is set for (specify a date that is within six months of the date the voluntary reentry agreement was signed): \_\_\_\_/\_\_\_\_/\_\_\_\_
- f. The prior order appointing an attorney for the nonminor is continued and that attorney is appointed until the jurisdiction of the juvenile court is terminated.

#### Court denies request

6.  a. The court finds that the nonminor comes within the eligible age range, but the nonminor does not intend to satisfy at least one of the conditions under Welf. & Inst. Code, § 11403(b) or the nonminor and the placing agency have not entered into a reentry agreement.
- (1) The nonminor's request to return to foster care is denied. The request is denied because (specify the reasons for denial):
- (2) The nonminor may file a new request when the circumstances change.
- (3) The order appointing an attorney to represent the nonminor is terminated and the attorney is relieved as of (specify date seven calendar days after the hearing): \_\_\_\_/\_\_\_\_/\_\_\_\_
- b. The court finds that the nonminor is over 21 years of age.
- (1) The request to have juvenile court jurisdiction resumed is denied; and
- (2) The order appointing an attorney to represent the nonminor is terminated and the attorney is relieved as of (specify date seven calendar days after the hearing): \_\_\_\_/\_\_\_\_/\_\_\_\_

#### Findings and Orders: Service

7. The written findings and orders must be served by the juvenile court clerk on all persons who were served with notice of the hearing.
- a. Service must be by personal service or first-class mail within three court days of the issuance of the order.
- b. Proof of service must be filed.

Date:

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

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

The prospective adoptive parent(s) (*name each if more than one*):

and the nonminor dependent (*name of nonminor dependent*):

1. a. The prospective adoptive parent \_\_\_\_\_, age \_\_\_\_\_, born in (*city, state, of country*)  
 on (*month, day, year*): \_\_\_\_\_ residing at (*address*): \_\_\_\_\_  
 desires to adopt (*name of nonminor dependent*): \_\_\_\_\_
  
- b. The prospective adoptive parent \_\_\_\_\_, age \_\_\_\_\_, born in (*city, state, of country*)  
 on (*month, day, year*): \_\_\_\_\_ residing at (*address*): \_\_\_\_\_  
 desires to adopt (*name of nonminor dependent*): \_\_\_\_\_
  
2. The nonminor dependent \_\_\_\_\_, age \_\_\_\_\_, born in (*city, state, of country*)  
 on (*month, day, year*): \_\_\_\_\_ residing at (*address*): \_\_\_\_\_  
 desires to be adopted by (*name of prospective adoptive parent(s)*): \_\_\_\_\_

The parties agree as follows:

3. That (*name of prospective adoptive parent(s)*): \_\_\_\_\_ and (*name of nonminor dependent*): \_\_\_\_\_  
 have mutually consented to the adoption.
  
4. That (*name of prospective adoptive parent(s)*): \_\_\_\_\_ and (*name of nonminor dependent*): \_\_\_\_\_  
 will assume toward each other the legal relationship of parent(s) and child, and will have all the rights and be subject to all the  
 duties and responsibilities of that relationship.

NONMINOR'S NAME:	CASE NUMBER:
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5. That the prospective adoptive parent(s) and the nonminor dependent request approval of this agreement of adoption and issuance of an order of adoption that *(name of nonminor dependent)* is adopted by *(name of prospective adoptive parent(s))*: and that the name of the nonminor dependent after adoption will be *(full name of nonminor dependent, whether keeping birth name or changing name)*: .

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

SIGNATURE OF PROSPECTIVE ADOPTIVE PARENT

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

SIGNATURE OF PROSPECTIVE ADOPTIVE PARENT

Date:

\_\_\_\_\_

(TYPE OR PRINT NAME)



\_\_\_\_\_

SIGNATURE OF NONMINOR DEPENDENT

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):  TELEPHONE NO.: _____ FAX NO. : _____ E-MAIL ADDRESS: _____ ATTORNEY FOR ( <i>Name</i> ): _____	<b>FOR COURT USE ONLY</b>  <b>Draft</b> <b>Not approved by the</b> <b>Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
NONMINOR'S NAME:	
<b>CONSENT OF SPOUSE OR REGISTERED DOMESTIC PARTNER TO ADOPTION OF NONMINOR DEPENDENT</b>	CASE NUMBER:

Use this form to document the consent of a spouse or registered domestic partner to the adoption of a nonminor dependent when only one spouse or registered domestic partner is the prospective adoptive parent.

*Consent of Spouse or Registered Domestic Partner:*

1. My name is: \_\_\_\_\_
  
2. I am the  spouse  registered domestic partner of petitioner (*name of spouse or domestic partner*) \_\_\_\_\_, who is a person seeking to adopt a nonminor dependent.
  
