

JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688
www.courts.ca.gov/policyadmin-invitationstocomment.htm

INVITATION TO COMMENT

W16-06

Title	Action Requested
Juvenile Law: Psychotropic Medication	Review and submit comments by January 22, 2016
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Amend Cal. Rules of Court, rule 5.640; approve forms JV-218, JV-219; adopt forms JV-220(B), JV-224; revise forms JV-220, JV-220(A), JV-221, JV-223; revise form JV-219-INFO and renumber as JV-217-INFO	July 1, 2016
Proposed by	Contact
Family and Juvenile Law Advisory Committee	Kerry Doyle, 415-865-8791 kerry.doyle@jud.ca.gov
Hon. Jerilyn L. Borack, Cochair	
Hon. Mark A. Juhas, Cochair	

Executive Summary and Origin

The Family and Juvenile Law Advisory Committee proposes amending rule 5.640 of the California Rules of Court, approving two optional forms, adopting two mandatory forms, revising four forms, and revising and renumbering one form to conform to recent statutory changes to the requirements for court authorization of psychotropic medication for foster children enacted by Senate Bill 238 (Mitchell; Stats. 2015, ch. 534).

Background

As indicated in the legislative history for SB 238, in 1999, the Legislature passed SB 543 (Bowen; Stats. 1999, ch. 552), which provided that only a juvenile court judicial officer has the authority to make orders regarding the administration of psychotropic medications for foster youth.¹ SB 543 also provided that the juvenile court may issue a specific order delegating this authority to a parent if the parent poses no danger to the child and has the capacity to authorize psychotropic medications. This legislation was passed in response to concerns that foster children were being subjected to excessive use of psychotropic medication, and that judicial oversight was needed to reduce the risk of unnecessary medication. The Judicial Council was required to adopt rules of court to implement the new requirement. Accordingly, rule 5.640 specifies the process for juvenile courts to follow in authorizing the administration of

¹ Sen. Com. on Judiciary, Analysis of Sen. Bill No. 238 (2014–2015 Reg. Sess.) Apr. 7, 2015, pp. 1–2

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 These proposals are circulated for comment purposes only.

psychotropic medications and permits courts to adopt local rules for the courts to use to further refine the approval process.

In 2004, the provisions of SB 543 were amended by Assembly Bill 2502 (Keene; Stats. 2004, ch. 329), which required a judicial officer to approve or deny, in writing, a request for authorization to administer psychotropic medication, or set the matter for hearing, within seven days. This amendment was intended to ensure timely consideration of requests for authorization to administer psychotropic medication to dependent children.

Despite these measures, concerns remain that psychotropic medication is overused and underreported in the child welfare system. SB 238 is a comprehensive bill that seeks to address the issues related to the administration of psychotropic drugs in the foster care system by requiring additional training, oversight, and data collection by caregivers, courts, counties, and social workers. The bill also requires the Judicial Council, in consultation with other specified groups, to implement specified provisions of the bill.

The Proposal

Rule 5.640 of the California Rules of Court would be amended; forms JV-218 and JV-219 would be approved; forms JV-220(B) and JV-224 would be adopted; forms JV-220, JV-220(A), JV-221, and JV-223 would be revised; and form JV-219-INFO would be revised and renumbered to ensure they conform to the recently enacted provisions of Welfare and Institutions Code sections 369.5 and 739.5.^{2,3}

The committee identified five main amendments to the Welfare and Institutions Code that require the Judicial Council to develop rules and forms.

Opportunity to provide input

Newly enacted sections 369.5(a)(2)(B)(i) and 739.5(a)(2)(B)(i) require the Judicial Council to develop rules and forms to ensure that the child and his or her caregiver and court-appointed special advocate (CASA), if any, have an opportunity to provide input on the medications being prescribed. To implement this requirement, the committee proposes the following specific amendments to the California Rules of Court and Judicial Council forms:

- Amend rule 5.640(c) to require that the parents, caregivers, CASA, and the Indian child's tribe in the proceedings be served with a completed copy of *Prescribing Physician's Statement—Attachment* (form JV-220(A)), and proposed new *Social Worker or Probation Officer's Statement—Attachment* (form JV-220(B)) rather than merely a

² All further statutory references are to the Welfare and Institutions Code unless otherwise indicated. All further rule references are to the California Rules of Court unless otherwise indicated.

³ Please note that the Judicial Council has revoked existing form JV-224, *Order Regarding Eligibility for Special Immigrant Juvenile Status*, effective January 1, 2016. The form JV-224 proposed in this invitation to comment is new and unrelated to the existing form.

statement that a physician is asking to treat the child's emotional or behavioral problems by beginning or continuing the administration of psychotropic medication to the child and the name of the psychotropic medication and a statement that an application is pending before the court.

Under the current rule, the caregiver, CASA, parents, and Indian child's tribe receive only a statement that a physician is asking to treat the child's emotional or behavioral problems by beginning or continuing the administration of psychotropic medication, the name of the medication, and a statement that an *Application Regarding Psychotropic Medication* (form JV-220) and a *Prescribing Physician's Statement—Attachment* (form JV-220(A)) are pending before the court. The committee concluded that in order for the caregiver, CASA, and Indian child's tribe to provide meaningful input to the court, they needed to know what information was used as a basis for the proposed prescription and what alternatives, if any, could be tried in lieu of the proposed medication. By providing the full application rather than merely notice that it is pending, the caregiver, CASA, parents, and Indian child's tribe will have the information necessary to provide meaningful input to the court.

The committee also concluded that parents and an Indian child's tribe often have very important historical information and current observations regarding the child that are extremely helpful to the court. Thus, the committee concluded that parents and an Indian child's tribe should also be provided with the full application rather than mere notice that an application is pending. The committee discussed that at least one large court is continuing the hearing on the application and ordering that the department provide the parents with a copy of the full application. In courts that are continuing hearings for service of the full application, requiring service upfront would prevent delays.

- Amend rule 5.640(c) to allow the child, caregiver, CASA, parents, and Indian child's tribe to provide input to the court by the proposed new *Child's Statement Regarding Psychotropic Medication* (form JV-218) or *Statement Regarding Psychotropic Medication* (form JV-219); letter; talking to the judge; or through the social worker, probation officer, lawyer, or CASA. Input from the CASA would also be allowed by a court report.

The committee concluded that the manner of providing input to the court should be that which is easiest for the person providing input. Therefore, rather than mandate the use of the new proposed forms, the committee decided the full array of ways to provide information to the court should be allowed.

- Approve for optional use *Child's Statement Regarding Psychotropic Medication* (form JV-218).

As indicated above, the committee concluded that the child should be able to provide input to the court in whatever way the child chooses to do so. In order to provide the child a streamlined way to address the court in writing, the committee proposes creating a new optional Judicial Council form that the child can fill out by themselves or with help.

- Approve for optional use *Statement Regarding Psychotropic Medication* (form JV-219).

As indicated above, the committee concluded that the caregiver and CASA should be able to provide input to the court in any way they choose to do so. In order to provide the a streamlined way to address the court in writing, the committee proposes creating a new optional Judicial Council form that can be filled out by the caregiver or CASA. As indicated above, the committee concluded that parents and an Indian child's tribe often have very important historical information and current observations regarding the child that are extremely helpful to the court and therefore, they can also use this form to provide input on the request to administer psychotropic medication.

- Adopt for mandatory use *Social Worker or Probation Officer's Statement—Attachment* (form JV-220(B)) and amend rule 5.640(c) to add proposed new form JV-220(B) to the list of mandatory forms, and to require that the social worker or probation officer complete it, file it, and attach it to *Application Regarding Psychotropic Medication* (form JV-220).

