

# JUDICIAL COUNCIL OF CALIFORNIA

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## INVITATION TO COMMENT SPR17-13

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Title	Action Requested
Juvenile Law: Title IV-E Findings and Orders	Review and submit comments by April 28, 2017
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Amend Cal. Rules of Court, rules 5.710, 5.715, and 5.810; revise forms JV-320, JV-415, JV-421, JV-430, JV-433, JV-435, JV-438, JV-440, JV-442, JV-443, JV-445, JV-446, JV-455, JV-457, JV-462, JV-672, JV-674, and JV-678	January 1, 2018
	Contact
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Proposed by	
Family and Juvenile Law Advisory Committee	
Hon. Jerilyn L. Borack, Cochair	
Hon. Mark A. Juhas, Cochair	

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### **Executive Summary and Origin**

The Family and Juvenile Law Advisory Committee proposes amending three rules of court and revising 18 juvenile law forms designed to assist the courts in documenting required findings and orders in out-of-home placement cases. The proposed changes are designed to bring these rules and forms into compliance with recent legislation.

### **Background**

The forms to be revised were originally created to help ensure courts were accurately documenting the findings and orders required by Title IV-E and the Welfare and Institutions Code for children in out of home placement. The 15 dependency forms were last revised in 2011, while the 3 delinquency forms were last revised in 2012. While over the last 5 years there have been changes to the findings and orders related to out of home placement cases, the recent implementation of Senate Bill 794 (Comm. On Human Services; Stats. 2015, ch. 425) requires that these forms be revised. SB 794 had a significant impact on the findings and orders required in juvenile dependency and delinquency cases. Specifically, the legislation did away with planned permanent living arrangements for children under 16 years of age and imposed additional findings and order requirements on the court for all children in out of home placement.

*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 These proposals are circulated for comment purposes only.*

The additional findings and orders requirements are aimed at ensuring that permanency is achieved more quickly for children in out of home care and require the court to make findings regarding the barriers to achieving permanence for the child, among other things.

### **Current Forms**

The Judicial Council adopted a number of forms to assist courts in documenting findings and orders in cases where the child is placed outside of the home, including the following:

*Orders under Welfare and Institutions Code Sections 366.24, 366.26, 727.3, 727.31* (form JV-320)

*Findings and Orders After Dispositional Hearing* (form JV-415)

*Dispositional Attachment: Removal From Custodial Parent-Placement with Nonparent* (form JV-421)

*Findings and Orders After Six-Month Prepermanency Hearing* (form JV-430)

*Six-Month Prepermanency Attachment: Reunification Services Terminated* (form JV-433)

*Findings and Orders After 12-Month Permanency Hearing* (form JV-435)

*Twelve-Month Permanency Attachment: Reunification Services Terminated* (form JV-438)

*Findings and Orders After 18-Month Permanency Hearing* (form JV-440)

*Eighteen-Month Permanency Attachment: Reunification Services Terminated* (form JV-442)

*Eighteen-Month Permanency Attachment: Reunification Services Continued* (form JV-443)

*Findings and Orders After Postpermanency Hearing-Parental Rights Terminated; Permanent Plan of Adoption* (form JV-445)

*Findings and Orders After Postpermanency Hearing-Permanent Plan Other Than Adoption* (form JV-446)

*Findings and Orders After 24-Month Permanency Hearing* (form JV-455)

*Twenty-four-Month Permanency Attachment: Reunification Services Terminated* (form JV-457)

*Findings and Orders After Nonminor Dependent Status Review Hearing* (form JV-462)

*Findings and Orders After Six-Month Prepermanency Hearing-Delinquency* (form JV-672)

*Findings and Orders After Permanency Hearing-Delinquency* (form JV-674)

*Findings and Orders After Postpermanency Hearing* (form JV-678)

In practice, these forms are put to a variety of uses by the courts. Some courts use the forms to document all findings and orders. Other courts have programmed the findings and orders from the forms into their case management systems, and some use them as a template to create their own local findings and order documents.

### **SB 794**

In 2015, the Legislature passed Senate Bill 794 (Comm. on Human Services; Stats. 2015, ch. 425), which implemented large-scale change to the findings and orders required in out-of-home placement cases for dependent and delinquent youth. Specifically, SB 794 revised Family Code section 7950 and Welfare and Institutions Code sections 362.04, 362.05, 366, 366.21, 366.22, 366.25, 366.26, 366.3, 366.31, 706.5, 706.6, 727.2, 727.3, 10618.6, 11386, 11400, 16002, 16501, and 16501.1, to, among other things:

- Narrow the use of planned permanent living arrangements as a catchall option for children in out-of-home placement. Prior to SB 794, the court could designate placement in a foster home or group home (referred to as “another planned permanent living arrangement”) as a long-term plan for children of any age. That is no longer true. Since the adoption of SB 794, the availability of another planned permanent living arrangement as a long-term plan is reserved for children age 16 and older; and
- Require the court to make a variety of additional findings and orders aimed at achieving permanence more quickly for children.

The forms listed above need to be updated to reflect these statutory changes.

### **SB 1060**

The law currently allows, in an adoption proceeding, for continuing contact between the birth relatives and a child if a postadoption contact agreement is entered into voluntarily and is in the best interests of the child at the time the adoption petition is granted. Prior to 2016, when parental rights were terminated and the dependent or delinquent child was ordered placed for adoption, the county adoption agency or the state Department of Social Services was required to take steps to facilitate ongoing sibling contact, including encouraging of prospective adoptive parents to make a plan for facilitating post adoptive contact. In 2015, the Legislature passed Senate Bill 1060 (Leno; Stats. 2015, ch. 719) which requires the county placing agency to facilitate a meeting with the child, the siblings of the child, the prospective adoptive parents, and a facilitator to decide whether to voluntarily execute a postadoption sibling contact agreement. SB 1060 directs the court to inquire into the status of the development of a voluntary postadoption sibling contact agreement at the first review hearing conducted after parental rights have been terminated and adoption has been ordered. Two forms relating to postpermanency planning, forms JV-445 and JV-446, need to be updated to reflect these new requirements.

### **Additional Changes**

During the five years since most of the forms listed above were last revised, other bills and California case law have made minor modifications to the requirements for findings and orders in out-of-home placement cases. The forms need to be updated to reflect these changes in the law as well.

### **The Proposal**

To ensure conformance with the SB 794, SB 1060, and other recent statutory changes and changes in case law, the Family and Juvenile Law Advisory Committee proposes the following forms and rule revisions. These changes will ensure that the forms contain accurate, current information courts can rely on when making findings and orders related to out-of-home placement cases.

## Revisions to Implement SB 794

**Permanent plan options.** Amendments to Welfare and Institutions Code sections 366(a)(2), 366.21(g)(5)(A), 366.22(a)(3), 366.25(a)(3), 366.26, 366.3(h), 727.2, and 727.3 change the permanent plan options available to children in out-of-home placement and require the court to make additional findings regarding the agency's efforts to achieve permanency for the child. To implement these new requirements, the committee proposes the following form and rule changes:

- Revise forms JV-320 (item 16a), JV-433 (item 13), JV-438 (item 10), JV-442 (item 9), JV-446 (item 28), JV-457 (item 8), JV-462 (item 28), JV-674 (item 15), and JV-678 (item 14) to include the newly implemented permanent plan options.
- Revise forms JV-433 (item 14), JV-438 (item 11), JV-442 (item 10), JV-446 (item 29), JV-457 (item 9), JV-674 (item 17), and JV-678 (item 17) to include the new findings related to children 16 and older.
- Revise form JV-462 (item 27) to include the new findings related to nonminors placed in another planned permanent living arrangement.
- Revise form JV-672 (item 14) to reflect new plan options.
- Amend the reference to Welfare and Institutions Code section 366.21(e) in rule 5.710. Pursuant to SB 794, the legislature added to and renumbered Welfare and Institutions Code section 366.21; consequently, the statutory reference in rule 5.710 must be amended to refer to the correct code sections, which are sections 366.22(e) and (g).
- Amend the reference to Welfare and Institutions Code section 366.21(f) in rule 5.715. Pursuant to SB 794, the legislature added to and renumbered Welfare and Institutions Code section 366.21; consequently, the statutory reference in rule 5.715 must be amended to refer to the correct code sections, which are sections 366.22(f) and (g).

**Relative search.** Amendments to Family Code section 7950 mandate that the court make a finding regarding the department's efforts to locate relatives at the permanency hearing where reunification services are terminated, and at every hearing thereafter. To implement these new requirements, the committee proposes revising forms JV-433 (item 9), JV-445 (item 14a), JV-462 (item 21), JV-674 (item 14b(4)), and JV-678 (item 10) to include the relative search finding.

**Ongoing and intensive efforts.** Amendments to Welfare and Institutions Code sections 366(a)(1)(B) and 727.2 require the court to determine whether the child welfare agency has made ongoing and intensive efforts to achieve permanency for children 16 or older. To implement these new requirements, the committee proposes revising forms JV-440 (item 11), JV-445 (item 13), JV-446 (item 17), JV-455 (item 11), JV-462 (item 18), JV-674 (item 10a), and JV-678 (item 11a) to include an ongoing and intensive efforts finding.

**Minor and nonminor dependent parents.** Amendments to Welfare and Institutions Code section 366.22(b) require the court to consider barriers faced by minor or nonminor dependent parents when deciding whether to continue reunification services to 24 months. To implement these new

requirements, the committee proposes revising form JV-443 (item 6a(3)) to require the court to consider minor and nonminor dependent parents.

**“Successful adulthood.”** Amendments to title 42 United States Code section 675 and to Welfare and Institutions Code section 366.3(e)(10) require that children age 14 and older in out-of-home placement receive services to help them achieve successful adulthood (previously referred to as “independence”). To implement these new requirements, the committee proposes:

- Revising forms JV-320 (item 20), JV-421 (item 32), JV-430 (item 20), JV-435 (item 20), JV-440 (item 21), JV-445 (item 20), JV-446 (item 26), and JV-455 (item 21) to update this finding.
- Revising forms JV-462 (items 15, 16, 24, 28 & 33), JV-672 (item 15), JV-674 (item 18), and JV-678 (item 18) to change all references to “independence” to “successful adulthood.”

### ***Postpermanency hearings.***

SB 794 amended Welfare and Institutions Code section 727.3(a)(5), the statute that discusses permanency hearings for delinquent children, to include the additional findings and orders, but did not amend Welfare and Institutions Code section 727.2(g), the statute that addresses postpermanency hearings. Since the new findings and orders required by SB 794 are aimed at achieving permanence more quickly for children, it seems incongruous not to require the new findings and orders at both permanency and postpermanency hearings. Consequently, the committee proposes revising form JV-678 to include the additional findings and orders, and amending rule 5.810(c)(2)(A), to clarify that the new findings and orders set forth in Welfare and Institutions Code section 727.3(a)(5) should also be made at postpermanency hearings.

### **Revisions to implement SB 1060**

As noted above, SB 1060 encourages postadoption contact between siblings and, to that end, requires the court to inquire about the development of voluntary postadoption sibling contact agreements. To comply with SB 1060, the committee proposes revising forms JV-445 (item 24) and JV-446(item 23) to include a check box that indicates whether a postadoption sibling contact agreement has been developed and, if not specifies that the court inquired about the development of a voluntary postadoption contact agreement for the siblings.

### **Additional Proposed Revisions**

For example, the committee proposes that certain forms be revised to include information about whether the child has an order for psychotropic medication, so that the court and justice partners can closely track children with such orders. The committee also recommends that form JV-443, which is used at 18-month review hearings in dependency cases, contain a check box that

indicates the court is ordering additional services because the human services agency failed to offer reasonable services.

**Time limits.** Welfare and Institutions Code section 727.3 sets forth the time limits on reunification services for parents. Although this code section was not changed by SB 794, the time limits on reunification services for parents of delinquent youth are currently not clearly delineated on the findings and order forms. The committee proposes revising forms JV-674 (item 14) and JV-678 (item 5) to clarify when services are continued or terminated. This will make the findings and orders more straightforward will ensure legally accurate findings.

**Psychotropic medication.** Recent legislation, Senate Bill 238 (Mitchell; Stats. 2015, ch. 534), requires closer court oversight of children who have a court order for psychotropic medication. While not specifically required by statute, the inclusion of a check box that indicates whether or not the child has a psychotropic medication order and documents the date of the next hearing on that order will allow the court and parties to track psychotropic medication orders and comply with the statutory requirements. The committee therefore proposes revising forms JV-421 (item 29), JV-430 (item 17), JV-435 (item 17), JV-440 (item 18), JV-445 (item 17), JV-446 (item 27), JV-672 (item 21), JV-674 (item 24), and JV-678 (item 23) to include a psychotropic medication order finding.

**Continue reunification services past 18 months.** Recently, *In re J.E.* (2016) 3 Cal.App.5<sup>th</sup> 557 reiterated that the court has the discretion to continue reunification services past 18 months when the court finds that reasonable services have not been provided to the parent. Revising form JV-443 to include a finding authorizing continued reunification services at the 18-month hearing will ensure the form is as accurate as possible. The committee therefore proposes revising form JV-443 (item 6c) to include the following language for the finding:

“The court finds reasonable reunification services have not been provided. Based on this finding and other relevant factors, including the likelihood of success of further reunification services and the child’s need for a prompt resolution of dependency status, the court finds good cause to continue reunification services to \_\_\_\_.”

- **Revisions to Provide Information on Appellate Rights.** California Rules of Court, rule 5.590(a) requires that a parent must be present at the court hearing to be advised of his or her appellate rights. The committee considered a request to change this rule but determined that the rule is appropriate as drafted. Instead, the committee decided existing forms would be an appropriate vehicle to provide parents with information about the right to seek appellate review and alert them that they will not be advised of their appellate rights if they fail to appear at a future hearing. The committee therefore proposes revising forms JV-415, JV-430, JV-435, JV-440, and JV-455 to include the following language in a section titled “For Your Information”:

“You may have a right to appellate review of some or all of the orders made during this hearing. Contact your attorney to discuss your appellate rights.

Decisions made at the next hearing may also be subject to appellate review. If you do not attend the next hearing you may not be advised of your appellate rights. Contact your attorney if you miss the next hearing and want to discuss your appellate rights.”

The committee would like feedback on whether adding this proposed language on the forms is sufficient; or, in the alternative, whether a link to a website maintained by the Judicial Council, with information on the right to seek appellate review, would be an appropriate tool to provide information to parties about their potential right to seek appellate review of the court’s orders.

### **Alternatives Considered**

The committee considered addressing recent legislative changes to the required findings and orders through trainings and technical assistance; however, many courts have asked for revised findings and orders documents that reflect the recent legal changes. In addition, this seems to be an opportune time to revise the findings and orders since many courts are moving to new case management systems. Revising the findings and orders now will facilitate inputting the new findings and orders into the case management system along with all the other information that has to be entered. The committee considered taking up this proposal for the winter cycle but, after discussion, determined that revising such a large number of forms would be better suited to the later spring cycle.

The committee considered not including on the forms a finding noting whether the child has an order for psychotropic medications. After considering the keen interest on the subject from the legislature and the public, and the value that would be added to the forms by providing the courts and parties a mechanism by which to track psychotropic medication orders, the committee proposes including such a finding on the forms.