3. I do hereby fully and freely consent to the adoption of (*name of nonminor dependent*): \_\_\_\_\_, a nonminor dependent, by my  spouse  registered domestic partner.

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

\_\_\_\_\_

(TYPE OR PRINT NAME)

▶

\_\_\_\_\_

(SIGNATURE OF SPOUSE OR REGISTERED DOMESTIC PARTNER)

*No Consent of Spouse or Registered Domestic Partner*

The court has considered the evidence provided by the  social worker  probation officer and finds:

The spouse/registered domestic partner of the prospective adoptive parent is incapable of providing consent to adoption.

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

\_\_\_\_\_

JUDICIAL OFFICER

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

1. Name of prospective adoptive parent(s):
2. Name of nonminor dependent:
3. a. Date of Hearing: \_\_\_\_\_ Dept: \_\_\_\_\_  
 b. Judicial Officer:
- c. Present:  prospective adoptive parent(s)  attorney for prospective adoptive parent(s):  
 nonminor dependent  attorney for nonminor dependent:  
 County Counsel  social worker  
 Other (*specify*): \_\_\_\_\_  probation officer
4. Date and place of nonminor dependent's birth (*specify*):
5. The prospective adoptive parent(s) is or are:  married/registered domestic partner(s)  single

**THE COURT FINDS AND ORDERS THAT:**

6. Notice was given as required by law.
7. All consents required by law have been filed with the court.
8. The nonminor dependent and prospective adoptive parent(s) are present for the hearing.
9. The court has read and considered and admits into evidence:
  - a.  the adoption assessment report prepared by the social worker
  - b.  the adoption assessment report prepared by the probation officer
  - c.  Other (*specify*): \_\_\_\_\_
  - d.  Other (*specify*): \_\_\_\_\_
10. The court has considered the wishes of the nonminor dependent.
11. The nonminor dependent  is  is not eligible for adoption assistance program benefits, and the prospective adoptive parent(s)  has/have  has/have not signed a negotiated adoption assistance agreement,  a copy of which is attached to the report.

NONMINOR'S NAME:	CASE NUMBER:
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- 12. The adoption is in the best interest of the nonminor dependent.
- 13. The prospective adoptive parent(s) and the nonminor dependent have mutually consented to the adoption, as evidenced by their execution of the agreement of adoption dated *(insert date)*: \_\_\_\_\_ filed with the court.
- 14. The agency has provided all necessary documents to the nonminor dependent pursuant to Welf. & Inst. Code § 391(e).
- 15. *Agreement of Adoption of Nonminor Dependent* (form JV-475) is approved.
- 16. The nonminor dependent is now adopted by the adoptive parent(s) and the nonminor dependent and adoptive parent(s) shall assume toward each other the legal relationship of parent(s) and child and shall have all the rights and be subject to all the duties and responsibilities of that relationship.
- 17. The birth parents of the nonminor dependent are, from the time of the adoption, relieved of all parental duties toward, and responsibility for, the adopted nonminor dependent and have no rights over the adopted nonminor dependent.
- 18. The nonminor dependent's name after adoption shall be *(write adoptee's full name, whether retaining original birth name or changing name)*: \_\_\_\_\_ .
- 19. The juvenile court's  dependency  delinquency  transition jurisdiction over the nonminor dependent is terminated.

Date:

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

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

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  TELEPHONE NO.: _____ FAX NO. : _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____		FOR COURT USE ONLY  <b>Draft</b> Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____		
CHILD'S NAME : _____		
<b>FINDINGS AND ORDERS FOR CHILD APPROACHING                  MAJORITY — DELINQUENCY</b>		CASE NUMBER: _____
Judicial Officer: _____	Court Clerk: _____	Court Reporter: _____
Bailiff: _____	Other Court Personnel: _____	Interpreter: Language: _____

Use this form to document the juvenile court's findings and orders regarding the possible modification of jurisdiction over the child from delinquency jurisdiction to transition jurisdiction or dependency jurisdiction, the child's plans for independent living, and his or her status as a nonminor dependent as set forth in Cal. Rules of Court, rule 5.812, at the following hearings:

1. A review hearing under Welf. & Inst. Code, § 727.2 held on behalf of a child approaching majority.
2. A review hearing under Welf. & Inst. Code, § 727.2 during which a recommendation to terminate juvenile court jurisdiction is considered, held on behalf of a child more than 17 years, 5 months and less than 18 years of age; or
3. Any other hearing, during which a recommendation to terminate juvenile court jurisdiction is considered, held on behalf of a child more than 17 years, 5 months and less than 18 years of age who is in a foster care placement or who was subject to an order for a foster care placement as a dependent when he or she was adjudged to be a ward.