The committee proposes a new mandatory form, *Social Worker or Probation Officer's Statement—Attachment* (form JV-220(B)), that would ask for a description of what the child and caregiver report about taking the medication, including if it is a request to renew or modify medication, and what the child and caregiver report about the benefits and side effects. The form would also require the social worker or probation officer to tell the judge how the child and caregiver wish to provide input on the medications being prescribed. The form would also require the social worker or probation officer to describe both pharmacological and nonpharmacological treatment alternatives, as well as therapeutic services, other than medication, in which the child is enrolled in—or is recommended to participate in—during the next six months.

- Revise *Application Regarding Psychotropic Medication* (form JV-220) to add to the instructions that the new proposed *Social Worker or Probation Officer's Statement—Attachment* (form JV-220(B)) must be included with the JV-220.
- Further amend rule 5.640(c) to require service of a blank *Child's Statement Regarding Psychotropic Medication* (form JV-218), or *Statement Regarding Psychotropic Medication* (form JV-219), or information about where to obtain a copy of the form when serving *Application Regarding Psychotropic Medication* (form JV-220) and attachments.

- Further amend rule 5.640(c) to require that *Child’s Statement Regarding Psychotropic Medication* (form JV-218) and *Statement Regarding Psychotropic Medication* (form JV-219) be filed within four court days of notice of the application for psychotropic medication.

The committee proposes that the process for receiving and filing the new proposed input forms mirror the process for the existing *Opposition to or Statement About Application Regarding Psychotropic Medication* (form JV-222). Notice of a pending application currently requires the inclusion of a blank copy of form JV-222 or information on how to obtain a copy, and the form must be filed within four court days of notice of the application for psychotropic medication.

- Revise *Prescribing Physician’s Statement—Attachment* (form JV-220(A)) to ensure the child has an opportunity to provide input on the prescribed medication.

To help meet the mandate that the child has an opportunity to provide input on the medication being prescribed, the committee proposes that the option for the prescribing physician to not inform the child of the request, the recommended medications, benefits, and side effects—because the child is too young—be eliminated from the form. The committee decided that even very young children can be told about recommended psychotropic medication in an age-appropriate manner. If the child is indeed too young for such an explanation, the “other” option would remain on the form and could be used for this purpose.

Assessment of overall mental health and treatment plan

Newly enacted sections 369.5(a)(2)(B)(ii)–(iii) and 739.5(2)(B)(ii)-(ii) require the Judicial Council to develop rules and forms to ensure that information regarding an assessment of the child’s overall mental health and treatment plan, as well as information regarding the rationale for the proposed medication are provided to the court. To implement this requirement, the committee proposes the following specific amendments to the California Rules of Court and Judicial Council forms:

- Amend rule 5.640(c) to require that *Prescribing Physician’s Statement—Attachment* (form JV-220(A)) include information regarding an assessment of the child’s overall mental health and treatment plan, as well as information regarding the rationale for the proposed medication.

The committee concluded that the best person to provide the newly required information is the prescribing physician and that these requirements should be added to the existing mandatory form JV-220(A).

- Revise *Prescribing Physician’s Statement* (form JV-220(A)) to include the information required by SB 238.

The new code sections mandate that the request to the court include information on other pharmacological and nonpharmacological treatments that have been utilized and the child's response to those treatments, a discussion of symptoms not alleviated or ameliorated by other current or past treatment efforts, and an explanation of how the psychotropic medication being prescribed is expected to improve the child's symptoms. The committee concluded that the prescribing physician is in the best position to provide this information to the court, and therefore proposes that these topics be added as questions on the form JV-220(A).

- Revise *Prescribing Physician's Statement* (form JV-220(A)) to separate out compound questions.

The committee recognized that many of the items in the form JV-220(A) asked multiple questions. In order to ensure that each question is answered in full, the committee proposes separating out each question into its own item. This would not result in a substantive change for the physician, but would make the form longer.

Procedure when request is missing information

Newly enacted sections 369.5(a)(2)(B)(iv) and 739.5(a)(2)(B)(iv) require the Judicial Council to develop rules and forms to address how to proceed if information, otherwise required to be included in a request for authorization, is not included in the request. To implement this requirement, the committee proposes the following specific amendments to the California Rules of Court and Judicial Council forms:

- Amend rule 5.640(c) to allow for a temporary order granting the application if all the required information is not included in the request for authorization.

The committee proposes amending rule 5.640(c)(14) to allow the court to temporarily grant the application for authorization for a period not to exceed 14 calendar days, or deny the application, and order the department to provide the required information.

- Further revise *Order Regarding Application for Psychotropic Medication* (form JV-223) to include an order that the application is temporarily granted and that the department is ordered to resubmit the application with the missing information.

Periodic oversight

Newly enacted sections 369.5(a)(2)(C) and 739.5(2)(C) require the Judicial Council to develop rules and forms to include a process for periodic oversight by the court of orders regarding the administration of psychotropic medication. To implement this requirement, the committee proposes the following specific amendments to the California Rules of Court and Judicial Council forms:

- Approve for mandatory use *Report Regarding Psychotropic Medication—County Staff* (form JV-224).
- Amend rule 5.640(f) to require the social worker or probation officer to file a completed *Report Regarding Psychotropic Medication—County Staff* (form JV-224) at any scheduled psychotropic medication progress review hearing and each status review hearing.

Newly enacted sections 369.5(a)(2)(C) and 739.5(2)(C) require the Judicial Council to develop rules and forms to include a process for periodic oversight by the court of orders regarding the administration of psychotropic medication that includes the caregiver’s and child’s observations regarding the effectiveness of the medication and its side effects, information on medication management appointments and other follow-up appointments with medical practitioners, and information on the delivery of other mental health treatments. The oversight process must be conducted in conjunction with other regularly scheduled court hearings, and reports must be provided to the court by the county agency.

The committee proposes amending rule 5.640(f) and (g) to mandate progress reviews at every status review hearing and allow progress reviews at any other time at the court’s discretion. The committee proposes that the option to present this information orally be eliminated from rule 5.640(f) and that rule 5.640(g) mandate the filing of the new proposed *Report Regarding Psychotropic Medication—County Staff* (form JV-224) at any scheduled psychotropic medication progress review hearing and each status review hearing. The committee concluded that having a written record of the progress reports was important, particularly if the regularly assigned judicial officer was not conducting the status review hearing.

- Revise *Prescribing Physician’s Statement—Attachment* (form JV-220(A)) to ensure the court has all the information needed to provide thorough periodic oversight of court ordered psychotropic medications.

The committee proposes that the physician must provide an explanation both when the child agrees to the proposed medication and when the child does not agree. Currently the form does not require an explanation if the child is agreeable. However, in order to determine if the child truly agrees, and to what, an explanation from the physician would help the court in its oversight function.

To ensure the court can provide meaningful oversight, the committee also proposes the following changes to form JV-220(A):

- Add DSM-5 to item 16 as an option for basis of diagnosis.
- Mandate the information regarding laboratory tests performed or ordered—currently this is optional information—at item 18, and request information on frequency of tests and the date of the most recent test.

- Revise the item regarding therapeutic services to require the physician to indicate what therapeutic services the child “is enrolled in or is recommended to participate” during the next six months, rather than the services the child “will participate” in, since the physician cannot predict the services the child will actually participate in.
- Mandate information on the medication administration schedule—currently this is optional information—at item 23.
- Add section to item 24 regarding reduction of medication. If the doctor is requesting to stop medication, he or she must also recommend whether the medication is to be stopped immediately or gradually reduced and, if so, for what period of time.