The committee also considered not proposing revising form JV-443 to include a finding that authorizes more than 18 months of reunification services when reasonable services have not been provided. The enumerated exceptions to the 18-month time limit set forth in Welfare and Institutions Code section 366.22(b)—parent has made progress in substance abuse treatment; parent has recently been released from incarceration, institutionalization, or the custody of the Department of Homeland Security—do not include child welfare’s failure to provide reasonable services. However, recent case law reiterating that the court has the discretion to continue reunification services past the 18-month mark suggests that such a finding is necessary to make the form as accurate as possible. As such, the committee proposes including a finding authorizing more than 18 months of services when the court finds that reasonable services have not been provided.

In addition, the committee considered whether to revise the independent living finding on the juvenile delinquency findings and order forms. The committee acknowledges that the 600 section of the Welfare and Institutions Code was not revised to reflect the changes made by the federal legislation, which now requires that children in out-of-home placement who are 14 and

older—rather than 16 and older—receive independent living planning. The committee believes, however, that the federal legislation’s application to both dependent and delinquent youth is clear. Consequently, the committee proposes revising the independent living finding on the delinquency forms as well as the dependency forms.

The committee considered not proposing amending rule 5.810 to require compliance with the findings and orders required in Welfare and Institutions Code section 727.3(a)(5). However, after discussion the committee decided that the spirit of SB 794 required that the rule be amended to ensure that the appropriateness of the child’s permanent plan remain a point of inquiry at postpermanency hearings.

Finally, the committee considered whether to revise rule 5.903 (nonminor dependent status review hearing), the partner rule to form JV-462. The revisions to the rule would have incorporated references to the social worker or probation officer’s efforts to finalize the permanent plan of a nonminor placed in another planned permanent living arrangement, as well as the continuing appropriateness of another planned permanent living arrangement as a permanent plan. However, efforts to achieve the permanent plan and the appropriateness of the nonminor’s plan are already included in the current version of rule 5.903. Consequently, the committee decided revising the rule is unnecessary, as it would be redundant.

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

This proposal will result in minimal printing costs and may result in a temporary increase in employee labor for those courts that need to reprogram existing case management systems. On the other hand, it will likely result in a statewide savings because courts will not have to devote employee resources to developing legally accurate forms. Instead, these revised forms will be provided to courts statewide.

## 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 appropriately address the stated purpose?
- Is it useful to include an additional finding that documents whether the child has a psychological medications order and sets forth the next hearing date on that order on the findings and orders forms?
- Should form JV-443, *Eighteen-Month Permanency Attachment: Reunification Services Continued*, include a finding that reunification services be extended to 24 months when the court finds that reasonable services have not been provided?
- Title 42 United States Code section 675 was amended to require that independent living planning begin for children at age 14 or older who are in out-of-home placement, rather than age 16 or older; however, the Welfare and Institutions Code was amended only to require that dependent youth—but not delinquent youth—receive independent living planning at age 14 or older. Should the findings and orders that relate to delinquent youth also be revised to require independent living planning for children at age 14 or older who are in out-of-home placement?
- Recently, concerns have been raised regarding the clarity of the process for requesting termination of parental rights. Currently, this request is embedded in a number of forms in this proposal. Would it be helpful if requests to terminate parental rights were made on a separate attachment that was filed with the court?
- The legislation driving the revision of these 18 juvenile law forms also impacts nonminor dependents. Specifically, the legislation contemplates speaking with nonminor dependents about their permanent plans, which seems to contradict the stated goal of extended foster care: achieving independence. Should form JV-462 remain untouched, despite the statutory changes that explicitly apply to nonminor dependents?
- Likewise, should rule 5.903 (the rule governing nonminor dependent status review hearings), be revised to include language related to the appropriateness of another planned permanent living arrangement?
- Would providing a link on the forms to a website maintained by the Judicial Council with information on the right to seek appellate review be an appropriate vehicle to inform parties of their potential right to seek appellate review?

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

- Would the proposal provide cost savings? If so, please quantify.
- 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 six months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

### **Attachments and Links**

1. Proposed amended Cal. Rules of Court, rules 5.710, 5.715 and 5.810, at pages 11–14
2. Proposed revised forms JV-320, JV-415, JV-421, JV-430, JV-433, JV-435, JV-438, JV-440, JV-442, JV-443, JV-445, JV-446, JV-455, JV-457, JV-462, JV-672, JV-674, and JV-678, at pages 15–93

Rules 5.710, 5.715, and 5.810 of the California Rules of Court would be amended, effective January 1, 2018, to read:

1 **Title 5. Family and Juvenile Rules**  
2

3 **Rule 5.710. Six-month review hearing**  
4

5 **(a) Determinations and conduct of hearing (§§ 364, 366, 366.1, 366.21)**  
6

7 At the hearing, the court and all parties must comply with all relevant requirements  
8 and procedures in rule 5.708, General review hearing requirements. The court must  
9 make all appropriate findings and orders specified in rule 5.708 and proceed under  
10 section 366.21(e) and (g), and as follows:  
11

12 (1) – (4) \*\*\*  
13

14 **(b) \*\*\***  
15

16 **Rule 5.715. Twelve-month permanency hearing**  
17

18 **(a) \*\*\***  
19

20 **(b) Determinations and conduct of hearing (§§ 309(e), 361.5, 366, 366.1, 366.21)**  
21

22 At the hearing, the court and all parties must comply with all relevant requirements  
23 and procedures in rule 5.708, General review hearing requirements. The court must  
24 make all appropriate findings and orders specified in rule 5.708 and proceed under  
25 section 366.21(f) and (g) as follows:  
26

27 (1) – (5) \*\*\*  
28

29 **Rule 5.810. Reviews, hearings, and permanency planning**  
30

31 **(a) \* \* \***  
32

33 **(b) Permanency planning hearings**  
34

35 (1) – (2) \*\*\*  
36

37 (3) *Selection of a permanent plan (§ 727.3(b))*  
38

39 At the first permanency planning hearing, the court must select a permanent  
40 plan. At subsequent permanency planning hearings that must be held under  
41 section 727.2(g) and rule 5.810(c), the court must either make a finding that  
42 the current permanent plan is appropriate or select a different permanent

1 plan, including returning the child home, if appropriate. The court must  
2 choose from one of the following permanent plans, listed in section 727.3(b)  
3 which are, in order of priority:  
4

- 5 (A) ~~A permanent plan that immediately returns the child to the physical~~  
6 ~~custody of the parent or guardian. This plan must be the permanent~~  
7 ~~plan unless no reunification services were offered under section~~  
8 ~~727.2(b), or unless the court finds that the probation department has~~  
9 ~~established by a preponderance of evidence that return would create a~~  
10 ~~substantial risk of detriment to the safety, protection, or physical or~~  
11 ~~emotional well being of the ward. The probation department has the~~  
12 ~~burden of establishing that detriment. In making its determination, the~~  
13 ~~court must review and consider all reports submitted to the court and~~  
14 ~~must consider the efforts or progress, or both, demonstrated by the~~  
15 ~~child and family and the extent to which the child availed himself or~~  
16 ~~herself of the services provided.~~
- 17 (B) ~~A permanent plan of return of the child to the physical custody of the~~  
18 ~~parent or guardian, after 6 additional months of reunification services.~~  
19 ~~The court may not order this plan unless the court finds that there is a~~  
20 ~~substantial probability that the child will be able to return home within~~  
21 ~~18 months of the date of initial removal or that reasonable services~~  
22 ~~have not been provided to the parent or guardian.~~
- 23 (C) ~~A permanent plan of adoption. When this plan is identified, the court~~  
24 ~~must order that a hearing under section 727.31 be held within 120~~  
25 ~~days.~~
- 26 (D) ~~A permanent plan of legal guardianship. When this plan is ordered, the~~  
27 ~~court must set a hearing under the procedures described in section 728~~  
28 ~~and rule 5.815.~~
- 29 (E) ~~A permanent plan of placement with a fit and willing relative. When~~  
30 ~~this plan is ordered, the court must specify that the child will be placed~~  
31 ~~with the appropriate relative on a permanent basis.~~
- 32 (F) ~~A permanent plan of placement in a planned permanent living~~  
33 ~~arrangement. The court may order this permanent plan only after~~  
34 ~~considering, and ruling out, each of the other permanent plan options~~  
35 ~~listed above. If, after doing so, the court concludes that a planned~~  
36 ~~permanent living arrangement is the most appropriate permanent plan~~  
37 ~~for the child, it must also enter a finding, by clear and convincing~~  
38 ~~evidence, that there is a compelling reason, as defined in section~~  
39 ~~727.3(c), for determining that a plan of termination of parental rights~~  
40 ~~and adoption is not in the best interest of the child. When a planned~~  
41 ~~permanent living arrangement is ordered, the court must specify the~~  
42 ~~type of placement. The court must also specify the goal of the~~  
43 ~~placement, which may include, but is not limited to, a goal of the child~~

1                    ~~returning home, emancipation, guardianship, or permanent placement~~  
2                    ~~with a relative.~~

3  
4            (4) \*\*\*

5  
6            **(c) Postpermanency status review hearings (§ 727.2)**

7  
8            A postpermanency status review hearing must be conducted for wards in placement  
9            no less frequently than once every six months.

10  
11           (1) *Consideration of reports (§ 727.2(d))*

12  
13           The court must review and consider the social study report and updated case  
14           plan submitted for this hearing by the probation officer and the report  
15           submitted by any CASA volunteer, and any other reports filed with the court  
16           under section 727.2(d).

17  
18           (2) *Findings and orders (§ 727.2(g))*

19  
20           At each postpermanency status review hearing, the court must consider the  
21           safety of the ward and make findings and orders regarding the following:

22  
23           (A) Whether the current permanent plan continues to be appropriate. If not,  
24           the court must select a different permanent plan, including returning the  
25           child home, if appropriate. If the plan is another planned permanent  
26           living arrangement, the court must meet the requirements set forth in  
27           Welfare and Institutions Code section 727.3(a)(5);

28  
29           (B) The continuing necessity for and appropriateness of the placement;

30  
31           (C) The extent of the probation department’s compliance with the case plan  
32           in making reasonable efforts to complete whatever steps are necessary  
33           to finalize the permanent plan for the child;

34  
35           (D) Whether the child was actively involved, as age- and developmentally  
36           appropriate, in the development of his or her own case plan and plan  
37           for permanent placement. If the court finds that the child ~~or youth~~ was  
38           not appropriately involved, the court must order the probation  
39           department to actively involve the child in the development of his or  
40           her own case plan and plan for permanent placement, unless the court  
41           finds that the child is unable, unavailable, or unwilling to participate;  
42           and  
43

1 (E) If sibling interaction has been suspended and will continue to be  
2 suspended, sibling interaction is contrary to the safety or well-being of  
3 either child.

4

5 **(d)-(e) \* \* \***

6

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER:  NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>   <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>ORDERS UNDER WELFARE AND INSTITUTIONS CODE</b> <b>SECTIONS 366.24, 366.26, 727.3, 727.31</b>	CASE NUMBER:

Child's name:			
Date of birth:	Age:		
Parent's name (if known):	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	
Parent's name (if known):	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	

1. a. Hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
 b. Judicial officer: \_\_\_\_\_  
 c. Parties and attorneys present: \_\_\_\_\_

2.  The court has read and considered the assessment prepared under Welfare and Institutions Code section 361.5(g), 366.21(i), 366.22(c), or 366.25(b) and the report and recommendation of the  social worker  probation officer  and other evidence.
3.  The court has considered the wishes of the child, consistent with the child's age, and all findings and orders of the court are made in the best interest of the child.

**THE COURT FINDS AND ORDERS**

4. a.  Notice has been given as required by law.  
 b.  This case involves an Indian child, and the court finds that notice has been given to the parents, Indian custodian, Indian child's tribe, and the Bureau of Indian Affairs (BIA) in accordance with Welfare and Institutions Code section 224.2; the original certified mail receipts, return cards, copies of all notices, and any responses to those notices are in the court file.
5.  **For child 10 years of age or older who is not present: The child was properly notified under Welfare and Institutions Code section 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.**
6.  The court takes judicial notice of all prior findings, orders, and judgments in this proceeding.
7.  The court previously made a finding denying or terminating reunification services under Welfare and Institutions Code section 361.5, 366.21, 366.22, 366.25, 727.2, or 727.3, for  
 parent (name): \_\_\_\_\_  Mother  Father  
 parent (name): \_\_\_\_\_  Mother  Father

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8. a.  There is clear and convincing evidence that it is likely the child will be adopted.
- b.  This case involves an Indian child, and the court finds by evidence beyond a reasonable doubt, including the testimony of one or more qualified expert witnesses, that continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child. *(If item 8a or 8b is checked, go to item 9 unless item 10, 11, 12, or 13 is applicable. If item 8a or 8b is not checked, go to item 15 or 16.)* **The fact that the child is not placed in a preadoptive home or with a person or family prepared to adopt the child is not a basis for concluding that the child is unlikely to be adopted.**

9. The parental rights of
- a.  parent (name):  Mother  Father
- b.  parent (name):  Mother  Father
- c.  alleged fathers (names):
- d.  unknown mother  all unknown fathers
- are terminated, adoption is the child's permanent plan, and the child is referred to the California Department of Social Services or a local licensed adoption agency for adoptive placement.
- e. **The adoption is likely to be finalized by (date):**  
*(If item 9 is checked, go to item 17.)*

10. This case involves an Indian child. The parental rights of
- a.  parent (name):
- b.  parent (name):
- c.  Indian custodians (names):
- d.  alleged fathers (names):
- e.  unknown mother  all unknown fathers
- are modified in accordance with the tribal customary adoption order of the (specify): \_\_\_\_\_ tribe, dated \_\_\_\_\_ and comprising \_\_\_\_\_ pages, which is accorded full faith and credit and fully incorporated herein. The child is referred to the California Department of Social Services or a local licensed adoption agency for tribal customary adoptive placement in accordance with the tribal customary adoption order.  
*(If item 10 is checked, go to item 17.)*

11.  The child is living with a relative who is unable or unwilling to adopt the child because of circumstances that do not include an unwillingness to accept legal or financial responsibility for the child, but who is willing and capable of providing the child with a stable and permanent environment through legal guardianship. Removal of the child from the custody of his or her relative would be detrimental to the emotional well-being of the child. *(If item 11 is checked, go to item 15 or 16.)*

12.  Termination of parental rights would be detrimental to the child for the following reasons *(If item 12 is checked, check reasons below and go to item 15 or 16):*
- a.  The parents or guardians have maintained regular visitation and contact with the child, and the child would benefit from continuing the relationship.
- b.  The child is 12 years or older and objects to termination of parental rights.
- c.  The child is placed in a residential treatment facility, adoption is unlikely or undesirable, and continuation of parental rights will not prevent a permanent family placement if the parents cannot resume custody when residential care is no longer needed.
- d.  The child is living with a foster parent or Indian custodian who is unable or unwilling to adopt the child because of exceptional circumstances that do not include an unwillingness to accept legal or financial responsibility for the child, but who is willing and capable of providing the child with a stable and permanent environment. Removal of the child from the physical custody of the foster parent or Indian custodian would be detrimental to the emotional well-being of the child. This clause does not apply to any child who is either
- (1) under the age of 6; or
- (2) a member of a sibling group with at least one child under the age of 6 and the siblings are or should be placed together.

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12. e.  There would be substantial interference with the child's sibling relationship.
- f.  The child is an Indian child, and there are compelling reasons for determining that termination of parental rights would not be in the best interest of the child, including, but not limited to:
- (1) Termination of parental rights would substantially interfere with the child's connection to his or her tribal community or the child's tribal membership rights.
  - (2) The child's tribe has identified guardianship or another permanent plan for the child.