If this hearing is also a review hearing under Welf. & Inst. Code, § 727.2 or § 727.3, the findings and orders required in that section and in Cal. Rules of Court, rule 5.810 must be made in addition to the findings and orders on this form.

**BASED ON THE REPORTS READ, CONSIDERED, AND ADMITTED INTO EVIDENCE AND ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:**

**Findings:**

1. a.  The child's rehabilitative goals have been met. Juvenile court jurisdiction over the child as a ward is no longer required. The facts supporting this finding were stated on the record.
- b.  The child's rehabilitative goals have not been met. Continued juvenile court jurisdiction over the child as a ward is required. The facts supporting this finding are stated on the record.
2.  For a dual status child for whom dependency jurisdiction was suspended under Welf. & Inst. Code, § 241.1(e)(5)(A):
  - a.  A return to the child's home would be detrimental to the child and juvenile court jurisdiction over the child as a dependent should be resumed. The facts supporting this finding were stated on the record.
  - b.  A return to the child's home would not be detrimental to the child and juvenile court jurisdiction over the child as a dependent does not need to be resumed. The facts supporting this finding were stated on the record.
3.  For a dual status child for whom the probation department was designated the lead agency under Welf. & Inst. Code, § 241.1(e)(5)(B):
  - a.  A return to the child's home would be detrimental to the child, and juvenile court jurisdiction over the child as a dual status child is no longer required. The facts supporting this finding were stated on the record.

CHILD'S NAME:

CASE NUMBER:

3.  b.  A return to the child's home would not be detrimental to the child, and juvenile court jurisdiction over the child as a dependent is not required. The facts supporting this finding were stated on the record.
4.  For other than a dual status child:
- a.  The child was not a court dependent at the time he or she was declared a ward. The child  does  does not appear to come within the description of Welf. & Inst. Code, § 300 and  cannot  can be returned home safely. The facts supporting this finding were stated on the record.
- b.  The child was subject to an order for a foster care placement as a dependent of the court at the time he or she was adjudged a ward and  does  does not remain within the description of a dependent child under Welf. & Inst. Code, § 300 and a return to the home of his or her parents or legal guardian  would  would not create a substantial risk of detriment to the child's safety, protection, or physical or emotional well-being. The facts supporting the findings were stated on the record.
- c.  Reunification services  have  have not been terminated.
- d.  The child's case  has  has not been set for a hearing to terminate parental rights or establish a guardianship.
- e.  The child  does  does not intend to sign a mutual agreement for a placement in a supervised setting as a nonminor dependent.
5.  The child's Transitional Independent Living Case Plan includes a plan for the child to satisfy the following conditions of eligibility to remain under juvenile court jurisdiction as a nonminor dependent:
- a.  The child plans to continue attending high school or a high school equivalency certificate (GED) program.
- b.  The child plans to attend a college, a community college, or a vocational education program.
- c.  The child plans to take part in a program or activities to promote employment or overcome barriers to employment.
- d.  The child plans to be employed at least 80 hours a month.
- e.  The child may not be able to attend school, college, a vocational program, a program or activities to promote employment or overcome barriers to employment, or to work 80 hours per month due to a medical condition.
6.  The child's Transitional Independent Living Case Plan includes an alternative plan for the child's transition to independence, including housing, education, employment, and a support system in the event the child does not remain under juvenile court jurisdiction after attaining 18 years of age.
7. For an Indian child, he or she  does  does not intend to continue to be considered an Indian child for the purposes of the ongoing application of the Indian Child Welfare Act to him or her as a nonminor dependent.
8.  The child has an in-progress application pending for title XVI Supplemental Security Income benefits, and the continuation of juvenile court jurisdiction until a final decision has been issued to ensure continued assistance with the application process:
- a.  is in the child's best interest.
- b.  is not in the child's best interest as it is not necessary.
9.  The child has an in-progress application pending for Special Immigrant Juvenile Status or other application for legal residency for which an active juvenile court case is required.
10.  The potential benefits of remaining under juvenile court jurisdiction as a nonminor dependent were explained to the child and the child has stated that he or she understands those benefits.
11.  The child was informed that he or she may decline to become a nonminor dependent.
12.  The child was informed that on reaching 18 years of age, he or she may have the right to have juvenile court jurisdiction terminated following a hearing under rule 5.555 of the California Rules of Court.