Providing court order to caregiver

Newly enacted sections 369.5(c)(2) and 739.5(c)(2) mandate that the child welfare agency, probation department, or other person or entity who submitted the request for authorization of psychotropic medication provide a copy of the court order approving or denying the request to the child’s caregiver. To implement this requirement, the committee proposes the following specific amendments to the California Rules of Court and Judicial Council forms:

- Amend rule 5.640 to require that the child welfare agency, probation department, or other person or entity who submitted the request for authorization of psychotropic medication provide a copy of the court order approving or denying the request to the child’s caregiver.

The committee proposes adding this requirement at subdivision (e) of rule 5.640 and requiring that the copy be provided in person or mailed within two days of when the order is made to ensure the caregiver receives the order promptly.

- Further revise *Order Regarding Application for Psychotropic Medication* (form JV-223) to include an order regarding providing a copy of the order to the caregiver.

The committee proposes adding to form JV-223, at item 4, an order that the social worker, probation officer, or person who submitted the application must give a copy of the order to the child’s caregiver either in person or by mail within two days.

While not mandated by SB 238, the committee proposes the following specific revisions to Judicial Council forms:

- Revise *Information About Psychotropic Medication Forms* (form JV-219-INFO) and *Proof of Notice: Application Regarding Psychotropic Medication* (form JV-221) to conform to changes to the new forms and procedures. Renumber form JV-219-INFO as JV-217-INFO.

Renumbering form JV-219-INFO as JV-217-INFO would place the form with information on the psychotropic medication request and approval process at the beginning of the series of psychotropic medication forms.

- Revise *Opposition to Application Regarding Psychotropic Medication* (form JV-222) so that it can be used to provide input to the court, even if the person using the form does not oppose the medication.

The committee proposes giving this form a new title, *Opposition to or Statement About Application Regarding Psychotropic Medication*, and adding an item indicating that the application is not opposed, but the person filling out the form wants to give information to the judicial officer. When this form last circulated for public comment, one commentator indicated that often children or children’s attorneys want to give input on a request for psychotropic medication, but may not necessarily oppose it; another commentator made a similar statement regarding parents’ input. That suggestion would have had to have been circulated for public comment, so the change was not made at that time. The committee, however, agrees with this suggestion and is now proposing that the form be revised so it can be used to provide input on the request. The committee also proposes adding an item so that the child’s attorney can provide input on the request.

- Revise *Order Regarding Application for Psychotropic Medication* (form JV-223) to include the new forms in this proposal as evidence the court has read and considered.
- Further revise *Order Regarding Application for Psychotropic Medication* (form JV-223) to include an order about gradually reducing the psychotropic medication.

The committee proposes including a new order on form JV-223 that if an application to renew a current medication is denied, the social worker or probation officer must consult with the prescribing physician about whether the medication should stop immediately or gradually decrease over time.

Alternatives Considered

The committee considered renumbering the forms so that they were sequential and the numbers reflected the order the forms are actually filed. To do this, however, would require that the *Application for Psychotropic Medication* (form JV-220) be renumbered. Many jurisdictions use the form JV-220 as a term of art, however, referring to the psychotropic medication process as the “the JV-220” process. Because of this, and because the committee wanted the form to be easy to find, the committee numbered *Child’s Statement Regarding Psychotropic Medication* as form JV-218 and *Statement Regarding Psychotropic Medication* as form JV-219.

The committee also considered having two separate *Statement Regarding Psychotropic Medication* forms, one for an initial request that addressed only the child’s behaviors and description of current treatment, and a different form for a renewal request that addressed

behaviors and treatment as well as the perceived benefits and side effects of the medication. The committee concluded that filling out the wrong form was likely and if that happened, the judicial officer would not have all the necessary information when deciding a renewal request. The committee therefore decided to make one form, with instructions on which items to answer depending on the type of request made.

Given the committee's proposal that notice of an application for psychotropic medication include a copy of *Prescribing Physician's Statement—Attachment* (form JV-220(A)) and *Social Worker or Probation Officer's Statement—Attachment* (form JV-220(B)), the committee considered providing notice to a child's Indian tribe only if the tribe had intervened in the juvenile court proceeding. From a best practice perspective, however, the committee concluded that an Indian child's tribe should be notified in advance of an application to administer psychotropic medication to avoid a situation in which the tribe later intervenes after medication is administered. From a treatment perspective, the tribe may have important information about the child's and his or her family's medical history, as well as resources such as culturally appropriate services, relevant to the diagnosis and treatment.

Implementation Requirements, Costs, and Operational Impacts

The proposed notice requirements will impact courts and the person or persons responsible for providing notice under local court rules or local practice protocols. The proposal includes an added requirement that notice include copies of *Prescribing Physician's Statement—Attachment* (form JV-220(A)) and *Social Worker or Probation Officer's Statement—Attachment* (form JV-220(B)). Providing notice with additional documents will likely result in minimal implementation costs and a slight increase in workload for the person or persons providing notice to the parties and attorneys. In implementing the revised forms, courts will incur standard reproduction costs.

By requiring increased information in the *Prescribing Physician's Statement—Attachment* (form JV-220(A)) and mandating additional information by the new proposed *Social Worker or Probation Officer's Statement—Attachment* (form JV-220(B)), this proposal could reduce delays in obtaining orders for psychotropic medications and could reduce the number of hearings a judicial officer must set to obtain the information necessary to make an informed decision on the request to administer psychotropic medication.

Requiring social workers and probation officers to complete *Social Worker or Probation Officer's Statement—Attachment* (form JV-220(B)) and *Report Regarding Psychotropic Medication—County Staff* (form JV-224) will result in slight implementation costs and will increase workload. The committee, however, feels the information requested in these forms is critical to meet the mandates of SB 238.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee [or other proponent] is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Should a copy of *Prescribing Physician’s Statement—Attachment* (form JV-220(A)) and *Social Worker or Probation Officer’s Statement—Attachment* (form JV-220(B)) be included with notice that an application to administer psychotropic medication is pending before the court?
- If a copy of form JV-220(A) or form JV-220(B) is included with notice that an application to administer psychotropic medication is pending before the court, should they be provided to a tribe that has acknowledged the Indian child as a member of, or eligible for membership in, the tribe and to a tribe that has intervened in the juvenile court proceeding, or just to a tribe that has intervened in the juvenile court proceeding?
- Should “caregiver” be defined rule 5.502, and if so, how?
- Which is the best method for providing additional information when there is not enough space on the form? Should the forms request that an additional piece of paper with a title be attached as on proposed *Statement Regarding Psychotropic Medication* (form JV-219), should the forms indicate in the instructions that if extra space is needed, for any of the items, write the item number and additional information on the last page of the form and if more space is needed than the last page, attach a sheet or sheets of paper as on proposed *Report Regarding Psychotropic Medication—County Staff* (form JV-224), or is there a better method that is both user-friendly and will limit the number of attachments?
- Should proposed *Statement Regarding Psychotropic Medication* (form JV-219) include, after each question, a check box and opportunity for the person filling out the form to indicate “I do not know”?

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 two 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 Cal. Rules of Court, rule 5.640, attached at pages 12–18
2. Proposed forms JV-217-INFO, JV-218, JV-219, JV-220, JV-220(A), JV-220(B), JV-221, JV-222, JV-223, and JV-224, attached at pages 19–48
3. Senate Bill 238,
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB238

Rule 5.640 of the California Rules of Court would be amended, effective July 1, 2016, to read:

1 **Rule 5.640. Psychotropic medications**

2
3 (a)–(b) * * *

4
5 (c) **Procedure to obtain authorization**

6
7 (1) *Application Regarding Psychotropic Medication* (form JV-220), *Prescribing*
8 *Physician’s Statement—Attachment* (form JV-220(A)), *Social Worker or*
9 *Probation Officer’s Statement—Attachment* (form JV-220(B)), *Proof of*
10 *Notice: Application Regarding Psychotropic Medication* (form JV-221),
11 *Opposition to or Statement About Application Regarding Psychotropic*
12 *Medication* (form JV-222), and *Order Regarding Application for*
13 *Psychotropic Medication* (form JV-223) must be used to obtain authorization
14 to administer psychotropic medication to a dependent child of the court who
15 is removed from the custody of the parents or guardian, or to a ward of the
16 court who is removed from the custody of the parents or guardian and placed
17 into foster care.