13.  Termination of parental rights would not be detrimental to the child, but no adoptive parent has been identified or is available, and the child is difficult to place because the child *(if item 13 is checked, check reasons below and go to item 14)*:
- a.  is a member of a sibling group that should stay together.
  - b.  has a diagnosed medical, physical, or mental disability.
  - c.  is 7 years or older.

14. a.  Termination of parental rights is not ordered at this time. Adoption is the permanent **plan**, and efforts are to be made to locate an appropriate adoptive family. A report to the court is due by *(date, not to exceed 180 days from the date of this order)*:

*(Do not check in the case of a tribal customary adoption. If item 14a is checked, provide for visitation in items 14b and 14c as appropriate, and go to item 17.)*

- b.  Visitation between the child and
- |   |                                 |                                 |
|---|---------------------------------|---------------------------------|
| <input type="checkbox"/> parent <i>(name)</i> :         | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> parent <i>(name)</i> :         | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> legal guardian <i>(name)</i> : |                                 |                                 |
| <input type="checkbox"/> other <i>(name)</i> :          |                                 |                                 |

is scheduled as follows *(specify)*:

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

15.  The child's permanent plan is legal guardianship.

*(Name)*:  
is appointed legal guardian of the child, and *Letters of Guardianship* will issue. *(Do not check in case of a tribal customary adoption. If item 15 is checked, provide for visitation in items 15a and 15b as appropriate, and go to item 15c or 15d.)*

- a.  Visitation between the child and
- |   |                                 |                                 |
|---|---------------------------------|---------------------------------|
| <input type="checkbox"/> parent <i>(name)</i> :         | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> parent <i>(name)</i> :         | <input type="checkbox"/> Mother | <input type="checkbox"/> Father |
| <input type="checkbox"/> legal guardian <i>(name)</i> : |                                 |                                 |
| <input type="checkbox"/> other <i>(name)</i> :          |                                 |                                 |

is scheduled as follows *(specify)*:

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

- c.  Dependency       Wardship      is terminated.
- d.  Dependency       Wardship      is terminated. The likely date for termination of the dependency or wardship is *(date)*:  
*(If this item is checked, go to item 17.)*

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The juvenile court retains jurisdiction of the guardianship under Welfare and Institutions Code section 366.4.

16. a.  The child remains placed with (name of placement):  
with a permanent plan of (specify):
- |  |   |
|--|---|
| (1) <input type="checkbox"/> Returning home            | (5) <input type="checkbox"/> Permanent placement with a fit and willing relative  |
| (2) <input type="checkbox"/> Adoption                  | (6) <input type="checkbox"/> Independent living with identification of a caring adult to serve as a lifelong connection |
| (3) <input type="checkbox"/> Tribal customary adoption |   |
| (4) <input type="checkbox"/> Legal guardianship        |   |

**The child's permanent plan is likely to be achieved by (date):**  
(If item 16a is checked, provide for visitation in items 16b and 16c as appropriate, and go to item 17.)

- b.  Visitation between the child and  
 parent (name):  Mother  Father  
 parent (name):  Mother  Father  
 legal guardian (name):  
 other (name):  
 is scheduled as follows (specify):

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

17.  The child's placement is necessary.
18.  The child's placement is appropriate.
19.  The agency has complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent plan. If this case involves an Indian child, the court finds that the agency has made active efforts to provide remedial and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have proven unsuccessful.
20.  The services set forth in the case plan include those needed to assist the child age 14 or older in making the transition from foster care to successful adulthood. (This finding is required only for a child 14 years of age or older.)
21.  The child remains a  dependent  ward of the court. (If this box is checked, go to items 22 and 23 if applicable, and items 24 and 25.)
22.  All prior orders not in conflict with this order will remain in full force and effect.
23.  Other (specify):

24.  Next hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept: \_\_\_\_\_ Room: \_\_\_\_\_
- a.  Continued hearing under section 366.26 for receipt of report on attempts to locate an adoptive family
- b.  Continued hearing under section 366.24(c)(6) for receipt of the tribal customary adoption order
- c.  Six-month postpermanency review

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25. The  Parent (*name*):  Mother  Father  
 Parent (*name*):  Mother  Father  
 Indian custodian (*name*):  
 Child  
 Other (*name*):

have been advised of their appeal rights (under Cal. Rules of Court, rule 5.590).

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

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

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>   <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>FINDINGS AND ORDERS AFTER DISPOSITIONAL HEARING</b> (Welf. & Inst. Code, § 361 et seq.)	CASE NUMBER:

1. This matter came before the court on the  
 original petition     subsequent petition     supplemental petition     other (specify):  
 filed on (date):

2. **Dispositional hearing**

- |                             |                                     |
|-----------------------------|-------------------------------------|
| a. Date:                    | e. Court reporter (name):           |
| b. Department:              | f. Bailiff (name):                  |
| c. Judicial officer (name): | g. Interpreter (name and language): |
| d. Court clerk (name):      |                                     |

	Present		Present	Appointed today
h. Party (name):		Attorney (name):		
(1) Child:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(2) Mother:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(3) Father—presumed:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(4) Father—biological:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(5) Father—alleged:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(6) Legal guardian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(7) Indian custodian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(8) De facto parent:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(9) County agency social worker:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(10) Tribal representative:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(11) Other (specify):	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

- i. Others present in courtroom:
- (1) Court Appointed Special Advocate (CASA) volunteer (name):
  - (2) Other (name):
  - (3) Other (name):

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

- a.  Report of social worker dated:
- For the purposes of establishing a guardianship, the report of the social worker includes an assessment as specified in Welf. & Inst. Code, §§ 360(a), 361.5(g).
  - In the case of an Indian child, the report of the social worker includes an assessment in consultation with the Indian child's tribe, as specified in Welf. & Inst. Code, § 358.1(j), whether tribal customary adoption is an appropriate permanent plan for the child if reunification is unsuccessful.
- b.  Report of CASA volunteer dated:
- c.  Case plan dated:
- d.  Other (specify):
- e.  Other (specify):
- f.  Testimony of qualified expert under the Indian Child Welfare Act

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

- 4. a.  Notice of the date, time, and location of the hearing was given as required by law.
- b.  **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.
- 5. a.  The child  is  maybe an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b.  There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
- 6.  A Court Appointed Special Advocate is appointed for the child.

**7. Parentage**

- a.  The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b.  The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
  - (1) alleged parent (*name*):
  - (2) alleged parent (*name*):
  - (3) alleged parent (*name*):

**Advisements and waivers**

**8. The court informed and advised the**

- mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

- 9. The  mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- other (*specify*):

**has knowingly and intelligently waived the right** to court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

**10.  Sibling group**

The child and the child's siblings listed below form a sibling group in which at least one child in the sibling group was under the age of three years at the time of the initial removal and all children in the sibling group were removed from parental custody at the same time.

Sibling (*name*):

- a.
- b.
- c.
- d.
- e.
- f.

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11. **Disposition is ordered as stated in** (check appropriate box and attach indicated form):
- a.  *Dispositional Attachment: Dismissal of Petition With or Without Informal Supervision (Welf. & Inst. Code, § 360(b))* (form JV-416), which is attached and incorporated by reference.
  - b.  *Dispositional Attachment: In-Home Placement With Formal Supervision (Welf. & Inst. Code, § 361)* (form JV-417), which is attached and incorporated by reference.
  - c.  *Dispositional Attachment: Appointment of Guardian (Welf. & Inst. Code, § 360(a))* (form JV-418), which is attached and incorporated by reference.
  - d.  *Dispositional Attachment: Removal From Custodial Parent—Placement With Previously Noncustodial Parent (Welf. & Inst. Code, §§ 361, 361.2)* (form JV-420), which is attached and incorporated by reference.
  - e.  *Dispositional Attachment: Removal From Custodial Parent—Placement With Nonparent (Welf. & Inst. Code, §§ 361, 361.2)* (form JV-421), which is attached and incorporated by reference.

12. **The child's rights** under Welf. & Inst. Code, § 388 and the procedure for bringing a petition under Welf. & Inst. Code, § 388, including the availability of appropriate and necessary forms, was provided to the child as follows:
- a.  Child under the age of 12 years, through the child's attorney of record or guardian ad litem
  - b.  Child 12 years of age or older who was present at the hearing, on the record and in writing by handing the child a copy of *Child's Information Sheet—Request to Change Court Order* (form JV-185)
  - c.  Child 12 years of age or older who was present at the hearing, in writing by mailing the child a copy of *Child's Information Sheet—Request to Change Court Order* (form JV-185)

13.  **Contact with the child is ordered as stated in** (check appropriate box and attach indicated form):
- a.  *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
  - b.  *Visitation Attachment: Sibling* (form JV-401).
  - c.  *Visitation Attachment: Grandparent* (form JV-402).

14. The child's medical, dental, mental health, and educational information required by Welfare and Institutions Code section 16010 was provided by the  mother  biological father  legal guardian  presumed father  alleged father  Indian custodian  other (specify):

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

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

17.  **The next hearing is scheduled as follows:**

Hearing date:	Time:	Dept:	Room:
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- a.  In-home status review hearing (Welf. & Inst. Code, § 364)
- b.  Six-month permanency hearing (Welf. & Inst. Code, § 366.21(e))
- c.  Selection and implementation hearing (Welf. & Inst. Code, § 366.26)  
*(Also schedule a Welf. & Inst. Code, § 366.3 status review hearing within six months.)*

Hearing date:	Time:	Dept:	Room:
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- d.  Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- e.  Other (specify):

18.  **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

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

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

JUDGE     JUDGE PRO TEMPORE

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

COMMISSIONER     REFEREE

**For Your Information**

You may have a right to appellate review of some or all of the orders made during this hearing. Contact your attorney to discuss your appellate rights. Decisions made at the next hearing may also be subject to appellate review. If you do not attend the next hearing you may not be advised of your appellate rights. Contact your attorney if you miss the next hearing and want to discuss your appellate rights.

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**DISPOSITIONAL ATTACHMENT:  
REMOVAL FROM CUSTODIAL PARENT—PLACEMENT WITH NONPARENT  
(Welf. & Inst. Code, §§ 361, 361.2)**

1.  The child is a person described by Welf. & Inst. Code, § 300 (check all that apply):
- |                                 |                                 |                                 |                                 |                                 |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| <input type="checkbox"/> 300(a) | <input type="checkbox"/> 300(c) | <input type="checkbox"/> 300(e) | <input type="checkbox"/> 300(g) | <input type="checkbox"/> 300(i) |
| <input type="checkbox"/> 300(b) | <input type="checkbox"/> 300(d) | <input type="checkbox"/> 300(f) | <input type="checkbox"/> 300(h) | <input type="checkbox"/> 300(j) |
- and is adjudged a dependent of the court.**

**Circumstances justifying removal from custodial parent**

2.  There is clear and convincing evidence of the circumstances stated in Welf. & Inst. Code, § 361 regarding the persons specified below (check all that apply):
- |   | 361(c)(1)                | 361(c)(2)                | 361(c)(3)                | 361(c)(4)                | 361(c)(5)                |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother            | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father   | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian    | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian  | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify):  | <input type="checkbox"/> |

3.  The child  is  may be an Indian child, and, by clear and convincing evidence, including testimony of a qualified expert witness, continued physical custody by the following person is likely to cause the child serious emotional or physical damage:
- |   |  |   |
|---|--|---|
| <input type="checkbox"/> mother           | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian |
| <input type="checkbox"/> presumed father  | <input type="checkbox"/> Indian custodian  |   |
| <input type="checkbox"/> other (specify): |  |   |

4. Reasonable efforts  were  were not made to prevent or eliminate the need for removal from the home.

5.  The child  is  may be an Indian child, and,
- by clear and convincing evidence, active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
  - active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.
  - there has been consultation with the child's identified Indian tribe regarding whether tribal customary adoption is an appropriate permanent plan for the child if reunification is unsuccessful.

6. **Based on the facts stated on the record, continuance in the home is contrary to the child's welfare and physical custody is removed from** (check all that apply):
- |   |  |   |
|---|--|---|
| <input type="checkbox"/> mother           | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian |
| <input type="checkbox"/> presumed father  | <input type="checkbox"/> Indian custodian  |   |
| <input type="checkbox"/> other (specify): |  |   |

**Family finding and engagement**

7. a.  The county agency has exercised due diligence to identify, locate, and contact the child's relatives.
- b.  The county agency has not exercised due diligence to identify, locate, and contact the child's relatives.
- The county agency is ordered to make such diligent efforts, except for individuals the agency has determined to be inappropriate to contact because of their involvement with the family or domestic violence.
  - The county agency must submit a report to the court on or before (date): detailing the diligent efforts made and the results of such efforts.

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**Case plan development**

8. a.  The county agency solicited and integrated into the case plan the input of the  child  mother  father  representative of child's identified Indian tribe  other (*specify*):
- b.  The county agency did not solicit and integrate into the case plan the input of the  child  mother  father  representative of child's identified Indian tribe  other (*specify*):  
and the agency is ordered to do so and submit an updated case plan within 30 days of the date of this hearing.
- c.  The county agency did not solicit and integrate into the case plan the input of the  child  mother  father  representative of child's identified Indian tribe  other (*specify*):  
and the county agency is not required to do so because these persons are unable, unavailable, or unwilling to participate.

**Custody and placement**

9.  The  mother  presumed father  biological father did not reside with the child at the time the petition was filed and  does  does not desire custody of the child.
- a.  By clear and convincing evidence, placement with the following parent would be detrimental to the safety, protection, or physical or emotional well-being of the child:  
 Mother  Presumed father  Biological father
- b.  The factual basis for the findings in this item is stated on the record.
10.  **The care, custody, control, and conduct of the child is under the supervision of the county agency for placement**
- a.  in the approved home of a relative.
- b.  in the approved home of a nonrelative extended family member.
- c.  in the foster home in which the child was placed before an interruption in foster care because that placement is in the child's best interest and space is available.
- d.  with a foster family agency for placement in a foster family home.
- e.  in a suitable licensed community care facility.
- f.  in a home or facility in accordance with the federal Indian Child Welfare Act.
11.  **Placement with the child's relative, (name):**  
has been independently considered by the court and is denied for the reasons stated on the record.
12.  **The statutory preference order for placement in a suitable Indian home is modified for good cause as**
- a.  stated on the record.
- b.  described in the social worker's report.
- c.  other (*specify*):
13.  **The child's out-of-home placement is necessary.**
14.  **The child's current placement is appropriate.**
15.  **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a.  The matter is continued to the date and time indicated in form JV-415, item 17 for a  written  oral report by the county agency on the progress made in locating an appropriate placement.
- b.  Other (*specify*):
16.  **The child is placed outside the state of California and that out-of-state placement**
- a.  continues to be the most appropriate placement for the child and is in the best interest of the child.
- b.  is not the most appropriate placement for the child and is not in the best interest of the child.  
The matter is continued to the date and time indicated in form JV-415, item 17 for a  written  oral report by the county agency on the progress made toward
- (1)  returning the child to California and locating an appropriate placement within California.
- (2)  locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3)  other (*specify*):

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**Reunification services**

17.  **Provision of reunification services to the biological father**  will  will not benefit the child.
18.  **The mother is incarcerated** and is seeking to participate in the Department of Corrections and Rehabilitation community treatment program.
- a.  Participation in the program  is  is not in the child's best interest.
- b.  The program  is  is not suitable to meet the needs of the mother and child.
19.  **The following person is incarcerated:**
- mother  legal guardian  other (specify):
- presumed father  Indian custodian
- and reasonable reunification services are
- a.  granted.
- b.  denied, because, by clear and convincing evidence, providing reunification services would be detrimental to the child.
20.  **As provided in Welf. & Inst. Code, § 361.5(b), by clear and convincing evidence:**
- a. The  mother  legal guardian  other (specify):
- presumed father  Indian custodian
- is a person described in Welf. & Inst. Code, § (specify):
- 361.5(b)(3)  361.5(b)(7)  361.5(b)(9)  361.5(b)(11)  361.5(b)(13)
- 361.5(b)(4)  361.5(b)(8)  361.5(b)(10)  361.5(b)(12)  361.5(b)(15)
- and reunification services are
- (1)  granted, because, by clear and convincing evidence, reunification is in the best interest of the child.
- (2)  denied.
- b. The  mother  legal guardian  other (specify):
- presumed father  Indian custodian
- is a person described in Welf. & Inst. Code, § 361.5(b)(1), and a reasonably diligent search has failed to locate the person. Reunification services are denied.
- c. The  mother  legal guardian  other (specify):
- presumed father  Indian custodian
- is a person described in Welf. & Inst. Code, § 361.5(b)(2), and reunification services are
- (1)  granted.
- (2)  denied, because the person, even with the provision of services, is unlikely to be capable of adequately caring for the child within the statutory time limits.
- d. The  mother  legal guardian  other (specify):
- presumed father  Indian custodian
- is a person described in Welf. & Inst. Code, § 361.5(b)(5), and reunification services are
- (1)  granted, because
- (a)  reunification services are likely to prevent reabuse or neglect.
- (b)  the failure to try reunification will be detrimental to the child because the child is closely and positively bonded to the person.
- (2)  denied.