CHILD'S NAME:	CASE NUMBER:
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13.  The child has been informed that if juvenile court jurisdiction is terminated, he or she may have the right to file a request to return to foster care and have the court resume jurisdiction over him or her as a nonminor dependent.
14. a.  All the information, documents, and services required by Welf. & Inst. Code, § 391(e) have been provided to the child.  
b.  Not all the information, documents, and services required by Welf. & Inst. Code, § 391(e) have been provided to the child.
- (1)  The barriers to providing any missing information, documents, or services can be overcome by the date the child attains 18 years of age.
- (2)  The barriers to providing any missing information, documents, or services may not be overcome by the date the child attains 18 years of age.
15.  The child  was  was not provided with the notices and information required under Welf. & Inst. Code, § 607.5.

**Orders:**

16.  The court having previously determined that the child is a dual status child under Welf. & Inst. Code, § 241.1(e)(5)(A) and that juvenile court jurisdiction over the child as a dependent should be resumed, orders:
- a. Dependency jurisdiction over the child previously suspended is resumed and delinquency jurisdiction is dismissed.
- b. The matter is continued for a status review hearing set under Welf. & Inst. Code, § 366.21 or § 366.31 on the date stated on the record which is within six months of the date of the child's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.
17.  The court having previously determined that the child is a dual status child under Welf. & Inst. Code, § 241.1(e)(5)(B), that the child's rehabilitative goals were achieved, that a return to the minors home would be detrimental, and that juvenile court jurisdiction over the child as a dual status child is no longer required, orders:
- a. The child's dual status is terminated, delinquency jurisdiction over the child is dismissed, and dependency jurisdiction is continued with the child welfare services department responsible for the child's placement and care.
- b. The matter is continued for a status review hearing set under Welf. & Inst. Code, § 366.21 or § 366.31 on the date stated on the record which is within six months of the date of the child's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.
18.  The child comes within the juvenile court's transition jurisdiction as described in Welf. & Inst. Code, § 450.
- a. The child was originally removed from the physical custody of his or her parents or legal guardians on (*specify date*): \_\_\_\_\_ and continues to be removed from their custody.
- b. The removal findings made at that hearing, "continuation in the home is contrary to the child's welfare" and "reasonable efforts were made to prevent removal," remain in effect.
- c. The  child welfare services department  probation department is responsible for the child's placement and care.

The child is adjudged a transition dependent pending his or her attaining the age of 18 years and assuming the status of a nonminor dependent under the transition jurisdiction of this court. The matter is continued for a status review hearing set under Welf. & Inst. Code, § 366.31 and Cal. Rules of Court, rule 5.903 on the date stated on the record which is within six months of the child's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.

19.  The child (1) was not a court dependent at the time he or she was declared a ward; (2) is currently subject to an order for a foster care placement; (3) does not come within the juvenile court's transition jurisdiction; (4) has achieved his or her rehabilitative goals; (5) no longer requires delinquency jurisdiction; and (6) appears to come within the description of Welf. & Inst. Code, § 300 and cannot be returned home safely.
- a. The  probation officer  child's attorney must submit an application, under Welf. & Inst. Code, § 329, to the child welfare services department to commence a proceeding to declare the child a dependent of the court.
- b. The matter is set for a hearing to review the child welfare services department's decision on the date stated on the record which is within 20 court days of the date of this order.

CHILD'S NAME:	CASE NUMBER:
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20.  The child (1) was a court dependent at the time he or she was declared a ward; (2) does not come within the juvenile court's transition jurisdiction; (3) has achieved his or her rehabilitative goals; (4) no longer requires delinquency jurisdiction; and (5) remains within the description of a dependent child under Welf. & Inst. Code, § 300 and a return to the home of a parent or legal guardian would create a substantial risk of detriment to his or her safety, protection, or physical or emotional well-being.
- a.  The child was originally removed from the physical custody of his or her parents or legal guardians on (specify date): \_\_\_\_\_ and continues to be removed from their custody.
  - b.  The removal findings made at that hearing, "continuation in the home is contrary to the child's welfare" and "reasonable efforts were made to prevent removal," remain in effect.
  - c. The  child welfare services department  probation department is responsible for the child's placement and care.

The order terminating jurisdiction over the child as a dependent of the juvenile court is vacated and dependency jurisdiction over the child is resumed. Delinquency jurisdiction is terminated. The matter is continued for a status review hearing set under Cal. Rules of Court, rule 5.903 on the date stated on the record which is within six months of the child's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.