18
19 (2) The child, caregiver, parents, and Court Appointed Special Advocate, if any,
20 may provide input on the medications being prescribed. Input can be by
21 Child’s Statement Regarding Psychotropic Medication (form JV-218) or
22 Statement Regarding Psychotropic Medication (form JV-219); letter; talking
23 to the court; or through the social worker, probation officer, attorney of
24 record, or Court Appointed Special Advocate. Input from a Court Appointed
25 Special Advocate can also be by a court report.

26
27 ~~(2)~~ (3) Additional information may be provided to the court through the use of local
28 forms that are consistent with this rule.

29
30 ~~(3)~~ (4) Local county practice and local rules of court determine the procedures for
31 completing and filing the forms and for the provision of notice, except as
32 otherwise provided in this rule. The person or persons responsible for
33 providing notice as required by local court rules or local practice protocols
34 are encouraged to use the most expeditious manner of service possible to
35 ensure timely notice.

36
37 ~~(4)~~ (5) An application must be completed and presented to the court, using
38 *Application Regarding Psychotropic Medication* (form JV-220), ~~and~~
39 *Prescribing Physician’s Statement—Attachment* (form JV-220(A), and *Social*
40 *Worker or Probation Officer’s Statement—Attachment* (form JV-220(B)).
41 The court must approve, deny, or set the matter for a hearing within seven
42 court days of the receipt of the completed application.

43
44 ~~(5)~~ (6) *Application Regarding Psychotropic Medication* (form JV-220) may be
45 completed by the prescribing physician, medical office staff, child welfare
46 services staff, probation officer, or the child’s caregiver. The physician

1 prescribing the administration of psychotropic medication for the child must
2 complete and sign *Prescribing Physician’s Statement—Attachment* (form JV-
3 220(A)).

4
5 ~~(6)~~ (7) *Prescribing Physician’s Statement—Attachment* (form JV-220(A)) must
6 include all of the following:

- 7
8 (A) The diagnosis of the child’s condition that the physician asserts can be
9 treated through the administration of the medication;
- 10
11 (B) The specific medication recommended, with the recommended
12 maximum daily dosage and length of time this course of treatment will
13 continue and the administration schedule including initial and target
14 schedule for new medication, the current schedule for continuing
15 medication, the recommended dosage and number of doses per day,
16 and if *pro re nata* (PRN) or as needed the conditions and parameters for
17 use;
- 18
19 (C) An assessment of the child’s overall mental health;
- 20
21 (D) A description of the child’s symptoms and treatment plan;
- 22
23 (E) A description of other pharmacological and nonpharmacological
24 treatments that have been utilized and the child’s response to those
25 treatments;
- 26
27 (F) A description of symptoms not alleviated or ameliorated by other
28 current or past treatment efforts;
- 29
30 ~~(G)~~ (G) ~~The anticipated benefits to the child of the use of the medication~~ An
31 explanation of how the medication is expected to improve the child’s
32 symptoms;
- 33
34 ~~(H)~~ (H) A description of possible side effects of the medication;
- 35
36 ~~(I)~~ (I) A list of any other medications, prescription or otherwise, that the
37 child is currently taking, and a description of any effect these
38 medications may produce in combination with the psychotropic
39 medication;
- 40
41 ~~(J)~~ (J) A description of any other therapeutic services related to the child’s
42 mental health status; and
- 43
44 ~~(K)~~ (K) A statement that the child has been informed in an age-appropriate
45 manner of the recommended course of treatment, the basis for it, and its

1 possible results. The child's response and an explanation must be
2 included.
3

4 (8) The social worker or probation officer must complete and sign *Social Worker*
5 *or Probation Officer's Statement—Attachment* (form JV-220(B)), and attach
6 it to *Application Regarding Psychotropic Medication* (form JV-220).
7

8 ~~(7)~~ (9) Notice must be provided to the parents or legal guardians, their attorneys of
9 record, the child's attorney of record, the child's Child Abuse Prevention and
10 Treatment Act guardian ad litem, the child's current caregiver, the child's
11 Court Appointed Special Advocate, if any, and where a child has been
12 determined to be an Indian child, the Indian child's tribe (see also 25 U.S.C.
13 § 1903(4)–(5); Welf. and Inst. Code, §§ 224.1(a) and (e) and 224.3).
14

15 Notice must be provided as follows:

- 16
- 17 (A) Notice to the parents or legal guardians and their attorneys of record
18 must include:
- 19
- 20 (i) A statement that a physician is asking to treat the child's
21 emotional or behavioral problems by beginning or continuing the
22 administration of psychotropic medication to the child and the
23 name of the psychotropic medication;
24
- 25 (ii) A statement that an *Application Regarding Psychotropic*
26 *Medication* (form JV-220) and a *Prescribing Physician's*
27 *Statement—Attachment* (form JV-220(A)) are pending before the
28 court;
29
- 30 (iii) A completed copy of *Prescribing Physician's Statement—*
31 *Attachment* (form JV-220(A));
32
- 33 (iv) A completed copy of *Social Worker or Probation Officer's*
34 *Statement—Attachment* (form JV-220(B));
35
- 36 ~~(iii)~~ (v) A copy of *Information About Psychotropic Medication Forms*
37 (form ~~JV-219-INFO~~ JV-217-INFO) or information on how to
38 obtain a copy of the form; and
39
- 40 ~~(iv)~~ (vi) A blank copy of *Opposition to or Statement About Application*
41 *Regarding Psychotropic Medication* (form JV-222) or
42 information on how to obtain a copy of the form.
43
- 44 (B) Notice to the child's current caregiver and Court Appointed Special
45 Advocate, if one has been appointed, must include ~~only~~:
46

- 1 (i) A statement that a physician is asking to treat the child’s
2 emotional or behavioral problems by beginning or continuing the
3 administration of psychotropic medication to the child and the
4 name of the psychotropic medication; ~~and~~
5
6 (ii) A statement that an *Application Regarding Psychotropic*
7 *Medication* (form JV-220) and a *Prescribing Physician’s*
8 *Statement—Attachment* (form JV-220(A)) are pending before the
9 court;
10
11 (iii) A completed copy of *Prescribing Physician’s Statement—*
12 *Attachment* (form JV-220(A));
13
14 (iv) A completed copy of *Social Worker or Probation Officer’s*
15 *Statement—Attachment* (form JV-220(B)); and
16
17 (v) A blank copy of *Child’s Statement Regarding Psychotropic*
18 *Medication* (form JV-218) or information on how to obtain a
19 copy of the form.
20
21 (C) Notice to the child’s attorney of record and any Child Abuse Prevention
22 and Treatment Act guardian ad litem for the child must include:
23
24 (i) A completed copy of ~~the~~ *Application Regarding Psychotropic*
25 *Medication* (form JV-220);
26
27 (ii) A completed copy of ~~the~~ *Prescribing Physician’s Statement—*
28 *Attachment* (form JV-220(A));
29
30 (iii) A completed copy of *Social Worker or Probation Officer’s*
31 *Statement—Attachment* (form JV-220(B));
32
33 ~~(iii)~~ (iv) A copy of *Information About Psychotropic Medication Forms*
34 (form ~~JV-219-INFO~~ JV-217-INFO) or information on how to
35 obtain a copy of the form; ~~and~~
36
37 ~~(iv)~~ (v) A blank copy of *Opposition to or Statement About Application*
38 *Regarding Psychiatric Medication* (form JV-222) or information
39 on how to obtain a copy of the form; ~~and~~
40
41 (vi) A blank copy of *Child’s Statement Regarding Psychotropic*
42 *Medication* (form JV-218) or information on how to obtain a
43 copy of the form.
44
45 (D) Notice to the Indian child’s tribe must include:
46