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20. e. The  mother  legal guardian  
 presumed father  Indian custodian  
 other person who is a legal parent of the child (*name*):
- is a person described in Welf. & Inst. Code, § 361.5(b)(6), and reunification services are
- (1)  granted, because, by clear and convincing evidence, reunification is in the best interest of the child.  
(2)  denied, because the child or the child's sibling suffered severe sexual abuse or the infliction of severe physical harm by the person, and it would not benefit the child to pursue reunification with that person.  
(3)  The factual basis for the findings in this item is stated on the record.

- f. The  mother  legal guardian  other (*specify*):  
 presumed father  Indian custodian
- is a person described in Welf. & Inst. Code, § 361.5(b)(14). The court advised the person of any right to services and the possible consequences of a waiver. The person executed the *Waiver of Reunification Services (Juvenile Dependency)* (form JV-195), and the court accepts the waiver, the person having knowingly and intelligently waived the right to services. Reunification services are denied.

21.  a. **The county agency must provide reunification services**, and the following must participate in the reunification services stated in the case plan:
- Mother  Biological father  Legal guardian  Presumed father  
 Indian custodian  Other (*specify*):
- b. **The likely date** by which the child may be returned to and safely maintained in the home or placed for adoption, in legal guardianship, or in an identified placement with a specific goal is (*specify*):

**Efforts**

22. The county agency  has  has not complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete any steps necessary to finalize the permanent placement of the child.

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

	None	Minimal	Adequate	Substantial	Excellent
a. <input type="checkbox"/> Mother	<input type="checkbox"/>				
b. <input type="checkbox"/> Presumed father	<input type="checkbox"/>				
c. <input type="checkbox"/> Biological father	<input type="checkbox"/>				
d. <input type="checkbox"/> Legal guardian	<input type="checkbox"/>				
e. <input type="checkbox"/> Indian custodian	<input type="checkbox"/>				
f. <input type="checkbox"/> Other ( <i>specify</i> ):	<input type="checkbox"/>				

**Siblings**

24.  **The child does not have siblings under the court's jurisdiction.**
25.  **The child has siblings under the court's jurisdiction.** *Sibling Attachment: Contact and Placement* (form JV-403) is attached and incorporated by reference.

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**Health and education**

26.  The  mother  biological father  Indian custodian  
 presumed father  legal guardian  other (*specify*):  
 is  unable  unwilling  unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.
27. a.  A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
- b.  A limitation on the right of the parents to make educational decisions for the child is necessary and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
28. a. The child's educational needs  are  are not being met.  
 b. The child's physical needs  are  are not being met.  
 c. The child's mental health needs  are  are not being met.  
 d. The child's developmental needs  are  are not being met.
29. The child  does  does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on \_\_\_\_\_.
30.  The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 28 or other concerns are:  
 a.  stated in the social worker's report.  
 b.  specified here: \_\_\_\_\_
31.  The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 30:  
 a.  Social worker.  
 b.  Parent (*name*): \_\_\_\_\_  
 c.  Surrogate parent (*name*): \_\_\_\_\_  
 d.  Educational representative (*name*): \_\_\_\_\_  
 e.  Other (*name*): \_\_\_\_\_
32.  The child's education placement has changed since the date the child was physically removed from the home.  
 a.  The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.  
 b.  The child is enrolled in school.  
 c.  The child is attending school.
33.  **Child 14 years of age or older:**  
 a.  The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.  
 b.  The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.  
 c.  To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services  
 (1)  stated on the record.  
 (2)  as follows: \_\_\_\_\_

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**Advisements**

**34.**  **Child under the age of three years or member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(1)(C).**  
The court informed all parties present at the time of the hearing and further advises all parties that, because the child was under the age of three years on the date of initial removal or is a member of a sibling group:

- a. **Failure to participate regularly and make substantive progress in court-ordered treatment programs may result in the termination of reunification services** for all or some members of the sibling group at the hearing scheduled on a date within six months from the date the child entered foster care under Welf. & Inst. Code, § 366.21(e).

**Six-month hearing date:**

- b. **At the six-month hearing** under Welf. & Inst. Code, § 366.21(e), the court will consider the following factors in deciding whether to limit reunification services to six months for all or some members of the sibling group:
- Whether the sibling group was removed from parental care as a group;
  - The closeness and strength of the sibling bond;
  - The ages of the siblings;
  - The appropriateness of maintaining the sibling group;
  - The detriment to the child if sibling ties are not maintained;
  - The likelihood of finding a permanent home for the sibling group;
  - Whether the sibling group is currently placed in the same preadoptive home or has a concurrent plan goal of legal permanency in the same home;
  - The wishes of each child whose age and physical and emotional condition permits a meaningful response; and
  - The best interest of each child in the sibling group.
- c. **At the six-month hearing** under Welf. & Inst. Code, § 366.21(e), if the child is not returned to the custody of a parent, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.**

**35.**  **Child three years of age or older who is not a member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(1)(C).** The court informed all parties present at the time of the hearing and further advises all parties that, because the child was three years of age or older with no siblings under the age of three years at the time of initial removal, if the child is not returned to the custody of a parent at the Welf. & Inst. Code, § 366.21(f) permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and adoption of the child or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child.**

**Twelve-month permanency hearing date:**

- 36.**  a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence, the court found that reunification services were not to be provided to the child's parents, legal guardian, or Indian custodian under Welf. & Inst. Code, § 361.5(b).
- c. The county agency and the licensed county adoption agency or the California Department of Social Services acting as an adoption agency will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as stated in rule 5.695(f)(19) of the California Rules of Court to any party not present.

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- e.  The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who had relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) *(name)*:  
(2) *(name)*:  
(3) *(name)*:  
(4) *(name)*:
- f. The likely date by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is *(specify date)*:



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4. a.  The child  is  may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b.  There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5.  A Court Appointed Special Advocate is appointed for the child.

**6. Parentage**

- a.  The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b.  The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
- (1) alleged parent (*name*):
- (2) alleged parent (*name*):
- (3) alleged parent (*name*):

**Advisements and waivers**

**7. The court has informed and advised the**

- mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The  mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- other (*specify*):

**has knowingly and intelligently waived the right** to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

**Case plan development**

9. a.  The following were actively involved in the case plan development, including the child's plan for permanent placement.
- child     mother     father     representative of child's identified Indian tribe
- other (*specify*):
- b.  The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.
- child     mother     father     representative of child's identified Indian tribe
- other (*specify*):
- c.  The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
- child     mother     father     representative of child's identified Indian tribe
- other (*specify*):

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**Efforts**

**10. The county agency**

- a.  has
- b.  has not

complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.

- 11.  The child  is  may be an Indian child, and
  - a.  by clear and convincing evidence active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
  - b.  active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

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

	<u>None</u>	<u>Minimal</u>	<u>Adequate</u>	<u>Substantial</u>	<u>Excellent</u>
a. <input type="checkbox"/> Mother	<input type="checkbox"/>				
b. <input type="checkbox"/> Presumed father	<input type="checkbox"/>				
c. <input type="checkbox"/> Biological father	<input type="checkbox"/>				
d. <input type="checkbox"/> Legal guardian	<input type="checkbox"/>				
e. <input type="checkbox"/> Indian custodian	<input type="checkbox"/>				
f. <input type="checkbox"/> Other ( <i>specify</i> ):	<input type="checkbox"/>				

**Siblings**

- 13.  **The child does not have siblings under the court's jurisdiction.**
- 14.  **The child has siblings under the court's jurisdiction.** *Sibling Attachment: Contact and Placement* (form JV-403) is attached and incorporated by reference.

**Health and education**

- 15. a.  A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.
- b.  A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.
- 16. a. The child's educational needs  are  are not being met.
- b. The child's physical needs  are  are not being met.
- c. The child's mental health needs  are  are not being met.
- d. The child's developmental needs  are  are not being met.

17. The child  does  does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on

- 18.  The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 16 or other concerns are:
  - a.  stated in the social worker's report.
  - b.  specified here:

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19.  The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 18:

- a.  Social worker.
- b.  Parent (name):
- c.  Surrogate parent (name):
- d.  Educational representative (name):
- e.  Other (name):

20.  The child's education placement has changed since the last review hearing.

- a.  The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
- b.  The child is enrolled in school.
- c.  The child is attending school.

21.  Child 14 years of age or older:

- a.  The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
- b.  The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.
- c.  To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services
  - (1)  stated on the record.
  - (2)  as follows:

22. Placement and services are ordered as stated in (check appropriate boxes and attach indicated forms):

- a.  Six-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.21(e)) (form JV-431), which is attached and incorporated by reference.
- b.  Six-Month Prepermanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.21(e)) (form JV-432), which is attached and incorporated by reference.
- c.  Six-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.21(e)) (form JV-433), which is attached and incorporated by reference.

23.  Contact with the child is ordered as stated in (check appropriate box and attach indicated form):

- a.  Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400).
- b.  Visitation Attachment: Sibling (form JV-401).
- c.  Visitation Attachment: Grandparent (form JV-402).

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

25.  Other findings and orders:

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

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26.  The next hearing is scheduled as follows:

Hearing date:	Time:	Dept:	Room:
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- a.  In-home status review hearing (Welf. & Inst. Code, § 364)
- b.  12-month permanency hearing (Welf. & Inst. Code, § 366.21(f))
- c.  Selection and implementation hearing (Welf. & Inst. Code, § 366.26)  
     *(Also schedule a Welf. & Inst. Code, § 366.3 status review hearing within six months.)*

Hearing date:	Time:	Dept:	Room:
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d.  Other (specify):

27.  The petition is dismissed. Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

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

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

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JUDGE   
  JUDGE PRO TEMPORE   
  COMMISSIONER   
  REFEREE

**For Your Information**

You may have a right to appellate review of some or all of the orders made during this hearing. Contact your attorney to discuss your appellate rights. Decisions made at the next hearing may also be subject to appellate review. If you do not attend the next hearing you may not be advised of your appellate rights. Contact your attorney if you miss the next hearing and want to discuss your appellate rights.

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**SIX-MONTH PERMANENCY ATTACHMENT:  
REUNIFICATION SERVICES TERMINATED  
(Welf. & Inst. Code, § 366.21(e))**

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.

**Placement**

- 2. **The child's out-of-home placement is necessary.**
- 3.  **The child's current placement is appropriate.**
- 4.  **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
  - a.  The matter is continued to the date and time indicated in form JV-430, item 25 for a  written  oral report by the county agency on the progress made in locating an appropriate placement.
  - b.  Other (specify):
- 5.  **The child is placed outside the state of California and that out-of-state placement**
  - a.  continues to be the most appropriate placement for the child and is in the best interest of the child.
  - b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-430, item 26 for a  written  oral report by the county agency on the progress made toward
    - (1)  returning the child to California and locating an appropriate placement within California.
    - (2)  locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
    - (3)  Other (specify):

**Reunification services**

- 6.  **Reunification services terminated: Child under age of three years at time of removal or member of sibling group**
  - a.  The child was under the age of three years on the date of the initial removal from the home.
  - b.  The child and the child's siblings listed below form a sibling group in which one child in the sibling group was under the age of three years at the time of the initial removal, and all children in the sibling group were removed from parental custody at the same time.
    - (1)
    - (2)
    - (3)
    - (4)
    - (5)
    - (6)
  - c. By clear and convincing evidence the
    - mother  biological father  Indian custodian
    - presumed father  legal guardian
    - other (specify):

failed to participate regularly and make substantive progress in a court-ordered treatment plan. Reunification services are terminated.
  - d. Scheduling a hearing under Welf. & Inst. Code, § 366.26 for this child and some or all members of the sibling group is in the child's best interest. The factual basis for this finding is stated on the record.

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7.  **Reunification services terminated: Child of any age**
- a.  Reunification services are terminated for the  
 mother             biological father             Indian custodian  
 presumed father     legal guardian  
 other (*specify*):  
because, by clear and convincing evidence,  
(1)  the child was initially removed from the person indicated under Welf. & Inst. Code, § 300(g) and the person's whereabouts remain unknown.  
(2)  the person has not had contact with the child for six months.
- b.  Reunification services are terminated for the  
 mother             biological father             Indian custodian  
 presumed father     legal guardian  
 other (*specify*):  
because, by clear and convincing evidence, that person has been convicted of a felony indicating parental unfitness.
- c.  Reunification services are terminated for the  
 mother             biological father             Indian custodian  
 presumed father     legal guardian  
 other (*specify*):  
because it is determined that the person is deceased.
8.  Reunification services are terminated for the  
 mother             legal guardian  
 presumed father     Indian custodian  
 other (*specify*):  
because the child was removed initially under Welf. & Inst. Code, § 300(g) and, by clear and convincing evidence, the person's whereabouts are still unknown.
9. The county agency  has  has not exercised due diligence to locate an appropriate relative with whom the child could be placed. Each relative whose name has been submitted to the department  has  has not been evaluated.