21.  Jurisdiction over the child is not modified from delinquency jurisdiction to dependency jurisdiction or transition jurisdiction:
- a.  The child is returned to the home of the parent or legal guardian. A progress report hearing is set on the date stated on the record.
  - b.  The child is returned to the home of the parent or legal guardian and juvenile court jurisdiction of the child is terminated as set forth in *Petition to Terminate Wardship and Order* (form JV-794).
  - c.  Delinquency jurisdiction is continued and the order for an out-of-home placement in a non-foster care placement remains in full force and effect. A progress report hearing is set on the date stated on the record.
  - d.  Delinquency jurisdiction is continued and the order for a foster care placement remains in full force and effect.
    - (1)  The child intends to meet the eligibility requirements for status as a nonminor dependent after attaining 18 years of age and a status review hearing is set under Cal. Rules of Court, rule 5.903 on the date stated on the record which is within six months of the child's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.
    - (2)  The child does not intend to meet the eligibility requirements for status as a nonminor dependent after attaining 18 years of age.
      - (a)  A hearing to terminate delinquency jurisdiction under Welf. & Inst. Code, §§ 607.2(b)(4) and 607.3 is set for the date stated on the record which is within one month of the child's 18th birthday.
      - (b)  A status review hearing is set under Welf. & Inst. Code, § 727.2. on the date stated on the record which is within six months of the child's most recent status review hearing under Welf. & Inst. Code, § 727.2 or § 727.3.

**22. The next hearings are scheduled as follows:**

- a.  Nonminor dependent review hearing under (Welf. & Inst. Code, § 366.31 and Cal. Rules of Court, rule 5.903

Hearing date:	Time:	Dept:	Room:
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- b.  Hearing to consider termination of jurisdiction under Welf. & Inst. Code, § 391 and Cal. Rules of Court, rule 5.555

Hearing date:	Time:	Dept:	Room:
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CHILD'S NAME:	CASE NUMBER:
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22. c.  Other (specify):

Hearing date:	Time:	Dept:	Room:
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Date:

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

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):  TELEPHONE NO.: _____ FAX NO. : _____ E-MAIL ADDRESS: _____ ATTORNEY FOR ( <i>Name</i> ): _____		<b>FOR COURT USE ONLY</b>  Draft Not approved by the Judicial Council
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CHILD'S NAME :		
<b>FINDINGS AND ORDERS AFTER HEARING TO MODIFY DELINQUENCY JURISDICTION TO TRANSITION JURISDICTION FOR A WARD LESS THAN 18 YEARS OF AGE</b>		CASE NUMBER:
Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	Other Court Personnel:	Interpreter: Language:

Use this form to document the findings and orders regarding the modification of delinquency jurisdiction to transition jurisdiction for a ward more than 17 years, 5 months, and less than 18 years of age, who:

- Has met his or her rehabilitative goals;
- Is under an order for foster care placement;
- Wants to remain in extended foster care under the transition jurisdiction of the juvenile court;
- Is not receiving reunification services; and
- Does not have a hearing set for termination of parental rights or establishment of guardianship.

<b>1. Parties (<i>name</i>):</b>	<b>Present</b>	<b>Attorney (<i>name</i>):</b>	<b>Present</b>
a. Ward:	<input type="checkbox"/>		<input type="checkbox"/>
b. Probation officer:	<input type="checkbox"/>		<input type="checkbox"/>
c. County agency social worker:	<input type="checkbox"/>		<input type="checkbox"/>
d. Other ( <i>specify</i> ):	<input type="checkbox"/>		<input type="checkbox"/>
<b>2. Parent:</b>			
a. ( <i>Name</i> ):	<input type="checkbox"/>	Father	<input type="checkbox"/>
	<input type="checkbox"/>	Mother	<input type="checkbox"/>
b. ( <i>Name</i> ):	<input type="checkbox"/>	Father	<input type="checkbox"/>
	<input type="checkbox"/>	Mother	<input type="checkbox"/>
<b>3. Legal guardian (<i>name</i>):</b>	<input type="checkbox"/>		<input type="checkbox"/>
<b>4. Indian custodian (<i>name</i>):</b>	<input type="checkbox"/>		<input type="checkbox"/>
<b>5. Tribal representative (<i>name</i>):</b>	<input type="checkbox"/>		<input type="checkbox"/>
<b>6. <input type="checkbox"/> Others present</b>			
a. Other ( <i>name</i> ):			

CHILD'S NAME:	CASE NUMBER:
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6. b. Other (name):  
c. Other (name):

7. **The court has read and considered and admits into evidence:**

- a.  Report of social worker dated:  
b.  Report of probation officer dated:  
c.  Other (specify):  
d.  Other (specify):  
e.  Other (specify):