- 1 (i) A statement that a physician is asking to treat the child’s
2 emotional or behavioral problems by beginning or continuing the
3 administration of psychotropic medication to the child, and the
4 name of the psychotropic medication;
5
6 (ii) A statement that an *Application Regarding Psychotropic
7 Medication* (form JV-220) and a *Prescribing Physician’s
8 Statement—Attachment* (form JV-220(A)) are pending before the
9 court;
10
11 (iii) A completed copy of *Prescribing Physician’s Statement—*
12 *Attachment* (form JV-220(A));
13
14 (iv) A completed copy of *Social Worker or Probation Officer’s*
15 *Statement—Attachment* (form JV-220(B));
16
17 ~~(iii)~~ (v) A copy of *Information About Psychotropic Medication Forms*
18 (form ~~JV-219 INFO~~ JV-217 INFO) or information on how to
19 obtain a copy of the form; ~~and~~
20
21 ~~(iv)~~ (vi) A blank copy of *Opposition to or Statement About Application*
22 *Regarding Psychotropic Medication* (form JV-222) or
23 information on how to obtain a copy of the form; ~~and~~
24
25 ~~(vi)~~ (vii) A blank copy of *Child’s Statement Regarding Psychotropic*
26 *Medication* (form JV-218) or information on how to obtain a
27 copy of the form.
28
29 (E) Proof of notice of the application regarding psychotropic medication
30 must be filed with the court using *Proof of Notice: Application*
31 *Regarding Psychotropic Medication* (form JV-221).
32
33 ~~(8)~~ (10) A parent or guardian, his or her attorney of record, a child’s attorney of
34 record, a child’s Child Abuse Prevention and Treatment Act guardian ad
35 litem appointed under rule 5.662 of the California Rules of Court, or the
36 Indian child’s tribe that is opposed to the administration of the proposed
37 psychotropic medication must file a completed *Opposition to or Statement*
38 *About Application Regarding Psychotropic Medication* (form JV-222) within
39 four court days of service of notice of the pending application for
40 psychotropic medication.
41
42 (11) A child can file a completed *Child’s Statement Regarding Psychotropic*
43 *Medication* (form JV-218). If form JV-218 is filed, it must be filed within
44 four court days of service of notice of the pending application for
45 psychotropic medication.
46

1 (12) A child’s caregiver, parents, or Court Appointed Special Advocate can file
2 Statement Regarding Psychotropic Medication (form JV-219). If form JV-
3 219 is filed, it must be filed within four court days of service of notice of the
4 pending application for psychotropic medication.

5
6 (13) A child’s Court Appointed Special Advocate can file a court report under
7 local rule.

8
9 (14) If all the required information is not included in the request for authorization,
10 the court can temporarily grant the application for authorization for a period
11 not to exceed 14 calendar days or deny the application, and order the
12 department to provide the required information.

13
14 (15) The court may grant the application without a hearing or may set the matter
15 for hearing at the court’s discretion. If the court sets the matter for a hearing,
16 the clerk of the court must provide notice of the date, time, and location of
17 the hearing to the parents or legal guardians, their attorneys of record, the
18 dependent child if 12 years of age or older, a ward of the juvenile court of
19 any age, the child’s attorney of record, the child’s current caregiver, the
20 child’s social worker or probation officer, the social worker’s or probation
21 officer’s attorney of record, the child’s Child Abuse Prevention and
22 Treatment Act guardian ad litem, the child’s Court Appointed Special
23 Advocate, if any, and the Indian child’s tribe at least two court days before
24 the hearing. Notice must be provided to the child’s probation officer and the
25 district attorney, if the child is a ward of the juvenile court.

26
27 (d) **Conduct of hearing on application**

28
29 At the hearing on the application, the procedures described in rule 5.570 must be
30 followed. The court may deny, grant, or modify the application for authorization,
31 ~~and may~~ If the court grants or modifies the application for authorization, the court
32 must set a date for review of the child’s progress and condition. This review must
33 occur at every status review hearing and may occur at any other time at the court’s
34 discretion.

35
36 (e) * * *

37
38 (f) **Continued treatment**

39
40 If the court grants the request or modifies and then grants the request, the order for
41 authorization is effective until terminated or modified by court order or until 180
42 days from the order, whichever is earlier. ~~If a progress review is set, it may be by~~
43 ~~an appearance hearing or a report to the court and parties and attorneys, at the~~
44 ~~discretion of the court.~~

1 **(g) Progress review**
2

3 (1) A progress review must occur at every status review hearing and may occur
4 at any other time at the court's discretion.
5

6 (2) Before each progress review, the social worker or probation officer must file
7 a completed *Report Regarding Psychotropic Medication—County Staff* (form
8 JV-224). If the progress review is set at the same time as a status review
9 hearing, form JV-224 must be attached to and filed with the report at least ten
10 calendar days before the hearing.
11

12 **(h) Copy of order to caregiver**
13

14 Upon the approval or denial of the application, including the temporary approval or
15 denial, the county child welfare agency, probation department, or other person or
16 entity who submitted the request must provide a copy of the court order approving
17 or denying the request to the child's caregiver. The copy must be provided in
18 person or mailed within two days of when the order is made.
19

20 ~~(g)~~ **(i) * * ***
21

22 ~~(h)~~ **(j) Section 601–602 wardships; local rules**
23

24 A local rule of court may be adopted providing that authorization for the
25 administration of such medication to a child declared a ward of the court under
26 sections 601 ~~and~~ or 602 and removed from the custody of the parent or guardian for
27 placement in a facility that is not considered a foster-care placement may be
28 similarly restricted to the juvenile court. If the local court adopts such a local rule,
29 then the procedures under this rule apply; any reference to social worker also
30 applies to probation officer.
31

JV-217-INFO Information About Psychotropic Medication Forms

Use the Judicial Council forms listed below when requesting an order regarding psychotropic medication. Local forms may be used to provide additional information to the court.