**Important individuals**

10.  **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a.  The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationship with those individuals, consistent with the child's best interest.
- b.  The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationship with those individuals, consistent with the child's best interest.
- c.  To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services  
(1)  as stated on the record.  
(2)  as follows:

**Health**

11.  The  mother             biological father             other (*specify*):  
 presumed father     legal guardian  
is  unable     unwilling     unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

<b>CHILD'S NAME:</b>	<b>CASE NUMBER:</b>
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**Setting for selection of permanent plan**

12.  a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
- c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ (Juvenile Dependency)* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.
- e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or an identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.
- f.  The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) (name):
- (2) (name):
- (3) (name):
- (4) (name):
- g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or **with a fit and willing relative is** (specify date):

13.  **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and a potential legal guardian has not been identified.
- a.  The child's permanent plan is placement with (name): a fit and willing relative.  
The likely date by which the child's permanent plan will be achieved is (specify date):
- b.  The child remain in foster care with a permanent plan of (specify):
- (1)  Return home.
- (2)  Adoption.
- (3)  Tribal customary adoption.
- (4)  Legal guardianship
- (5)  The child is 16 years of age or older, there is a compelling reason that no other preferred permanent plan is in the child's best interest, and the child is ordered placed in another planned permanent living arrangement with a goal of:
- return home                       legal guardianship
- emancipation                       placement with a relative
- other (specify):
- The likely date by which the child's permanent plan will be achieved is (specify date):

CHILD'S NAME:	CASE NUMBER:
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13. c.  The court finds that the barriers to achieving the child's permanent plans are *(describe)*:

14.  **For children 16 years of age or older placed in another planned permanent living arrangement:**

a. The court asked the child where he or she wants to live and the child provided the following information *(describe)*:

b. The court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because *(describe)*:

c. The compelling reasons why the other permanent plan options are not in *(name of the child)* best interests are *(describe)*:

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>FINDINGS AND ORDERS AFTER</b> <b>12-MONTH PERMANENCY HEARING</b> (Welf. & Inst. Code, § 366.21(f))	CASE NUMBER:

**1. Twelve-month permanency hearing**

- a. Date:
- b. Department:
- c. Judicial officer (name):
- d. Court clerk (name):
- e. Court reporter (name):
- f. Bailiff (name):
- g. Interpreter (name and language):

	Present	Attorney (name):	Present	Appointed today
h. <u>Party (name):</u>				
(1) Child:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(2) Mother:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(3) Father—presumed:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(4) Father—biological:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(5) Father—alleged:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(6) Legal guardian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(7) Indian custodian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(8) De facto parent:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(9) County agency social worker:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(10) Tribal representative:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(11) Other (specify):	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
i. Others present in courtroom:				
(1) Court Appointed Special Advocate (CASA) volunteer (name):				
(2) Other (name):				
(3) Other (name):				

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

- a.  Report of social worker dated:
- b.  Report of CASA volunteer dated:
- c.  Case plan dated:
- d.  Other (specify):
- e.  Other (specify):

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

- 3. a.  Notice of the date, time, and location of the hearing was given as required by law.
- b.  **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

<b>CHILD'S NAME:</b>	CASE NUMBER:
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4. a.  The child  is  may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b.  There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5.  A Court Appointed Special Advocate is appointed for the child.

**6. Parentage**

- a.  The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b.  The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
- (1) alleged parent (*name*):
- (2) alleged parent (*name*):
- (3) alleged parent (*name*):

**Advisements and waivers**

**7. The court has informed and advised the**

- mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- Other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The  mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- Other (*specify*):

**has knowingly and intelligently waived the right** to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

**Case plan development**

9. a.  The following were actively involved in the case plan development, including the child's plan for permanent placement.
- child                       mother                       father                       representative of child's identified Indian tribe
- other (*specify*):
- b.  **The following were not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.
- child                       mother                       father                       representative of child's identified Indian tribe
- other (*specify*):
- c.  **The following were not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
- child                       mother                       father                       representative of child's identified Indian tribe
- other (*specify*):

<b>CHILD'S NAME:</b>	CASE NUMBER:
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**Efforts**

**10. The county agency**

- a.  has
- b.  has not

complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.

**11.  The child  is  may be an Indian child, and**

- a.  by clear and convincing evidence active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
- b.  active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

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

	<u>None</u>	<u>Minimal</u>	<u>Adequate</u>	<u>Substantial</u>	<u>Excellent</u>
a. <input type="checkbox"/> Mother	<input type="checkbox"/>				
b. <input type="checkbox"/> Presumed father	<input type="checkbox"/>				
c. <input type="checkbox"/> Biological father	<input type="checkbox"/>				
d. <input type="checkbox"/> Legal guardian	<input type="checkbox"/>				
e. <input type="checkbox"/> Indian custodian	<input type="checkbox"/>				
f. <input type="checkbox"/> Other ( <i>specify</i> ):	<input type="checkbox"/>				

**Siblings**

**13.  The child does not have siblings under the court's jurisdiction.**

**14.  The child has siblings under the court's jurisdiction. Sibling Attachment: Contact and Placement (form JV-403) is attached and incorporated by reference.**

**Health and education**

15. a.  **A limitation on the right of the parents to make educational decisions for the child is not necessary.** The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.

b.  A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.

- 16. a. The child's educational needs  are  are not being met.
- b. The child's physical needs  are  are not being met.
- c. The child's mental health needs  are  are not being met.
- d. The child's developmental needs  are  are not being met.

**17. The child  does  does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on**

**18.  The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 16 or other concerns are:**

- a.  stated in the social worker's report.
- b.  specified here:

<b>CHILD'S NAME:</b>	CASE NUMBER:
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19.  The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 18:

- a.  Social worker.
- b.  Parent (name):
- c.  Surrogate parent (name):
- d.  Educational representative (name):
- e.  Other (name):

20.  The child's education placement has changed since the last review hearing.

- a.  The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll and, those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
- b.  The child is enrolled in school.
- c.  The child is attending school.

21.  Child 14 years of age or older:

- a.  The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
- b.  The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.
- c.  To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services
  - (1)  stated on the record.
  - (2)  as follows:

22. Placement and services are ordered as stated in (check appropriate boxes and attach indicated forms):

- a.  Twelve-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.21(f)) (form JV-436), which is attached and incorporated by reference.
- b.  Twelve-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.21(f)) (form JV-437), which is attached and incorporated by reference.
- c.  Twelve-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.21(f)) (form JV-438), which is attached and incorporated by reference.

23.  Contact with the child is ordered as stated in (check appropriate box and attach indicated form):

- a.  Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400).
- b.  Visitation Attachment: Sibling (form JV-401).
- c.  Visitation Attachment: Grandparent (form JV-402).

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

25.  Other findings and orders:

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

<b>CHILD'S NAME:</b>	CASE NUMBER:
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26.  **The next hearing is scheduled as follows:**

Hearing date:	Time:	Dept:	Room:
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- a.  In-home status review hearing (Welf. & Inst. Code, § 364)
- b.  18-month permanency hearing (Welf. & Inst. Code, § 366.22)
- c.  Selection and implementation hearing (Welf. & Inst. Code, § 366.26)  
*(Also schedule a Welf. & Inst. Code, § 366.3 status review hearing within six months.)*

<b>Hearing date:</b>	<b>Time:</b>	<b>Dept:</b>	<b>Room:</b>
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- d.  Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- e.  Other (*specify*):

27.  **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

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

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

JUDGE   
 JUDGE PRO TEMPORE   
 COMMISSIONER   
 REFEREE

**For Your Information**

You may have a right to appellate review of some or all of the orders made during this hearing. Contact your attorney to discuss your appellate rights. Decisions made at the next hearing may also be subject to appellate review. If you do not attend the next hearing you may not be advised of your appellate rights. Contact your attorney if you miss the next hearing and want to discuss your appellate rights.

CHILD'S NAME:	CASE NUMBER:
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**TWELVE-MONTH PERMANENCY ATTACHMENT:  
REUNIFICATION SERVICES TERMINATED  
(Welf. & Inst. Code, § 366.21(f))**

- By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
- Reunification services are terminated.**

**Placement**

- The child's out-of-home placement is necessary.**
- The child's current placement is appropriate.**
- The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
  - The matter is continued to the date and time indicated in form JV-435, item 26 for a  written  oral report by the county agency on the progress made in locating an appropriate placement.
  - Other (*specify*):
- The child is placed outside the state of California and that out-of-state placement**
  - continues to be the most appropriate placement for the child and is in the best interest of the child.
  - does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-435, item 26 for a  written  oral report by the county agency on the progress made toward
    - returning the child to California and locating an appropriate placement within California.
    - locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
    - other (*specify*):

7. The county agency  has  has not exercised due diligence to locate an appropriate relative with whom the child could be placed. Each relative whose name has been submitted to the department  has  has not been evaluated.

**Important individuals**

- Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
  - The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
  - The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
  - To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
    - as stated on the record.
    - as follows:

**Health**

9.  The  mother  biological father  other (*specify*):  
 presumed father  legal guardian  
 is  unable  unwilling  unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

CHILD'S NAME:	CASE NUMBER:
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**Selection of permanent plan**

10.  **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and a potential legal guardian has not been identified.

a.  The child's permanent plan is placement with *(name)*: a fit and willing relative.

The likely date by which the child's permanent plan will be achieved is *(specify date)*:

b.  The child remain in foster care with a permanent plan of *(specify)*:

(1)  Return home.

(2)  Adoption.

(3)  Tribal customary adoption.

(4)  Legal guardianship.

(5)  The child is 16 years of age or older, there is a compelling reason that no other preferred permanent plan is in the child's best interest, and the child is ordered placed in another planned permanent living arrangement with a goal of return home, legal guardianship, placement with a relative, or emancipation.

The likely date by which the child's permanent plan will be achieved is *(specify date)*:

c.  The court finds that the barriers to achieving the child's permanent plans are *(describe)*:

11.  **For children 16 years of age or older placed in another planned permanent living arrangement:**

a. The court asked the child where he or she wants to live and the child provided the following information *(describe)*:

b. The court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because *(describe)*:

c. The compelling reasons why the other permanent plan options are not in the child's best interest are *(describe)*:

12.  a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**

b. By clear and convincing evidence, reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.

c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).

d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.

CHILD'S NAME:	CASE NUMBER:
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e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or an identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.

f.  The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).

(1) (name):

(2) (name):

g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or **with a fit and willing relative** (specify date):

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER:  NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY   <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>FINDINGS AND ORDERS AFTER 18-MONTH PERMANENCY HEARING</b> (Welf. & Inst. Code, § 366.22)	CASE NUMBER:

**1. Eighteen-month permanency hearing**

- a. Date: \_\_\_\_\_
- b. Department: \_\_\_\_\_
- c. Judicial officer (name): \_\_\_\_\_
- d. Court clerk (name): \_\_\_\_\_
- e. Court reporter (name): \_\_\_\_\_
- f. Bailiff (name): \_\_\_\_\_
- g. Interpreter (name and language): \_\_\_\_\_

h. <u>Party (name):</u>	Present	Attorney (name):	Present	Appointed today
(1) Child:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(2) Mother:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(3) Father—presumed:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(4) Father—biological:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(5) Father—alleged:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(6) Legal guardian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(7) Indian custodian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(8) De facto parent:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(9) County agency social worker:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(10) Tribal representative:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(11) Other (specify):	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
i. Others present in courtroom:				
(1) Court Appointed Special Advocate (CASA) volunteer (name):				
(2) Other (name):				
(3) Other (name):				

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

- a.  Report of social worker dated:
- b.  Report of CASA volunteer dated:
- c.  Case plan dated:
- d.  Other (specify):
- e.  Other (specify):

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

- 3. a.  Notice of the date, time, and location of the hearing was given as required by law.
- b.  **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

CHILD'S NAME:	CASE NUMBER:
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4. a.  The child  is  may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b.  There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5.  A Court Appointed Special Advocate is appointed for the child.

**6. Parentage**

- a.  The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b.  The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
- (1) alleged parent (*name*):
- (2) alleged parent (*name*):
- (3) alleged parent (*name*):

**Advisements and waivers**

**7. The court has informed and advised the**

- mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The  mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- other (*specify*):

**has knowingly and intelligently waived the right** to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

**Case plan development**

9. a.  The following were actively involved in the case plan development, including the child's plan for permanent placement.
- child                       mother                       father                       representative of child's identified Indian tribe
- other (*specify*):
- b.  The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.
- child                       mother                       father                       representative of child's identified Indian tribe
- other (*specify*):
- c.  The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
- child                       mother                       father                       representative of child's identified Indian tribe
- other (*specify*):

CHILD'S NAME:	CASE NUMBER:
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**Efforts**

**10. The county agency**

- a.  has
- b.  has not

complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.

11. The child is 16 years of age or older and the agency  has  has not made the following ongoing and intensive efforts to return the child to a safe home or finalize the permanent plan:

12.  The child  is  may be an Indian child, and
- a.  by clear and convincing evidence active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
  - b.  active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

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

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

**Siblings**

- 14.  The child does not have siblings under the court's jurisdiction.
- 15.  The child has siblings under the court's jurisdiction. Sibling Attachment: Contact and Placement (form JV-403) is attached and incorporated by reference.

**Health and education**

- 16. a.  A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
- b.  A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
- 17. a. The child's educational needs  are  are not being met.
- b. The child's physical needs  are  are not being met.
- c. The child's mental health needs  are  are not being met.
- d. The child's developmental needs  are  are not being met.

18. The child  does  does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on .

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19.  The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 17 or other concerns are:
- stated in the social worker's report.
  - specified here:
20.  The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 19:
- Social worker.
  - Parent (*name*):
  - Surrogate parent (*name*):
  - Educational representative (*name*):
  - Other (*name*):
21.  The child's education placement has changed since the last review hearing.
- The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
  - The child is enrolled in school.
  - The child is attending school.
22.  **Child 14 years of age or older:**
- The services stated in the case plan include those needed to assist the child in making the transition from foster care to **successful adulthood.**
  - The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to **successful adulthood.**
  - To assist the child in making the transition to **successful adulthood**, the county agency must add to the case plan and provide the services
    - stated on the record.
    - as follows:
23. **Placement and services are ordered as stated in** (*check appropriate boxes and attach indicated forms*):
- Eighteen-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.22)* (form JV-441), which is attached and incorporated by reference.
  - Eighteen-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.22)* (form JV-442), which is attached and incorporated by reference.
  - Eighteen-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.25)* (form JV-443), which is attached and incorporated by reference.
24.  **Contact with the child is ordered as stated in** (*check appropriate box and attach indicated form*):
- Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
  - Visitation Attachment: Sibling* (form JV-401).
  - Visitation Attachment: Grandparent* (form JV-402).
25. **All prior orders not in conflict with this order remain in full force and effect.**

CHILD'S NAME:	CASE NUMBER:
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**26.  Other findings and orders:**

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

**27.  The next hearing is scheduled as follows:**

Hearing date:	Time:	Dept:	Room:
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- a.  In-home status review hearing (Welf. & Inst. Code, § 364)
- b.  Twenty-four-month permanency hearing (Welf. & Inst. Code, § 366.25)
- c.  Selection and implementation hearing (Welf. & Inst. Code, § 366.26)  
*(Also schedule a Welf. & Inst. Code, § 366.3 status review hearing within six months.)*

Hearing date:	Time:	Dept:	Room:
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- d.  Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- e.  Other (specify):

**28.  The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

**29.** Number of pages attached: \_\_\_\_\_

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

JUDGE   
 JUDGE PRO TEMPORE   
 COMMISSIONER   
 REFEREE

**For Your Information**

You may have a right to appellate review of some or all of the orders made during this hearing. Contact your attorney to discuss your appellate rights. Decisions made at the next hearing may also be subject to appellate review. If you do not attend the next hearing you may not be advised of your appellate rights. Contact your attorney if you miss the next hearing and want to discuss your appellate rights.

CHILD'S NAME:	CASE NUMBER:
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**EIGHTEEN-MONTH PERMANENCY ATTACHMENT:  
REUNIFICATION SERVICES TERMINATED  
(Welf. & Inst. Code, § 366.22)**

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
2. **Reunification services are terminated.**

**Placement**

3. **The child's out-of-home placement is necessary.**
4.  **The child's current placement is appropriate.**
5.  **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
  - a.  The matter is continued to the date and time indicated in form JV-440, item 27 for a  written  oral report by the county agency on the progress made in locating an appropriate placement.
  - b.  Other (*specify*):
6.  **The child is placed outside the state of California and that out-of-state placement**
  - a.  continues to be the most appropriate placement for the child and is in the best interest of the child.
  - b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-440, item 27 for a  written  oral report by the county agency on the progress made toward
    - (1)  returning the child to California and locating an appropriate placement within California.
    - (2)  locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
    - (3)  other (*specify*):

7. The county agency  has  has not exercised due diligence to locate an appropriate relative with whom the child could be placed. Each relative whose name has been submitted to the department  has  has not been evaluated.