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

**Findings**

8. Notice  has  has not been given as required by law.
9. a.  The ward comes within the description of Welfare and Institutions Code section 450 in that:
- (1) The ward is more than 17 years, 5 months old and less than 18 years of age and is subject to an order for foster care placement.
  - (2) The ward was moved from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the juvenile court under Welf. & Ins. Code, § 725 and ordered into foster care placement as a ward, or the ward was removed from the custody of his or her parents as a dependent of the court with an order for foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under Welf. & Ins. Code, § 725.
  - (3) The ward's rehabilitative goals as set forth in the case plan have been met and juvenile court's delinquency jurisdiction over him or her as a ward is no longer required.
- b.  The ward does not come within the description of Welf. & Inst. Code, § 450 in that (check all that apply):
- (1)  The ward is not more than 17 years, 5 months old and less than 18 years of age and subject to a foster care placement order.
  - (2)  The ward was not removed from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the juvenile court under Welf. & Inst. Code, § 725 and ordered into foster care placement as a ward, nor was the ward removed from the custody of his or her parents as a dependent of the court with an order for a foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under Welf. & Ins. Code, § 725.
  - (3)  The ward's rehabilitative goals as set forth in the case plan have not been met and the juvenile court's delinquency jurisdiction over him or her as a ward is required.
10.  The ward  has  has not been informed that he or she may decline to become a nonminor dependent and have juvenile court jurisdiction terminated at a hearing under Welf. & Inst. Code, § 391 and California Rules of Court, rule 5.555.
11.  The ward's return to the home of his or her legal guardian  would  would not create a substantial risk of detriment to the child's safety, protection, or physical or emotional well-being. The facts supporting this finding are (specify):
12. Reunification services  have  have not been terminated.
13. The ward's case  has  has not been set for a hearing to terminate parental rights or establish a guardianship.

CHILD'S NAME:	CASE NUMBER:
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14. The ward  does  does not intend to sign a mutual agreement for a placement in a supervised setting as a transition dependent.
15. The ward's Transitional Independent Living Case Plan  does  does not include a plan for the ward to satisfy the following conditions of eligibility to remain under juvenile court jurisdiction as a transition dependent (*check all that apply*):
- The ward plans to continue attending high school or a high school equivalency certificate (GED) program.
  - The ward has made plans to attend a college, a community college, or a vocational education program.
  - The ward plans to participate in a program or activities to promote employment or overcome barriers to employment.
  - The ward has made plans to be employed at least 80 hours per month.
  - The ward may not be able to attend school, college, a vocational program, a program or activities to promote employment or overcome barriers to employment, or to work 80 hours per month due to a medical condition.
16. The ward  has  has not had an opportunity to confer with his or her attorney.
17.  **The court makes the following orders modifying jurisdiction:**
- The ward comes within the juvenile court's transition jurisdiction as described in Welf. & Inst. Code, § 450.
    - (1) The ward was originally removed from the physical custody of his or her parents or legal guardians on (*specify date of detention hearing when removal findings were made*): \_\_\_\_\_ and continues to be removed from their custody.
    - (2) The removal findings, "continuance in the home is contrary to the child's welfare" and "reasonable efforts were made to prevent removal," made at that hearing remain in effect.
    - (3) The  probation department or  social service agency is responsible for the minor's placement and care.
  - The minor is adjudged a transition dependent under the transition jurisdiction of this court.
  - Delinquency jurisdiction is terminated.
  - (*Insert name*): \_\_\_\_\_  continues his/her court appointment  is appointed by the court as the attorney of record for the minor.
  - The matter is continued for a status review hearing set under Welf. & Inst. Code, § 391 and California Rules of Court, rule 5.903 on (*date*): \_\_\_\_\_. This date is within six months of the ward's most recent status review hearing under Welf. & Inst. Code, §§ 727.2 or 727.3.
18.  **The court makes the following orders not modifying jurisdiction:**
- The ward does not come within the juvenile court's transition jurisdiction as described in Welf. & Inst. Code, § 450.
  - The ward continues under the delinquency jurisdiction of the court.
  - The matter is continued for a status review hearing on (*date*): \_\_\_\_\_. This date is within six months of the ward's most recent status review hearing under Welf. & Inst. Code, §§ 727.2 or 727.3.
19.  **The court makes the following additional findings and orders to terminate jurisdiction:**
- The ward has met his or her rehabilitative goals, but does not wish to become a transition dependent.
  - A hearing to consider termination of jurisdiction under Welf. & Inst. Code, § 391 and California Rules of Court, rule 5.555 is set on (*date*): \_\_\_\_\_.