JV-218, *Child's Statement Regarding Psychotropic Medication*

JV-219, *Statement Regarding Psychotropic Medication*

JV-220, *Application Regarding Psychotropic Medication*

JV-220(A), *Prescribing Physician's Statement—Attachment*

JV-220(B), *Social Worker or Probation Officer's Statement—Attachment*

JV-221, *Proof of Notice: Application Regarding Psychotropic Medication*

JV-222, *Opposition to or Statement About Application Regarding Psychotropic Medication*

JV-223, *Order Regarding Application for Psychotropic Medication*

JV-224, *Report Regarding Psychotropic Medication—County Staff*

General Instructions

- ① Use psychotropic medication forms when a child is under the jurisdiction of the juvenile court and living in an out-of-home placement and the child's physician is asking for an order:
 - a. giving permission for the child to receive a psychotropic medication that is not currently authorized *or*
 - b. renewing an order for a psychotropic medication that was previously authorized for the child because the order is due to expire.
- ② Use of the JV-220, JV-220(A), JV-220(B), JV-221, JV-223, and JV-224 forms is mandatory for a child who is a dependent of the juvenile court and living in an out-of-home placement. Use of the JV-218 and JV-219 forms is optional.
- ③ Use of the JV-220, JV-220(A), JV-220(B), JV-221, JV-223, and JV-224 forms is mandatory for a child who is a ward of the juvenile court and living in a foster care placement, as defined in Welfare and Institutions Code section 727.4. Use of the JV-218 and JV-219 forms is optional.
- ④ Use of the forms is optional for a child who is a ward of the juvenile court and living in an out-of-home facility that is not considered a foster care placement as defined in Welfare and Institutions Code section 727.4, unless use of the forms is required by a local rule of court.
- ⑤ Use of the forms is not required if the court has previously entered an order giving the child's parent the authority to approve or deny the administration of psychotropic medication to the child.
- ⑥ Form JV-220(A), *Prescribing Physician's Statement—Attachment*, must be completed and signed by the prescribing physician and forwarded to the person responsible for completing Form JV-220, *Application Regarding Psychotropic Medication*, as provided for in local court rules or local practice protocols. The completed JV-220(A), with all its attachments, must be attached to JV-220 when it is filed with the court.
- ⑦ Form JV-220(B), *Social Worker or Probation Officer's Statement—Attachment*, must be completed and signed by the social worker or probation officer and must be attached to JV-220 when it is filed with the court.
- ⑧ The person or persons responsible for providing notice under local court rules or local practice protocols must complete, sign, and file with the court Form JV-221, *Proof of Notice: Application Regarding Psychotropic Medication*.

JV-220, Application Regarding Psychotropic Medication

- ① This form gives the court basic information about where the child lives and whether the current situation has caused the child to be moved to a temporary location such as a psychiatric hospital, a juvenile hall, a shelter home, or respite care. It also provides the name and contact information for the child's social worker or probation officer.
- ② This form may be completed by the prescribing physician, the medical office staff, the child welfare services staff, the probation department staff, or the child's caregiver. If completed by a staff person from the medical office, the child welfare services agency, the probation department, or the child's caregiver, he or she must check the appropriate box, type or print his or her name, and sign the form. If completed by the prescribing physician, he or she must check the appropriate box and complete and sign Form JV-220(A).



JV-220(A), Prescribing Physician's Statement—Attachment

- ① This form must be completed and signed by the prescribing physician, who must provide information related to the administration of the psychotropic medication, including the child's diagnosis, relevant medical history, other therapeutic services, the psychotropic medication to be administered, and the basis for the psychotropic medication recommendation.
- ② Prior court authorization must be obtained before a psychotropic medication not currently authorized is given to a child except in an emergency situation. An emergency situation occurs when a physician finds that the child requires psychotropic medication because of a mental condition and the purpose of the medication is to protect the life of the child or others, prevent serious harm to the child or others, or treat current or imminent substantial suffering and it is impractical to obtain prior authorization from the court. Court authorization must be sought as soon as practical but never more than two court days after the emergency administration of the psychotropic medication.

JV-220(B), Social Worker or Probation Officer's Statement—Attachment

- ① This form must be completed and signed by the social worker or probation officer, who must provide information related to what the child and caregiver report about the taking the medication and how the child and caregiver want to provide input on the medication being prescribed.

JV-221, Proof of Notice: Application Regarding Psychotropic Medication

- ① This form provides verification of the notice required by rule 5.640 of the California Rules of Court.
- ② This form must be completed and signed by the person or persons responsible for providing notice as required by local court rules or local practice protocols. A separate signature line is provided on each page of the form to accommodate those courts in which the provision of notice is shared between agencies—for example, when local court rule or local practice protocol requires the child welfare services agency to provide notice to the parent or legal guardian and the caregiver and the juvenile court clerk's office to provide notice to the attorneys and CASA volunteer. If one agency does all the required noticing, only one signature is required on page 3 of the form.
- ③ The person or persons responsible for providing notice as required by local court rules or local practice protocols is encouraged to use the most expeditious manner of service possible to ensure timely notice.
- ④ Notice may be given by electronic service only with the prior authorization of the person to be served and in compliance with the requirements of section 1010.6 of the Code of Civil Procedure.

JV-222, Opposition to or Statement About Application Regarding Psychotropic Medication

- ① This form must be used when the parent or guardian, the attorney of record for a parent or guardian, the child, the child's attorney, the child's CAPTA guardian ad litem, or the Indian child's tribe does not agree that the child should take the recommended psychotropic medication. This form may also be used to provide input to the court.
- ② Within four court days of service of notice of the pending application regarding psychotropic medication, the parent or guardian, his or her attorney, the child, the child's attorney, the child's CAPTA guardian ad litem, or the Indian child's tribe that disagrees must complete, sign, and file Form JV-222 with the clerk of the juvenile court.
- ③ The court will make a decision about the child's psychotropic medication after reading the application and its attachments and any opposition, JV-218, or JV-219 filed on time. The court is not required to set a hearing when an opposition is filed. If the court does set the matter for a hearing, the juvenile court clerk must provide notice of the date, time, and location of the hearing to the parents or legal guardians, their attorneys, the child if 12 years of age or older, the child's attorney, the child's current caregiver, the child's social worker, the social worker's attorney, the child's CAPTA guardian ad litem, the child's CASA, if any, and the Indian child's tribe at least two court days before the date set for the hearing. In delinquency matters, the clerk also must provide notice to the child regardless of his or her age, the child's probation officer, and the district attorney.

JV-223, Order Regarding Application for Psychotropic Medication

This form contains the court's findings and orders about psychotropic medications.

JV-218

Child's Statement Regarding Psychotropic Medication

Clerk stamps date here when form is filed.

This form is for you to tell the court how you feel about the request for the court to order medication for you. If you are helping the child make a statement to the court, read this form to the child.

1 Child's name: _____

2 Child's date of birth: _____

- 3 a. I am aware I have been prescribed medication.
- b. I am not aware I have been prescribed medication.

4 a. I have been told about how the medication is supposed to help me. I was told _____

b. I have been told about how the medication is supposed to help me, but I feel the information about how the medication is supposed to help me is private.

c. I have not been told how the medication is supposed to help me.

5 a. I have been told about potential side effects. I was told _____

b. I have not been told about potential side effects.

6 a. I agree with taking the medication.

b. I disagree with taking the medication because

c. I need to know more to decide if I want to take the medication.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's Name

Date of Birth:

Court fills in case number when form is filed.

Case Number:



Case Number: _____

Child's name: _____

If you are currently taking medication, answer questions 7 and 8. If you are not taking medication, skip to questions 9–11.

- 7 a. I am having side effects from the medication. The side effects are:
- Weight gain
 - Weight loss
 - Headache
 - Nausea
 - Difficulty sleeping
 - Excessive sleepiness
 - Other (specify): _____
 - Other (specify): _____
 - Other (specify): _____
 - Other (specify): _____

b. I am not having side effects from the medication (skip question 8)

8 a. I have told Dr. _____ about the side effects I am having.

b. I have not told a doctor about the side effects I am having.

9 What else do you want the judge to know?

Check here if you need more space. Attach a sheet of paper and write "JV-217, number 9" for a title.

10 I filled this form out by myself with help.

- 11 I helped the child fill out this form. I am
- the social worker the probation officer the caregiver
 - the child's attorney the child's CASA
 - other (specify): _____

Date:

Type or print name of person filling out form

Signature of person filling out form

JV-219

Statement Regarding Psychotropic Medication

Clerk stamps date here when form is filed.

This form is for you to tell the court how you feel about the request for the court to order medication. If this is an initial request and the child is not currently taking psychotropic medication, fill out items 1–13. If the child is currently taking psychotropic medication, fill out items 1–23.