**Important individuals**

8.  **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
  - a.  The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
  - b.  The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
  - c.  To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
    - (1)  as stated on the record.
    - (2)  as follows:

**Health**

9.  The  mother  biological father  other (*specify*):  
 presumed father  legal guardian  
 is  unable  unwilling  unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

CHILD'S NAME:	CASE NUMBER:
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**Selection of permanent plan**

10.  **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and a potential legal guardian has not been identified.
- a.  The child's permanent plan is placement with *(name)*: a fit and willing relative.  
The likely date by which the child's permanent plan will be achieved is *(specify date)*:
- b.  The child remain in foster care with a permanent plan of *(specify)*:
- (1)  Return home.
- (2)  Adoption.
- (3)  Tribal customary adoption.
- (4)  Legal guardianship.
- (5)  The child is 16 years of age or older, there is a compelling reason that no other preferred permanent plan is in the child's best interest, and the child is ordered placed in another planned permanent living arrangement with a goal of return home, legal guardianship, placement with a relative, or emancipation.  
The likely date by which the child's permanent plan will be achieved is *(specify date)*:
- c.  The court finds that the barriers to achieving the child's permanent plans are *(describe)*:
11.  **For children 16 years of age or older placed in another planned permanent living arrangement:**
- a. The court asked the child where he or she wants to live and the child provided the following information *(describe)*:
- b. The court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because *(describe)*:
- c. The compelling reasons why the other permanent plan options are not in the child's best interest are *(describe)*:
12.  a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence, reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
- c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.

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- e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or an identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.
  
- f.  The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
  - (1) (name):
  - (2) (name):
  
- g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or **with a fit and willing relative** (specify date):

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**EIGHTEEN-MONTH PERMANENCY ATTACHMENT: REUNIFICATION SERVICES CONTINUED**  
**(Welf. & Inst. Code, § 366.22)**

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.

**Placement**

2. **The child's out-of-home placement is necessary.**
3.  **The child's current placement is appropriate.**
4.  **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a.  The matter is continued to the date and time indicated in form JV-440, item 25 for a  written  oral report by the county agency on the progress made in locating an appropriate placement.
- b.  Other (*specify*):
5.  **The child is placed outside the state of California and that out-of-state placement**
- a.  continues to be the most appropriate placement for the child and is in the best interest of the child.
- b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-440, item 25 for a  written  oral report by the county agency on the progress made toward
- (1)  returning the child to California and locating an appropriate placement within California.
- (2)  locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3)  Other (*specify*):

**Reunification services**

6. **By clear and convincing evidence, it is in the best interest of the child to provide additional reunification services to this**
- a.  mother  biological father  Indian custodian  
 presumed father  legal guardian  other (*specify*):
- (1)  who is making significant and consistent progress in a substance abuse treatment program.
- (2)  who is recently discharged from incarceration, institutionalization, or the custody of the Department of Homeland Security and making significant and consistent progress in establishing a safe home for the child's return.
- (3)  who was a minor parent or a nonminor dependent parent at the time of the initial hearing and is making significant and consistent progress in establishing a safe home for the child's return.

and

- b. **There is a substantial probability that the child may be returned to the**
- mother  biological father  Indian custodian  
 presumed father  legal guardian  other (*specify*):
- by the date set for the 24-month permanency hearing under Welf. & Inst. Code, § 366.22 because the person has
- (1) consistently and regularly contacted and visited the child;
- (2) made significant and consistent progress in the prior 18 months in resolving the problems that led to the child's removal from the home; and
- (3) demonstrated the capacity and ability to provide for the safety, protection, physical and emotional health, and special needs of the child and
- (a)  to complete the objectives of his or her substance abuse treatment plan as evidenced by reports from a substance abuse provider.
- (b)  to complete a treatment plan postdischarge from incarceration or institutionalization.

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6. c. The court finds reasonable reunification services have not been provided. Based on this finding and other relevant factors, including the likelihood of success of further reunification services and the child's need for a prompt resolution of dependency status, the court finds good cause to continue reunification services to

7. Reunification services are continued for the

- mother                       biological father                       Indian custodian  
 presumed father                       legal guardian                       other (specify):

- a.  as previously ordered.  
 b.  as modified  
     (1)  on the record.  
     (2)  in the case plan.

8.  The likely date by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or with a fit and willing relative (specify date):

**Important individuals**

9.  Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care

- a.  The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.  
 b.  The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.  
 c.  To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services  
     (1)  as stated on the record.  
     (2)  as follows:

**Health**

10.  The  mother                       biological father                       Indian custodian  
        presumed father                       legal guardian                       other (specify):  
     is  unable                       unwilling                       unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

**Advisement**

11. The court informed all parties present at the time of the hearing and further advises all parties that if the child is not returned to the home at the 24-month permanency hearing set on a date within 24 months from the date the child was initially removed from his or her home, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. That hearing may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.

Twenty-four-month permanency hearing date: \_\_\_\_\_



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5.  A Court Appointed Special Advocate is appointed for the child.

#### Placement

6. **The child's out-of-home placement is necessary.**
7.  **The child's current placement is appropriate.**
8.  **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a.  The matter is continued to the date and time indicated in item 31 for a  written  oral report by the county agency on the progress made in locating an appropriate placement.
- b.  Other (*specify*):
9.  **The child is placed outside the state of California and that out-of-state placement**
- a.  continues to be the most appropriate placement for the child and is in the best interest of the child.
- b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in item 31 for a  written  oral report by the county agency on the progress made toward
- (1)  returning the child to California and locating an appropriate placement within California.
- (2)  locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3)  Other (*specify*):

#### Case plan development

10. a.  The child was actively involved in the case plan development, including the child's plan for permanent placement.
- b.  The child was not actively involved in the case plan development, including the child's plan for permanent placement, and
- (1)  the county agency is ordered to actively involve the child in the case plan development, including the plan for permanent placement, and to submit to the court an updated case plan within 30 days of the date of this hearing.
- (2)  the county agency is not required to actively involve the child because the child is unable, unavailable, or unwilling to participate.
11.  **Child 12 years of age and older:**
- a.  The child was given the opportunity to review the case plan, sign it, and receive a copy.
- b.  The child was not given the opportunity to review the case plan, sign it, and receive a copy, and
- (1)  the county agency is ordered to provide the child with the opportunity to review the case plan, sign it, and receive a copy. The county agency is further ordered to submit to the court within 30 days of the date of this hearing written confirmation that the child was provided with this opportunity.
- (2)  the county agency is not required to actively involve the child because the child is unable, unavailable, or unwilling to participate.

#### Efforts

##### 12. The county agency

- a.  has
- b.  has not

complied with the case plan by making reasonable efforts, including whatever steps are necessary to make and to finalize the permanent placement of the child.

13. The child is 16 years of age or older and the agency  has  has not made the following ongoing and intensive efforts to return the child to a safe home or finalize the permanent plan:

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14.  **Child not yet placed with prospective adoptive parent or a guardian**
- a. The county agency  has  has not exercised due diligence to locate an appropriate relative with whom the child could be placed. Each relative whose name has been submitted to the department  has  has not been evaluated.
  - b. The child has identified the following as an individual important to him or her:
    - (1) (name):
    - (2) (name):
  - c. The county agency  has  has not made efforts to identify individuals who are important to the child, consistent with the child's best interest.
  - d. The county agency  has  has not made efforts to maintain the child's relationships with the individuals who are important to the child, consistent with the child's best interest.
  - e. The county agency  has  has not made efforts to identify a prospective adoptive parent or a legal guardian for the child.
  - f.  To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
    - (1)  as stated on the record.
    - (2)  as follows:
  - g.  To identify a prospective adoptive parent or a legal guardian for the child, the county agency must provide the service
    - (1)  as stated on the record.
    - (2)  as follows:

15. The services provided to the child have been
- a.  adequate.
  - b.  not adequate.

**Health and education**

16. a. The child's educational needs  are  are not being met.  
 b. The child's physical needs  are  are not being met.  
 c. The child's mental health needs  are  are not being met.  
 d. The child's developmental needs  are  are not being met.

17. The child  does  does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on \_\_\_\_\_.

18.  The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 16 or other concerns are:
- a.  stated in the social worker's report.
  - b.  specified here:

19.  The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 18:
- a.  Social worker.
  - b.  Surrogate parent (name):
  - c.  Educational representative (name):
  - d.  Other (name):

CHILD'S NAME:	CASE NUMBER:
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20.  The child's education placement has changed since the last review hearing.
- a.  The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll and, those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
- b.  The child is enrolled in school.
- c.  The child is attending school.
21.  **Child 14 years of age or older:**
- a.  The services stated in the case plan include those needed to assist the child in making the transition from foster care to **successful adulthood.**
- b.  The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to **successful adulthood.**
- c.  To assist the child in making the transition to **successful adulthood**, the county agency must add to the case plan and provide the services
- (1)  stated on the record.
- (2)  as follows:

### Siblings

22.  **The child does not have siblings under the court's jurisdiction.**
23.  **The child has siblings under the court's jurisdiction.** *Sibling Attachment: Contact and Placement* (form JV-403) is attached and incorporated by reference.
24.  **The child has siblings. A postadoption sibling contact agreement  has  has not been developed. If not, the court has inquired into the status of the development of a voluntary postadoption sibling contact agreement.**

### Permanent plan

25.  a. The permanent plan of adoption is appropriate and is ordered to continue as the permanent plan.  
b. **The likely date** by which the child's adoption will be finalized is (*specify date*):
26.  a. The permanent plan of tribal customary adoption is appropriate and is ordered to continue as the permanent plan.  
b. **The likely date** by which the child's tribal customary adoption will be finalized is (*specify date*):
27.  a. The child's permanent plan of adoption may or may not be appropriate, and the matter is ordered set for a hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.22(b).  
b. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or **with a fit and willing relative** (*specify date*):
28.  **Contact with the child is ordered as follows** (*check appropriate box and attach indicated form*):
- a.  *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
- b.  *Visitation Attachment: Sibling* (form JV-401).
- c.  *Visitation Attachment: Grandparent* (form JV-402).
29. **All prior orders not in conflict with this order remain in full force and effect.**

CHILD'S NAME:	CASE NUMBER:
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**30.**  **Other findings and orders:**

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

**31.**  **The next hearing is scheduled as follows:**

Hearing date:	Time:	Dept:	Room:
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- a.  Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- b.  Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- c.  Other (specify):

**32.** Number of pages attached: \_\_\_\_\_

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

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JUDGE   
 JUDGE PRO TEMPORE   
 COMMISSIONER   
 REFEREE

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>FINDINGS AND ORDERS AFTER POSTPERMANENCY HEARING—                  PERMANENT PLAN OTHER THAN ADOPTION</b> (Welf. & Inst. Code, § 366.3)	CASE NUMBER:

**1. Postpermanency hearing**

- a. Date:
- b. Department:
- c. Judicial officer (name):
- d. Court clerk (name):
- e. Court reporter (name):
- f. Bailiff (name):
- g. Interpreter (name and language):

	Present	Attorney (name):	Present	Appointed today
h. <u>Party (name):</u>				
(1) Child:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(2) Mother:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(3) Father—presumed:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(4) Father—biological:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(5) Father—alleged:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(6) Legal guardian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(7) Indian custodian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(8) De facto parent:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(9) County agency social worker:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(10) Tribal representative:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(11) Other (specify):	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
i. Others present in courtroom:				
(1) Court Appointed Special Advocate (CASA) volunteer (name):				
(2) Other (name):				
(3) Other (name):				

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

- a.  Report of social worker (dated):
- b.  Report of CASA volunteer (dated):
- c.  Case plan (dated):
- d.  Other (specify):
- e.  Other (specify):

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

- 3. a.  Notice of the date, time, and location of the hearing was given as required by law.
- b.  **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.

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4. a.  The child  is  may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b.  There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5.  A Court Appointed Special Advocate is appointed for the child.

**6. Parentage**

- a.  The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b.  The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
- (1) alleged parent (*name*):
  - (2) alleged parent (*name*):
  - (3) alleged parent (*name*):

**Advisements and waivers**

**7. The court has informed and advised the**

- mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- Other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The  mother                       biological father                       legal guardian                       Indian custodian                       child
- presumed father                       alleged father                       other (*specify*):

**has knowingly and intelligently waived the right** to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

**Placement**

**9. Continued out-of-home placement is in the best interest of the child.**

**10. The child's out-of-home placement is necessary.**

11.  **The child's current placement is appropriate.**

12.  **The child's current placement is not appropriate.** The county agency must locate an appropriate place for the child.

- a.  The matter is continued to the date and time indicated in item 39 for a  written  oral report by the county agency on the progress made in locating an appropriate placement.
- b.  Other (*specify*):

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13.  **The child is placed outside the state of California and that out-of-state placement**
- a.  continues to be the most appropriate placement for the child and is in the best interest of the child.
  - b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in item 39 for a  written  oral report by the county agency on the progress made toward
    - (1)  returning the child to California and locating an appropriate placement within California.
    - (2)  locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
    - (3)  Other (*specify*):

14. The county agency  has  has not exercised due diligence to locate an appropriate relative with whom the child could be placed. Each relative whose name has been submitted to the department  has  has not been evaluated.

**Case plan development**

15. a.  The child was actively involved in the case plan development, including the child's plan for permanent placement.
- b.  The child was not actively involved in the case plan development, including the child's plan for permanent placement, and
- (1)  the county agency is ordered to actively involve the child in the case plan development, including the plan for permanent placement, and to submit to the court an updated case plan within 30 days of the date of this hearing.
  - (2)  the county agency is not required to actively involve the child in the case plan development because the child was unable, unavailable, or unwilling to participate.

16.  **Child 12 years of age or older:**

- a.  The child was given the opportunity to review the case plan, sign it, and receive a copy.
- b.  The child was not given the opportunity to review the case plan, sign it, and receive a copy, and
  - (1)  the county agency is ordered to provide the child with the opportunity to review the case plan, sign it, and receive a copy. The agency is further ordered to submit to the court within 30 days of the date of this hearing written confirmation that the child was provided with this opportunity.
  - (2)  the county agency is not required to give the child this opportunity because the child was unable, unavailable, or unwilling to participate.

**Efforts**

17. **The county agency**

- a.  has
- b.  has not

compiled with the case plan by making reasonable efforts, including whatever steps are necessary to make and to finalize the permanent placement of the child.

18. The child is 16 years of age or older and the agency  has  has not made the following ongoing and intensive efforts to return the child to a safe home or finalize the permanent plan:

19. The services provided to the child have been

- a.  adequate.
- b.  not adequate.