Date:

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 JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):  TELEPHONE NO.: _____ FAX NO. : _____ E-MAIL ADDRESS: _____ ATTORNEY FOR ( <i>Name</i> ): _____		<b>FOR COURT USE ONLY</b>  <b>Draft</b> <b>Not approved by the</b> <b>Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
NONMINOR'S NAME:		
<b>FINDINGS AND ORDERS AFTER HEARING TO MODIFY DELINQUENCY JURISDICTION TO TRANSITION JURISDICTION FOR A WARD OVER 18</b>		CASE NUMBER:
Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	Other Court Personnel:	Interpreter: Language:

- |   | Present                  |                         | Present                  |
|---|--------------------------|-------------------------|--------------------------|
| 1. <u>Parties (name):</u>   |                          | <u>Attorney (name):</u> |                          |
| a. Nonminor:  | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| b. Probation officer:   | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| c. County agency social worker:                                       | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| d. Other ( <i>specify</i> ):  | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| 2. Parent:  |                          |                         |                          |
| a. ( <i>Name</i> ):   | <input type="checkbox"/> | Father                  | <input type="checkbox"/> |
|   | <input type="checkbox"/> | Mother                  | <input type="checkbox"/> |
| b. ( <i>Name</i> ):   | <input type="checkbox"/> | Father                  | <input type="checkbox"/> |
|   | <input type="checkbox"/> | Mother                  | <input type="checkbox"/> |
| 3. Legal guardian ( <i>name</i> ):                                    | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| 4. Indian custodian ( <i>name</i> ):                                  | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| 5. Tribal representative ( <i>name</i> ):                             | <input type="checkbox"/> |                         | <input type="checkbox"/> |
| 6. Others present   |                          |                         |                          |
| a. Other ( <i>name</i> ):   |                          |                         |                          |
| b. Other ( <i>name</i> ):   |                          |                         |                          |
| c. Other ( <i>name</i> ):   |                          |                         |                          |
| 7. <b>The court has read and considered and admits into evidence:</b> |                          |                         |                          |
| a. <input type="checkbox"/> Report of social worker dated:            |                          |                         |                          |
| b. <input type="checkbox"/> Report of probation officer dated:        |                          |                         |                          |
| c. <input type="checkbox"/> Other ( <i>specify</i> ):                 |                          |                         |                          |
| d. <input type="checkbox"/> Other ( <i>specify</i> ):                 |                          |                         |                          |
| e. <input type="checkbox"/> Other ( <i>specify</i> ):                 |                          |                         |                          |

NONMINOR'S NAME:	CASE NUMBER:
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**BASED ON THE FOREGOING AND ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:**

**Findings**

8. Notice  has  has not been given as provided by law.
9. a.  The nonminor comes within the description of Welfare and Institutions Code section 450 in that:
- (1) The ward is a nonminor ward in foster care placement who was a ward subject to an order for foster care placement on the day of his or her 18th birthday and is under the age of 21.
  - (2) The ward was removed from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the juvenile court under Welf. & Inst. Code, § 725 and ordered into foster care placement as a ward, or the ward was removed from the custody of his or her parents as a dependent of the court with an order for foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under section 725.
  - (3) The ward's rehabilitative goals as set forth in the case plan have been met and juvenile court's delinquency jurisdiction over him or her as a ward is no longer required.
- b.  The ward does not come within the description of Welf. & Inst. Code, § 450 in that *(select all that apply)*:
- (1)  The ward was not subject to an order for foster care placement on the day of his or her 18th birthday.
  - (2)  The ward is over the age of 21.
  - (3)  The ward was not removed from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the juvenile court under Welf. & Inst. Code, § 725 and ordered into foster care placement as a ward, nor was the ward removed from the custody of his or her parents as a dependent of the court with an order for a foster care placement in effect at the time the court adjudged him or her to be a ward of the juvenile court under Welf. & Inst. Code, § 725.
  - (4)  The ward's rehabilitative goals as set forth in the case plan have not been met and the juvenile court's delinquency jurisdiction over him or her as a ward is required.
10.  The ward  has  has not been informed that he or she may decline to become a nonminor dependent and have juvenile court jurisdiction terminated at a hearing under California Rules of Court, rule 5.555.
11.  The nonminor  was  was not informed that if juvenile court jurisdiction is terminated, the ward can file a request to return to foster care and may have the court resume jurisdiction over the ward as a nonminor dependent.
12.  The benefits of remaining under juvenile court jurisdiction as a nonminor dependent  were  were not explained  and the nonminor understands them.
13.  The ward  has  has not signed a mutual agreement with the probation department for placement in a supervised setting as a nonminor dependent.
14. The ward's Transitional Independent Living Case Plan  does  does not include a plan for the ward to satisfy the following conditions of eligibility to remain under juvenile court jurisdiction as a transition dependent *(check all that apply)*:
- a.  The ward plans to continue attending high school or a high school equivalency certificate (GED) program; *or*
  - b.  The ward has made plans to attend a college, a community college, or a vocational education program; *or*
  - c.  The ward plans to participate in a program or activities to promote employment or overcome barriers to employment; *or*