1 Child's name: _____

2 Your name and relation to child: _____

3 How long have you known the child?
_____ years _____ months _____ days

4 What is the child's behavior like at home?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 4" for a title.

5 What is the child's behavior like at school?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 5" for a title.

6 How does the child interact with his or her peers?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 6" for a title.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's Name

Date of Birth:

Court fills in case number when form is filed.

Case Number:



Child's name: _____

7 How does the child interact with adults?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 7" for a title.

8 How is the child sleeping, and for how long?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 8" for a title.

9 What type of counseling is the child receiving and how often? (e.g. individual counseling; group counseling)

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 9" for a title.

10 What other medications does the child regularly take?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 10" for a title.

11 Were you able to meet with and provide information to the prescribing physician?

Yes No

12 Were you informed of the recommended medications, the anticipated benefits, and the possible adverse reactions?

Yes No



Child's name: _____

13 What else do you want the judge to know?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 13" for a title.

If the child is not currently taking psychotropic medication, you are done filling out this form. If the child is taking psychotropic medication, fill out items 14-23.

14 How is the medication affecting school and/or learning?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 14" for a title.

15 How is the medication affecting the child's ability to concentrate?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 15" for a title.

16 Does the child have appropriate energy levels throughout the day?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 16" for a title.



Case Number:

Child's name: _____

17 How is the medication affecting the child's participation in hobbies and/or after school activities?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 17" for a title.

18 Has the child lost or gained weight while on the medication? Yes No

a. weight loss pounds: _____

b. weight gain pounds: _____

19 Does the child willingly take the medication or is it a struggle?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 19" for a title.

20 Is someone talking regularly with the child about how he or she feels when on this medication?

Yes No

If yes, who:

21 What are the side effects, if any?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 21" for a title.

Case Number:

Child's name: _____

22 What are the benefits, if any?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 22" for a title.

23 What else do you want the judge to know that is not on this form?

Check here if you need more space. Attach a sheet of paper and write "JV-219, number 23" for a title.

Clerk stamps date here when form is filed.

DRAFT

**Not approved by
the Judicial
Council**

A completed and signed Form JV-220(A), *Prescribing Physician's Statement—Attachment*, with all its attachments and a completed and signed *Social Worker or Probation Officer's Statement* (Form JV-220(B)) must be attached to this form before it is filed with the court. Read Form JV-217-INFO, *Information About Psychotropic Medication Forms*, for more information about the required forms and the application process.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's Name
Date of Birth:

Court fills in case number when form is filed.

Case Number:

- ① Information about where the child lives:
 - a. The child lives with a relative in a foster home
 - with a nonrelative extended family member
 - in a level 1-11 group home in a level 12-14 group home
 - at a juvenile custodial facility
 - other (*specify*): _____
 - b. If applicable, name of facility where child lives: _____
 - c. Contact information for responsible adult where child lives:
 - (1) Name: _____
 - (2) Phone: _____
 - d. Child was placed at placement in (a) on (*insert date*): _____

- ② Information about the child's current location:
 - a. The child remains at the location identified in ①.
 - b. The child is currently staying in:
 - (1) a psychiatric hospital (*name*): _____
 - (2) a juvenile hall (*name*): _____
 - (3) other (*specify*): _____

- ③ Child's social worker probation officer
 - a. Name: _____
 - b. Address: _____
 - c. Phone: _____ Fax: _____

- ④ Number of pages attached: _____
- Date: _____ Prescribing physician (*sign on page 3 of JV-220(A)*)

Type or print name of person completing this form

Signature

- Child welfare services staff (*sign above*)
- Probation department staff (*sign above*)
- Medical office staff (*sign above*)
- Caregiver (*sign above*)
- Prescribing physician (*sign on page 3 of JV-220(A)*)

JV-220(A)

Prescribing Physician's Statement—Attachment

Case Number:

This form must be completed and signed by the prescribing physician. Read Form JV-217-INFO, *Information About Psychotropic Medication Forms*, for more information about the required forms and the application process.

1 Information about the child (name): _____
Date of birth: _____ Current height: _____ Current weight: _____
Gender: _____ Ethnicity: _____

2 Type of request:
a. An initial request to administer psychotropic medication to this child
b. A request to modify psychotropic medication the child is currently taking
c. A request to continue psychotropic medication the child is currently taking

3 This application is made during an emergency situation. The emergency circumstances requiring the temporary administration of psychotropic medication pending the court's decision on this application are:

4 Prescribing physician:
a. Name: _____ License number: _____
b. Address: _____
c. Phone numbers: _____
d. Medical specialty of prescribing physician:
 Child/adolescent psychiatry General psychiatry Family practice/GP Pediatrics
 Other (specify): _____

5 This request is based on a face-to-face clinical evaluation of the child by:
a. the prescribing physician on (date): _____
b. other (provide name, professional status, and date of evaluation): _____

6 Information about child provided to the prescribing physician by (check all that apply):
 child caregiver teacher social worker probation officer parent
 records (specify): _____
 other (specify): _____

7 How long have you been treating the child? _____ years _____ months _____ days

8 In what capacity have you been treating the child?



Child's name: _____

9 Provide to the court your assessment of the child's overall mental health.

10 Describe the child's symptoms, including duration, and the child's treatment plan.

11 Describe the child's response to any current psychotropic medication.

12 Nonpharmacological treatment alternatives

a. Describe nonpharmacological treatment alternatives to the proposed administration of psychotropic medication that have been tried with the child in the last six months.

b. Describe the child's response to the nonpharmacological treatments in (a).



Child's name: _____

c. If no nonpharmacological alternatives have been tried, explain the reasons for not doing so.

13 Pharmacological treatment alternatives

a. Describe other pharmacological alternatives to the medication you are prescribing that have been tried with the child in the last six months.

b. Describe the child's response to the pharmacological treatments in (a).

c. If no pharmacological alternatives have been tried, explain the reasons for not doing so.

d. List the psychotropic medications that you know were taken by the child in the past and the reason or reasons these were stopped if the reasons are known to you.

<i>Medication name (generic or brand)</i>	<i>Reason for stopping</i>



Child's name: _____

14 Describe the symptoms not alleviated or ameliorated by other current or past treatment efforts.

15 Describe how the medication being prescribed is expected to improve the child's symptoms.

16 Diagnoses from *Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV)* or *Fifth Edition (DSM-5)* (provide full Axis I and Axis II diagnoses; inclusion of numeric codes is optional):

17 Therapeutic services, other than medication, in which the child is enrolled in or is recommended to participate during the next six months (*check all that apply; include frequency for group therapy and individual therapy*):

a. Group therapy: _____ b. Individual therapy: _____

c. Milieu therapy (*explain*): _____

d. Other modality (*explain*): _____

18 a. Relevant medical history (*describe, specifying significant medical conditions, all current nonpsychotropic medications, date of last physical examination, and any recent abnormal laboratory results*):



Child's name: _____

18 b. Relevant laboratory tests performed or ordered (*specify frequency and date of most recent test*):

- Kidney function: _____
- Liver function: _____
- Thyroid function: _____
- UA: _____
- Glucose: _____
- Lipid panel: _____
- CBC: _____
- EKG: _____
- Pregnancy: _____
- Medication blood levels (*specify*): _____
- Other (*specify*): _____

19 **Mandatory Information Attached:** Significant side effects, warnings/contraindications, drug interactions (including those with continuing psychotropic medication and all nonpsychotropic medication currently taken by the child), and withdrawal symptoms for each recommended medication are included in the attached material.