<b>CHILD'S NAME:</b>	CASE NUMBER:
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- 20.**  **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a. The child has identified the following as an individual important to him or her:
    - (1) *(name):*
    - (2) *(name):*
  - b. The county agency  has  has not made efforts to identify individuals who are important to the child, consistent with the child's best interest.
  - c. The county agency  has  has not made efforts to maintain the child's relationships with the individuals who are important to the child, consistent with the child's best interest.
  - d. The county agency  has  has not made efforts to identify a prospective adoptive parent or a legal guardian for the child.
  - e.  To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
    - (1)  as stated on the record.
    - (2)  as follows:
  - f.  To identify a prospective adoptive parent or a legal guardian for the child, the county agency must provide the service
    - (1)  as stated on the record.
    - (2)  as follows:

**Siblings**

- 21.**  **The child does not have siblings under the court's jurisdiction.**
- 22.**  **The child has siblings under the court's jurisdiction.** *Sibling Attachment: Contact and Placement* (form JV-403) is attached and incorporated by reference.
- 23.**  **The child has siblings. A postadoption sibling contact agreement  has  has not been developed. If not, the court has inquired into the status of the development of a voluntary postadoption sibling contact agreement.**

**Education**

- 24.** a. The child's educational needs  are  are not being met.
  - b. The child's physical needs  are  are not being met.
  - c. The child's mental health needs  are  are not being met.
  - d. The child's developmental needs  are  are not being met.
- 25.**  The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item **24** or other concerns are:
- a.  stated in the social worker's report.
  - b.  specified here:
- 26.**  The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item **25**:
- a.  Social worker.
  - b.  Parent *(name):*
  - c.  Surrogate parent *(name):*
  - d.  Educational representative *(name):*
  - e.  Other *(name):*

<b>CHILD'S NAME:</b>	CASE NUMBER:
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27.  The child's education placement has changed since the last review hearing.
- a.  The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
  - b.  The child is enrolled in school.
  - c.  The child is attending school.

28.  **Child 14 years of age or older:**

- a.  The services stated in the case plan include those needed to assist the child in making the transition from foster care to **successful adulthood.**
- b.  The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to **successful adulthood.**
- c.  To assist the child in making the transition to **successful adulthood**, the county agency must add to the case plan and provide the services
  - (1)  stated on the record.
  - (2)  as follows:

**Health**

29. The child  does  does not  have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on .

30.  The  mother  biological father  Indian custodian  presumed father  legal guardian  Other (specify):  
 is  unable  unwilling  unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

**Permanent plan**

31. It is ordered that:

- a. **The child's permanent plan is legal guardianship.**  
 The likely date by which the child's permanent plan will be achieved is (specify date):
- b. **The child's permanent plan is placement with a fit and willing relative.**  
 The likely date by which the child's permanent plan will be achieved is (specify date):
- c. **The child remain in foster care with a permanent plan of (specify):**
  - (1)  Return home.
  - (2)  Adoption.
  - (3)  Tribal customary adoption.
  - (4)  Legal guardianship.
  - (5)  **The child is 16 years of age or older, there is a compelling reason that no other preferred permanent plan is in the child's best interest, and the child is ordered placed in another planned permanent living arrangement with a goal of:**
    - return home  legal guardianship
    - emancipation  placement with a relative
    - other (specify):

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

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31. d. The court finds that the barriers to achieving the child's permanent plan are *(describe)*:

32.  **For children 16 years of age or older placed in another planned permanent living arrangement:**

a. The court asked the child where he or she wants to live and the child provided the following information *(describe)*:

b. The court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because *(describe)*:

c. The compelling reasons why the other permanent plan options are not in the child's best interest are *(describe)*:

33.  **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and a potential legal guardian has not been identified.

34.  The child's permanent plan identified in item 31 is appropriate and continues as the permanent plan.

35.  a. The child's permanent plan identified in item 31 may not be appropriate, and the matter is ordered set for a hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.

b. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.22(b).

c. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.

d. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.

e.  The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).

(1) *(name)*:

(2) *(name)*:

(3) *(name)*:

(4) *(name)*:

36.  **Contact with the child is ordered as stated in** *(check appropriate box and attach indicated form)*:

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

b.  *Visitation Attachment: Sibling* (form JV-401).

c.  *Visitation Attachment: Grandparent* (form JV-402).

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

**38.**  Other findings and orders:

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

**39.**  The next hearing is scheduled as follows:

Hearing date:	Time:	Dept:	Room:
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- a.  Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- b.  Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- c.  Other (specify):

**40.** Number of pages attached: \_\_\_\_\_

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

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JUDGE   
  JUDGE PRO TEMPORE   
  COMMISSIONER   
  REFEREE



CHILD'S NAME:	CASE NUMBER:
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4. a.  The child  is  may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b.  There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5.  A Court Appointed Special Advocate is appointed for the child.

**6. Parentage**

- a.  The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b.  The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
- (1) alleged parent (*name*):
- (2) alleged parent (*name*):
- (3) alleged parent (*name*):

**Advisements and waivers**

**7. The court has informed and advised the**

- mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

8. The  mother                       biological father                       legal guardian                       child
- presumed father                       alleged father                       Indian custodian
- other (*specify*):

**has knowingly and intelligently waived the right** to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

**Case plan development**

9. a.  The following were actively involved in the case plan development, including the child's plan for permanent placement.
- child                       mother                       father                       representative of child's identified Indian tribe
- other (*specify*):
- b.  The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is ordered to actively involve them and submit an updated case plan within 30 days of the date of this hearing.
- child                       mother                       father                       representative of child's identified Indian tribe
- other (*specify*):
- c.  The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
- child                       mother                       father                       representative of child's identified Indian tribe
- other (*specify*):

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**Efforts**

**10. The county agency**

- a.  has
- b.  has not

complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.

**11.** The child is 16 years of age or older and the agency  has  has not made the following ongoing and intensive efforts to return the child to a safe home or finalize the permanent plan:

**12.**  The child  is  may be an Indian child, and

- a.  by clear and convincing evidence active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
- b.  active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

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

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

**Siblings**

**14.**  The child does not have siblings under the court's jurisdiction.

**15.**  The child has siblings under the court's jurisdiction. *Sibling Attachment: Contact and Placement* (form JV-403) is attached and incorporated by reference.

**Health and education**

**16.** a.  A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.

b.  A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.

- 17.** a. The child's educational needs  are  are not being met.
- b. The child's physical needs  are  are not being met.
- c. The child's mental health needs  are  are not being met.
- d. The child's developmental needs  are  are not being met.

**18.** The child  does  does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on \_\_\_\_\_.

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19.  The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 17 or other concerns are:

- a.  stated in the social worker's report.  
b.  specified here:

20.  The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 19:

- a.  Social worker.  
b.  Parent (*name*):  
c.  Surrogate parent (*name*):  
d.  Educational representative (*name*):  
e.  Other (*name*):

21.  The child's education placement has changed since the last review hearing.

- a.  The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll and, those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.  
b.  The child is enrolled in school.  
c.  The child is attending school.

22.  **Child 14 years of age or older:**

- a.  The services stated in the case plan include those needed to assist the child in making the transition from foster care to **successful adulthood**.  
b.  The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to **successful adulthood**.  
c.  To assist the child in making the transition to **successful adulthood**, the county agency must add to the case plan and provide the services  
(1)  stated on the record.  
(2)  as follows:

23. **Placement and services are ordered as stated in** (*check appropriate boxes and attach indicated forms*):

- a.  *Twenty-Four-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.25) (form JV-456)*, which is attached and incorporated by reference.  
b.  *Twenty-Four-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.25) (form JV-457)*, which is attached and incorporated by reference.

24.  **Contact with the child is ordered as stated in** (*check appropriate box and attach indicated form*):

- a.  *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400)*.  
b.  *Visitation Attachment: Sibling (form JV-401)*.  
c.  *Visitation Attachment: Grandparent (form JV-402)*.

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

26.  **Other findings and orders:**

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

CHILD'S NAME:	CASE NUMBER:
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27.  The next hearing is scheduled as follows:

Hearing date:	Time:	Dept:	Room:
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- a.  In-home status review hearing (Welf. & Inst. Code, § 364)
- b.  Selection and implementation hearing (Welf. & Inst. Code, § 366.26)  
     *(Also schedule a Welf. & Inst. Code, § 366.3 status review hearing within six months.)*

Hearing date:	Time:	Dept:	Room:
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- c.  Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- d.  Other (*specify*):

28.  The petition is dismissed. Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

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

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

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JUDGE   
  JUDGE PRO TEMPORE   
  COMMISSIONER   
  REFEREE

**For Your Information**

You may have a right to appellate review of some or all of the orders made during this hearing. Contact your attorney to discuss your appellate rights. Decisions made at the next hearing may also be subject to appellate review. If you do not attend the next hearing you may not be advised of your appellate rights. Contact your attorney if you miss the next hearing and want to discuss your appellate rights.

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**TWENTY-FOUR-MONTH PERMANENCY ATTACHMENT:  
REUNIFICATION SERVICES TERMINATED  
(Welf. & Inst. Code, § 366.25)**

1. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
2. **The child's out-of-home placement is necessary.**
3. **Reunification services are terminated.**
4.  **The child's current placement is appropriate.**
5.  **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
  - a.  The matter is continued to the date and time indicated in form JV-440, item 27 for a  written  oral report by the county agency on the progress made in locating an appropriate placement.
  - b.  Other (*specify*):
6.  **The child is placed outside the state of California and that out-of-state placement**
  - a.  continues to be the most appropriate placement for the child and is in the best interest of the child.
  - b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-440, item 27 for a  written  oral report by the county agency on the progress made toward
    - (1)  returning the child to California and locating an appropriate placement within California.
    - (2)  locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
    - (3)  other (*specify*):

**Selection of permanent plan**

7. The county agency  has  has not exercised due diligence to locate an appropriate relative with whom the child could be placed. Each relative whose name has been submitted to the department  has  has not been evaluated.
8.  **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and a potential legal guardian has not been identified.
  - a.  The child's permanent plan is placement with (*name*): a fit and willing relative.  
The likely date by which the child's permanent plan will be achieved is (*specify date*):
  - b.  The child remain in foster care with a permanent plan of (*specify*):
    - (1)  Return home.
    - (2)  Adoption.
    - (3)  Tribal customary adoption.
    - (4)  Legal guardianship.
    - (5)  The child is 16 years of age or older, there is a compelling reason that no other preferred permanent plan is in the child's best interest, and the child is ordered placed in another planned permanent living arrangement with a goal of return home, legal guardianship, placement with a relative, or emancipation.

The likely date by which the child's permanent plan will be achieved is (*specify date*):
  - c.  The court finds that the barriers to achieving the child's permanent plans are (*describe*):

CHILD'S NAME:	CASE NUMBER:
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9.  **For children 16 years of age or older placed in another planned permanent living arrangement:**
- a. The court asked the child where he or she wants to live and the child provided the following information (*describe*):
  
  - b. The court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because (*describe*):
  
  - c. The compelling reasons why the other permanent plan options are not in the child's best interest are (*describe*):
10.  a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence, reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
  - c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).
  - d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.708(n)(5) of the California Rules of Court to any party not present.
  - e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or an identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.
  - f.  The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
    - (1) (*name*):
    - (2) (*name*):
    - (3) (*name*):
    - (4) (*name*):
9. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or **with a fit and willing relative** (*specify date*):

CHILD'S NAME:	CASE NUMBER:
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**Important individuals**

11.  **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a.  The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
  - b.  The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
  - c.  To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
    - (1)  as stated on the record.
    - (2)  as follows:

**Health**

12.  The  mother  biological father  Indian custodian  
 presumed father  legal guardian  other (*specify*):
- is  unable  unwilling  unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY   <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
NONMINOR'S NAME: NONMINOR'S DATE OF BIRTH: HEARING DATE AND TIME:		
<b>FINDINGS AND ORDERS AFTER NONMINOR DEPENDENT STATUS REVIEW HEARING</b>	CASE NUMBER:	
Judicial Officer:	Court Clerk:	Court Reporter:
Baliff:	Other Court Personnel:	Interpreter: Language:

- |                                 |                          |  |                          |
|---------------------------------|--------------------------|--|--------------------------|
| 1. Parties (name)               | Present                  |  | Present                  |
| a. Nonminor dependent:          | <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 (specify):             | <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.**
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.

NONMINOR'S NAME:	CASE NUMBER:
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10.  The nonminor dependent's Transitional Independent Living Case Plan does include a plan for him or her to satisfy at least one of the criteria in Welfare and Institutions Code section 11403(b) to remain in foster care under juvenile court jurisdiction as 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, or 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 one of the conditions in Welfare and Institutions Code section 11403(b).
12.  The nonminor dependent  was  was not provided with the information, documents, and services as required under Welfare and Institutions Code section 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 achieve **successful adulthood** and set out benchmarks that indicate how both will know when **successful adulthood** 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 help the youth transition from foster care to **successful adulthood**.
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 county agency**  **has**  **has not** **made ongoing and intensive efforts to finalize the permanent plan.**
19.  The nonminor dependent  did  did not sign and receive a copy of his or her Transitional Independent Living Case Plan.
20. 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.
21.  **The county agency**  **has**  **has not** **exercised due diligence to locate an appropriate relative with whom the nonminor could be placed. Each relative whose name has been submitted to the department**  **has**  **has not been evaluated.**
22.  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.
23.  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.
24. The likely date by which it is anticipated the nonminor dependent will achieve successful adulthood is:
25.  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 rule 5.555 of the California Rules of Court is ordered.

NONMINOR'S NAME:	CASE NUMBER:
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26.  At a hearing under rule 5.555 of the California Rules of Court 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 under to those findings and orders.

27.  For nonminors placed in another planned permanent living arrangement:

- a.  The nonminor's desired permanency outcome is:
- b.  The court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because:
  - (1)  The nonminor is 18 years of age or older.
  - (2)  Other:
- c.  The compelling reasons why other permanent plan options are not in the nonminor's best interest are:

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

- a.  the youth's permanent plan is
  - (1)  return home
  - (2)  adoption
  - (3)  tribal customary adoption
  - (4)  placement with a fit and willing relative
  - (5)  Other (specify):
- b.  family reunification services are continued.
- c.  the matter is continued for a hearing set under Welfare and Institutions Code section 366.31, and rule 5.903 of the California Rules of Court within the next six months.

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

30.  Other findings and orders

- a.  See attachment 30a.
- b.  (Specify):

31.  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
  - (1)  by the father:
  - (2)  by the mother:
  - (3)  by the nonminor:
  - (4)  other (specify):
- c. The likely date by which the nonminor dependent may safely reside in the family home or achieve successful adulthood 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 Welfare and Institutions Code section 303(a) and a review hearing under Welfare and Institutions Code section 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 Welfare and Institutions Code section 391 and rule 5.555 of the California Rules of Court is ordered.

NONMINOR'S NAME:	CASE NUMBER:
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31. d. (2)  The nonminor cannot safely reside in the family home, and reunification services are continued.
- (a)  The nonminor dependent and **parents or guardians** 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 Welfare and Institutions Code section 366.31 and rule 5.903 of the California Rules of Court within the next six months.
- (3)  The nonminor cannot safely reside in the family home and the reunification services are terminated (*check all that apply*).
- (a)  The nonminor dependent and **parents or guardians** 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.

32.  **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 Welfare and Institutions Code section 391 and rule 5.555 of the California Rules of court is ordered.
- (2)  Court supervision and juvenile court jurisdiction continues to be necessary. The court maintains jurisdiction under Welfare and Institutions Code section 303(a). The matter is continued for a review hearing under Welfare and Institutions Code section 366.31 and rule 5.903 of the California Rules of Court 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 successful adulthood.

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

- a.  Nonminor dependent status 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 rule 5.555 of the California Rules of Court.

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

Hearing date:	Time:	Dept:	Room:
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34. Number of pages attached: \_\_\_\_\_

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

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

CHILD'S NAME:	CASE NUMBER:
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**FINDINGS AND ORDERS AFTER SIX-MONTH PREPERMANENCY HEARING—DELINQUENCY**

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

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

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

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

**Child returned home**

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

**Child remaining in out-of-home placement**

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

CHILD'S NAME:	CASE NUMBER:
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13.  The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:

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

14.  The likely date by which the child may be returned to and safely maintained in the home or placed for adoption, appointed a legal guardian, or placed permanently with a **fit and willing relative is** (date):

**Case planning and visitation**

15.  **The child is 14 years of age or older.** The services set forth in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.