NONMINOR'S NAME:	CASE NUMBER:
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14. d.  The ward has made plans to be employed at least 80 hours per month; *or*  
 e.  The ward may not be able to attend school, college, a vocational program, a program or activities to promote employment or overcome barriers to employment, or to work 80 hours per month due to a medical condition.
15. The ward  has  has not had an opportunity to confer with his or her attorney.
16.  **The court makes the following orders modifying jurisdiction:**
- The ward comes within the juvenile court's transition jurisdiction as described in Welf. & Inst. Code, § 450.
    - The ward was originally removed from the physical custody of his or her parents or legal guardians on (*specify date of detention hearing when removal findings were made*): \_\_\_\_\_ and continues to be removed from their custody.
    - The removal findings, "continuance in the home is contrary to the child's welfare" and "reasonable efforts were made to prevent removal," made at that hearing remain in effect.
    - The  probation department or  social service agency is responsible for the nonminor's placement and care.
  - The nonminor is adjudged a nonminor dependent under the transition jurisdiction of this court.
  - Delinquency jurisdiction is terminated.
  - (*Insert name*): \_\_\_\_\_  continues his/her court appointment  is appointed by the court as the attorney of record for the nonminor dependent.
  - The matter is continued for a status review hearing set under California Rules of Court, rule 5.903 on (*date*): \_\_\_\_\_. This date is within six months of the nonminor's most recent status review hearing under Welf. & Inst. Code, §§ 727.2 or 727.3.
17.  **The court makes the following orders not modifying jurisdiction:**
- The nonminor does not come within the juvenile court's transition jurisdiction as described in Welf. & Inst. Code, § 450.
  - The nonminor continues under the delinquency jurisdiction of the court.
  - The matter is continued for a status review hearing on (*date*): \_\_\_\_\_. This date is within six months of the nonminor's most recent status review hearing under Welf. & Inst. Code, §§ 727.2 or 727.3.
18.  **The court makes the additional findings and orders to terminate jurisdiction:**
- The nonminor has met his or her rehabilitative goals, but does not wish to become a nonminor dependent.
  - A hearing to consider termination of jurisdiction under Welf. & Inst. Code, § 391 and California Rules of Court, rule 5.555 is set on (*date*): \_\_\_\_\_.

Date:

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 JUDICIAL OFFICER

CHILD'S NAME:  	CASE NUMBER:  
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**CONTINUANCE—JUVENILE DELINQUENCY**

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

1.  **Detention hearing**

The child came before the court for a detention hearing.

a.  The child, the child's parent, or the child's guardian has requested a continuance pursuant to Welfare & Institutions Code section 638. The detention hearing is continued to the next judicial calendar date.

b.  The  child  prosecution  probation officer  parent/guardian  other (*specify*):  
made a motion for continuance by:

written notice timely filed.

oral motion, and good cause was shown for permitting an oral motion.

c.  Good cause exists to grant the continuance in that (*specify*):

. The motion for the continuance is granted.

d.  The court has considered the information contained in the report of the probation officer dated: \_\_\_\_\_ and, based on this information, finds that continuance in the home is contrary to the child's welfare pending a further hearing on the matter

2.  **Jurisdiction, disposition or other delinquency hearing**

a. A motion to continue the (*specify*): \_\_\_\_\_ hearing pursuant to Welfare and Institutions Code section  638  682 was made by the  child  prosecution  probation  parent or guardian  other (*specify*): \_\_\_\_\_

b.  The petitioner provided timely written notice to all parties of the continuance request.

c.  The petitioner did not comply with noticing requirements. Good cause for failing to comply is found.

d.  The order is granted. Good cause for granting the continuance does exist in that

notice of the date, time, and location of the hearing was not given to (*name*): \_\_\_\_\_

new counsel is being appointed.

a determination needs to be made on whether the parent, guardian or adult relative can afford counsel.

the petitioner needs time to subpoena witnesses for the jurisdiction hearing because the child

made an extrajudicial admission and now denies it.

previously indicated an intent to admit the allegations to the court or petitioner but now denies the allegations.

the court is ordering the child and the parent or guardian to participate with the child in a program of counseling or education under Welfare and Institutions Code section 654.

other (*specify*): \_\_\_\_\_

3.  **Other findings and orders:**

See attached.

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

4. This is the (*number*): \_\_\_\_\_ continuance of this hearing.

5. **All parties are ordered to return for the continued hearing:**

Hearing date: _____	Time: _____	Dept: _____	Room: _____
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6. **All prior orders not in conflict with this order remain in full force and effect.**

7. Number of pages attached: \_\_\_\_\_

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

JUDGE   
 JUDGE PRO TEMPORE   
 COMMISSIONER   
 REFEREE