16. a.  The following were actively involved in the case plan development, including the plan for permanent placement:

- child     mother     father     legal guardian     tribal representative  
 other:

b.  The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is ordered to actively involve them and submit an updated case plan within 30 days from today.

- child     mother     father     legal guardian     tribal representative  
 other:

c.  The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is not required to involve them because they are unable, unavailable, or unwilling to participate.

- child     mother     father     legal guardian     tribal representative  
 other:

17.  The court finds that the child's:

- a. developmental needs  are  are not being met    c. physical needs  are  are not being met  
b. mental health needs  are  are not being met    d. education needs  are  are not being met

18.  The additional services, assessments, and/or evaluations the child requires and the **persons** or agency ordered to take the steps necessary for the child to receive these services, assessments, and/or evaluations are:

- a.  set forth on the record.  
b.  as follows:

19. a.  The following are ordered by the court to participate with the child in a counselling or education program as directed by probation:  mother     father     legal guardian     other (specify):

b.  The participation by the following is deemed by the court to be inappropriate or potentially detrimental to the child and their participation with the child in a counseling or education program is NOT ordered:

- mother     father     legal guardian     other (specify):

20.  The child has siblings under the court's jurisdiction and all of the siblings are NOT placed together in the same home.

- a.  Visitation between the child and child's siblings who are not placed together is appropriate and ordered.  
b.  The court finds by clear and convincing evidence that visitation between the siblings who are not placed together would be detrimental to at least one of the children. No visitation is ordered.

21.  Visitation with the child is ordered:

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

CHILD'S NAME:	CASE NUMBER:
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**Health and education**

22. The child  does  does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on \_\_\_\_\_.

23.  The  parents  legal guardians are  unable  unwilling  unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welfare and Institutions Code section 739 and vested with the probation department.

24.  A limitation on the  parents  legal guardians to make educational decisions for the child

a.  is NOT necessary. The parents or legal guardians hold educational rights and responsibilities, including those listed in California Rules of Court, rule 5.650(e) and (f).

b.  is necessary. Those rights are limited as ordered and as set forth in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535).

25.  The child's school placement has changed since the dispositional hearing.

a.  The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days.

b.  The child is  enrolled in  attending school.

**Parentage**

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

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

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

(1) alleged father (name): \_\_\_\_\_

(2) alleged father (name): \_\_\_\_\_

**Advisement**

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

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

29.  Other findings and orders:

- a.  See attached.
- b.  (Specify): \_\_\_\_\_

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

31.  The next hearing will be:

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

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

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

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

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

JUDICIAL OFFICER

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

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

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

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

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

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

**Child returned home**

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

**Child remaining in out-of-home placement**

- 5.  By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
- 6.  The child's out-of home placement is necessary.
- 7. a.  The child's out-of-home placement is appropriate.
- b.  The child's current placement is not appropriate. This hearing is continued for a report by **probation** on the progress made to locate an appropriate placement.
- 8.  The child has run away from placement. Out-of-home placement continues to be necessary. The placement was appropriate. Probation has made reasonable efforts to locate the child. Probation has complied with the case plan by making reasonable efforts to return the child to a safe home and to complete whatever steps are necessary to finalize the permanent plan.
- 9.  The child is placed outside the state of California and that out-of-state placement:
  - a.  continues to be the most appropriate placement and is in the child's best interest. There are no available and adequate in-state facilities to meet the child's needs. All licensure requirements have been met or a waiver granted. The placement complies with the requirements of Family Code section 7911.1.
  - b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued for a report by **probation** on the progress made toward finding an appropriate placement for the child.
- 10.  **Probation**  has  has not complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child, and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent plan.
  - a.  **For children 16 years of age or older placed in another planned permanent living arrangement, the court finds that probation  has  has not made the following ongoing and intensive efforts to return the child to a safe home or finalize the permanent plan:**

- 11.  **The child is an Indian child**, and by clear and convincing evidence active efforts  were  were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

CHILD'S NAME:	CASE NUMBER:
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12.  **The child has no known Indian heritage.**

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

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

14. a.  Reunification Services are continued (Welf. & Inst. Code, § 727.3 (b)(2)).

(1)  There is a substantial probability that the child may be returned to the  mother  father  legal guardian by the date set for the 18-month permanency hearing because the  mother  father  legal guardian and the child have demonstrated the capacity and ability to complete the objectives of the case plan. Reunification services are continued to the  mother  father  legal guardian.

(2)  The probation department has not provided reasonable services to the  mother  father  legal guardian. The services provided have been inadequate in that:

The probation department is ordered to provide reasonable reunification services to the  mother  father  legal guardian.

b.  Reunification Services are terminated.

(1)  The probation department has provided services and opportunities but the  mother  father  legal guardian has not participated regularly and has not demonstrated the capacity and ability to complete the objectives of the case plan. Reunification services are terminated.

(2)  The probation department has provided services and opportunities but there is not a substantial probability that the child may be returned to the  mother  father  legal guardian by the date set for the 18-month review. Reunification services are terminated.

(3)  **At 18-month review:** Reunification services are terminated because it has been 18 months since the date the minor was originally removed from the physical custody of his or her parent or legal guardian.

(4)  The probation department  has  has not exercised due diligence to locate an appropriate relative with whom (name)  could be placed. Each relative whose name has been submitted to the department  has  has not been evaluated. (Fam. Code, § 7950)

15. a.  **The following is appropriate and ordered as the permanent plan:**

(1)  The child is returned home immediately.

(2)  Continuation of reunification services and setting of a further permanency hearing. If the child is not returned home at the next permanency hearing, that could result in termination of parental rights and the adoption of the child.

(3)  Adoption. A hearing under Welfare and Institution Code Section 727.31 is scheduled for and an adoption assessment report is ordered.

(4)  Legal guardianship.

b.  The court finds by clear and convincing evidence that (name of child)  is not a proper subject for adoption and there is no one willing to accept legal guardianship. The permanent plan is:

(1)  Permanent placement with (name)  a fit and willing relative.

(2)  Placement in foster care with a permanent plan of (specify) return home, adoption, or placement with a fit and willing relative.

(3)  The child is 16 years of age or older, there is a compelling reason that no other preferred permanent plan is in the child's best interest, and the child is ordered placed in another planned permanent living arrangement with a goal of:

- return home  legal guardianship
- emancipation  placement with a relative
- other (specify):

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- 16. a.  The likely date by which the permanent plan will be achieved is:
- b.  The likely date by which the child may be returned to and safely maintained in the home or another permanent plan selected is \_\_\_\_\_ . (Use this finding only when the court continues reunification services under item 14a.)
- c.  The court finds that the barriers to achieving the child's permanent plan are *(describe)*:

**For children 16 years of age or older placed in another planned permanent living arrangement:**

- 17. a.  The court asked the child where he or she wants to live and the child provided the following information *(describe)*:
- b.  The court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because *(describe)*:
- c.  The compelling reasons why the other permanent plan options are not in the child's best interest are *(describe)*:

**Case planning and visitation**

- 18.  The child is **14 years of age or older**. The services set forth in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
- 19. a.  The following were actively involved in the case plan development, including the plan for permanent placement:  
 child     mother     father     legal guardian     tribal representative  
 other:
- b.  The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is ordered to actively involve them and submit an updated case plan within 30 days from today.  
 child     mother     father     legal guardian     tribal representative  
 other:
- c.  The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is not required to involve them because they are unable, unavailable, or unwilling to participate.  
 child     mother     father     legal guardian     tribal representative  
 other:
- 20.  The court finds that the child's:
  - a. developmental needs     are     are not    being met
  - b. mental health needs     are     are not    being met
  - c. physical needs     are     are not    being met
  - d. education needs     are     are not    being met
- 21.  The additional services, assessments, and/or evaluations the child requires, and the person or agency ordered to take the steps necessary for the child to receive these services, assessments, and/or evaluations, are:
  - a.  set forth on the record.
  - b.  as follows:
- 22. a.  The following are ordered by the court to participate with the child in a counselling or education program as directed by probation:  mother     father     legal guardian     other *(specify)*:
- b.  The participation by the following is deemed by the court to be inappropriate or potentially detrimental to the child and their participation with the child in a counseling or education program is NOT ordered:  
 mother     father     legal guardian     other *(specify)*:

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23.  The child has siblings under the court's jurisdiction and all of the siblings are NOT placed together in the same home.
- a.  Visitation between the child and child's siblings who are not placed together is appropriate and ordered.
- b.  The court finds by clear and convincing evidence that visitation between the siblings who are not placed together would be detrimental to at least one of the children **for the following reasons (state reasons):**

No visitation is ordered.

24.  Visitation with the child is ordered:
- a.  As set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
- b.  As follows (*specify*):

**Health and education**

25. The child  does  does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on \_\_\_\_\_.

26.  The  parents  legal guardians are  unable  unwilling  unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welfare and Institutions Code section 739 and vested with the probation department.

27.  A limitation on the  parents  legal guardians to make educational decisions for the child

a.  is NOT necessary. The parents or legal guardian hold educational rights and responsibilities, including those listed in California Rules of Court, rule 5.650(e) and (f).

b.  is necessary. Those rights are limited as ordered and as set forth in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535).

28.  The child's school placement has changed since the last hearing.

a.  The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days since the placement change.

b.  The child is  enrolled in  attending (*specify school*):

**Parentage**

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

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

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

(1) alleged father (*name*):

(2) alleged father (*name*):

**Advisement**

30. The court informed all parties present at the time of the hearing and further advises all parties that if the child is not returned to the home at the permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred under Welfare and Institutions Code section 727.31 to a selection and implementation hearing **that could result in the termination of parental rights and the adoption of the child.**
31. **All prior orders not in conflict with this order remain in full force and effect.**
32.  Other findings and orders:
- a.  See attached.
- b.  (*Specify*):
33.  The date the child entered foster care is (*specify*):

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34.  **The next hearing will be:**

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

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

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

37. Number of pages attached:

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

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

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

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

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

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

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

**Child returned home**

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

**Child remaining in out-of-home placement**

5.  Continued out-of-home care is in the best interest of the child. Reunification services are terminated.
6.  The child's out-of-home placement is necessary.
7. a.  The child's out-of-home placement is appropriate.  
b.  The child's current placement is not appropriate. This hearing is continued for a report by probation on the progress made to locate an appropriate placement.
8.  The child has run away from placement. Out-of-home placement continues to be necessary. The placement was appropriate. Probation has made reasonable efforts to locate the child. Probation has complied with the case plan by making reasonable efforts to return the child to a safe home and to complete whatever steps are necessary to finalize the permanent plan.
9.  The child is placed outside the state of California and that out-of-state placement:  
a.  continues to be the most appropriate placement and is in the child's best interest. There are no available and adequate in-state facilities to meet the child's needs. All licensure requirements have been met or a waiver granted. The placement complies with the requirements of Family Code section 7911.1.  
b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued for a report by the county agency on the progress made toward finding an appropriate placement for the child.
10.  The probation department  has  has not exercised due diligence to locate an appropriate relative with whom (name) could be placed. Each relative whose name has been submitted to the department  has  has not been evaluated. (Fam. Code, § 7950)
11.  Probation  has  has not complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent placement of the child.  
a.  For children 16 years of age or older placed in another planned permanent living arrangement, the court finds that probation  has  has not made the following ongoing and intensive efforts to return the child to a safe home or finalize the permanent plan:

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12.  **The child is an Indian child**, and by clear and convincing evidence active efforts  were  were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

13.  **The child has no known Indian heritage.**

14. a.  The following is appropriate and ordered as the permanent plan:

- (1)  The child is returned home immediately.
- (2)  Adoption. A hearing under Welfare and Institutions Code section 727.31 is scheduled for and an adoption assessment report is ordered.
- (3)  Legal guardianship.

b.  The court finds by clear and convincing evidence that *(name of child)* is not a proper subject for adoption and there is no one willing to accept legal guardianship. The permanent plan is:

- (1)  Permanent placement with *(name)* a fit and willing relative.
- (2)  Placement in foster care with a permanent plan of return home, adoption, or placement with a fit and willing relative.
- (3)  The child is 16 years of age or older, there is a compelling reason that no other preferred permanent plan is in the child's best interest, and the child is ordered placed in another planned permanent living arrangement with a goal of return home, legal guardianship, placement with a relative, or emancipation.

15.  The likely date by which the permanent plan will be achieved is:

16.  The court finds that the barriers to achieving the child's permanent plan are *(describe)*:

17.  **For children 16 years of age or older placed in another planned permanent living arrangement:**

- a.  The court asked the child where he or she wants to live and the child provided the following information *(describe)*:
  
- b.  The court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because *(describe)*:
  
- c.  The compelling reasons why the other permanent plan options are not in the child's best interest are *(describe)*:

**Case planning and visitation**

18.  **The child is 14 years of age or older.** The services set forth in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.

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

- b.  The child was NOT actively involved in the development of his or her case plan, including the plan for permanent placement.
  - (1)  Probation is ordered to involve the child and submit an updated case plan within 30 days.
  - (2)  Probation is NOT required to involve the child because the child is unable, unavailable, or unwilling to participate.

20.  The court finds that the child's:

- a. developmental needs  are  are not being met
- b. mental health needs  are  are not being met
- c. physical needs  are  are not being met
- d. education needs  are  are not being met

CHILD'S NAME:	CASE NUMBER:
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21.  The additional services, assessments, and/or evaluations the child requires and the **persons** or agency ordered to take the steps necessary for the child to receive these services, assessments, and/or evaluations are:
- a.  set forth on the record.
  - b.  as follows:
22.  The child has siblings under the court's jurisdiction and all of the siblings are NOT placed together in the same home.
- a.  Visitation between the child and child's siblings who are not placed together is appropriate and ordered.
  - b.  The court finds by clear and convincing evidence that visitation between the siblings who are not placed together would be detrimental to at least one of the children. No visitation is ordered.
23.  Visitation with the child is ordered:
- a.  as set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
  - b.  as follows (*specify*):

**Health and education**

24. The child  **does**  **does not** **have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on** \_\_\_\_\_.
25.  The  **parents**  **legal guardians** are  unable  unwilling  unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welfare and Institutions Code section 739 and vested with the probation department.
26.  A limitation on the  **parents**  **legal guardians** to make educational decisions for the child
- a.  is NOT necessary. The parents or legal guardian hold educational rights and responsibilities, including those listed in California Rules of Court, rule 5.650(e) and (f).
  - b.  is necessary. Those rights are limited as ordered and as set forth in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535).
27.  The child's school placement has changed since the last review hearing.
- a.  The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days since the placement change.
  - b.  The child is  enrolled in  attending \_\_\_\_\_ school.

**Parentage**

28. a.  The court inquired of  the mother  others (*names and relationships*):
- as to the identity and address of all presumed or alleged fathers. All alleged fathers present during the hearing who had not previously submitted a *Statement Regarding Paternity (Juvenile)* (form JV-505) were provided with and ordered to complete and submit the form to the court.
- b.  The  court clerk  probation department shall provide the notice required by Welfare and Institutions Code section 726.4 to:
- (1) alleged father (*name*):
  - (2) alleged father (*name*):

**Advisement**

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

CHILD'S NAME:	CASE NUMBER:
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31.  Other findings and orders:

a.  See attached.

b.  (Specify):

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

33.  The next hearing will be:

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

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

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

36. Number of pages attached:

Date:



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