20 a. The child was told in an age-appropriate manner about the recommended medications, the anticipated benefits, the possible side effects and that a request to the court for permission to begin and/or continue the medication will be made and that he or she may oppose the request. The child's response was

- agreeable not agreeable

Explain: _____

b. The child has not been informed of this request, the recommended medications, their anticipated benefits, and their possible adverse reactions because:

- (1) the child lacks the capacity to provide a response (*explain*): _____
- (2) other (*explain*): _____

21 The child's present caregiver was informed of this request, the recommended medications, the anticipated benefits, and the possible adverse reactions. The caregiver's response was agreeable other (*explain*):

22 Additional information regarding medication treatment plan: _____



Case Number: _____

Child's name: _____

23 List all psychotropic medications currently administered that you propose to continue and all psychotropic medications you propose to begin administering. Mark each psychotropic medication as New (N) or Continuing (C).

<i>Medication name (generic or brand) and symptoms targeted by each medication's anticipated benefit to child</i>	<i>C or N</i>	<i>Maximum total mg/day</i>	<i>Treatment duration*</i>	<i>Administration schedule</i> <ul style="list-style-type: none"> • Initial and target schedule for new medication • Current schedule for continuing medication • Provide mg/dose and # of doses/day • If PRN, provide conditions and parameters for use
Med: Targets:				

**Authorization to administer the medication is limited to this time frame or six months from the date the order is issued, whichever occurs first.*

24 List all psychotropic medications currently administered that will be stopped if this application is granted.

<i>Medication name (generic or brand)</i>	<i>Reason for stopping</i>	<i>Stop immediately or over period of time? (specify, including time)</i>

Date:

Type or print name of prescribing physician

▲

Signature of prescribing physician

JV-220(B)

Social Worker or Probation Officer's Statement—Attachment

Case Number:

This form must be completed and signed by the child's social worker or probation officer, and must be attached to *Application Regarding Psychotropic Medication* (Form JV-220).

1 Child's name: _____

2 Describe what the child reports regarding taking the medication. If this is a request to renew or modify medication, include what the child reports regarding the benefits and side effects.

Check here if you need more space. Attach a sheet of paper and write "JV-220(B), number 2" for a title.

3 The child will provide input on the medication being prescribed (*check all that apply*):

- a. through the social worker
- b. through their attorney
- c. through their CASA
- d. by filling out JV-218
- e. by writing a letter to the judge
- f. by talking to the judge at a hearing
- g. other (*specify*): _____

4 Describe what the caregiver reports regarding the child taking the medication. If this is a request to review or modify medication, include what the caregiver reports regarding the benefits and side effects.

Check here if you need more space. Attach a sheet of paper and write "JV-220(B), number 4" for a title.

5 The caregiver will provide input on the medication being prescribed (*check all that apply*):

- a. through the social worker
- b. by filling out JV-219
- c. by writing a letter to the judge
- d. by talking to the judge at a hearing
- e. other (*specify*): _____

6 What comments, if any, do you have regarding the application? What else do you want the judge to know?

Check here if you need more space. Attach a sheet of paper and write "JV-220(B), number 6" for a title.



Case Number:

Child's name: _____

7 Nonpharmacological treatment alternatives

- a. Describe nonpharmacological treatment alternatives to the proposed administration of psychotropic medication that have been tried with the child in the last six months.

- b. Describe the child's response to the nonpharmacological treatments in (a).

- c. If no nonpharmacological alternatives have been tried, explain the reasons for not doing so.

8 Pharmacological treatment alternatives

- a. Describe other pharmacological alternatives to the medication you are prescribing that have been tried with the child in the last six months.

- b. Describe the child's response to the pharmacological treatments in (a).

Case Number: _____

Child's name: _____

c. If no pharmacological alternatives have been tried, explain the reasons for not doing so.

d. List the psychotropic medications that you know were taken by the child in the past and the reason or reasons these were stopped if the reasons are known to you.

<i>Medication name (generic or brand)</i>	<i>Reason for stopping</i>

9 Therapeutic services, other than medication, in which the child is enrolled in or is recommended to participate during the next six months (check all that apply; include frequency for group therapy and individual therapy):

- a. Group therapy: _____ b. Individual therapy: _____
- c. Milieu therapy (explain): _____
- d. Other modality (explain): _____

Date: _____

Type or print name of person completing this form

Signature

- Child welfare services staff (sign above)
- Probation department staff (sign above)

**Proof of Notice: Application
Regarding Psychotropic Medication**

Clerk stamps date here when form is filed.

DRAFT - Not approved by
the Judicial Council

Read JV-219-INFO, *Information About Psychotropic Medication Forms*, for more information about the required forms and the application process.

1 The following parents/legal guardians of the child were notified of the physician's request to begin and/or to continue administering psychotropic medication, of the name of each medication, and that a JV-220, *Application Regarding Psychotropic Medication*, and a JV-220(A), *Prescribing Physician's Statement—Attachment*, are pending before the court. They were also provided with JV-217-INFO, *Information About Psychotropic Medication Forms*, a completed JV-220(A), *Prescribing Physician's Statement—Attachment*, a completed JV-220(B), *Social Worker or Probation Officer's Statement—Attachment* and a blank copy of JV-222, *Opposition to or Statement About Application Regarding Psychotropic Medication*, or with information on how to obtain a copy of each form.

Fill in court name and street address:

Superior Court of California, County of

a. Name: _____ Date notified: _____

Relationship to child: _____

Manner: In person By phone at (specify): _____

By electronic service at (e-mail address): _____

_____ (time sent): _____

By depositing the required information and copies of JV-217-INFO and JV-222 in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____

Fill in child's name and date of birth:

Child's Name

Date of Birth:

Court fills in case number when form is filed.

Case Number:

b. Name: _____ Date notified: _____

Relationship to child: _____

Manner: In person By phone at (specify): _____

By electronic service at (e-mail address): _____

_____ (time sent): _____

By depositing the required information and copies of JV-217-INFO and JV-222 in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____

c. Name: _____ Date notified: _____ Relationship to child: _____

Manner: In person By phone at (specify): _____

By electronic service at (e-mail address): _____ (time sent): _____

By depositing the required information and copies of JV-217-INFO and JV-222 in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____

2 Parental rights were terminated, and the child has no legal parents who must be informed.

3 Parent/legal guardian (name): _____ was not informed because (state reason): _____

4 Parent/legal guardian (name): _____ was not informed because (state reason): _____

5 The child's current caregiver was notified that a physician is asking to treat the child with psychotropic medication and that a JV-220 and a JV-220(A) are pending before the court. The caregiver was provided a completed JV-220 (A), *Prescribing Physician's Statement—Attachment*, a completed JV-220(B), *Social Worker or Probation Officer's Statement—Attachment*, and a blank copy of JV-219, *Statement Regarding Psychotropic Medication* or information on how to obtain a copy of the form as follows:



Case Number: _____

Child's Name: _____

5 Caregiver (name): _____
Manner: In person By phone at (specify): _____ By electronic service at (e-mail address): _____
_____ (time sent): _____ By depositing the required information
in a sealed envelope in the United States mail, with first-class postage prepaid, to the following address
(specify): _____

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

Date: _____
Type or print name

Sign your name Signature follows on page 3.

6 The child's attorney and the child's CAPTA guardian ad litem, if that person is someone other than the child's attorney, were provided with completed JV-220, Application Regarding Psychotropic Medication; completed JV-220(A), Prescribing Physician's Statement—Attachment; completed JV-220(B), Social Worker or Probation Officer's Statement—Attachment; a copy of JV-217-INFO, Information About Psychotropic Medication Forms; a blank JV-218, Child's Statement Regarding Psychotropic Medication; and a blank copy of JV-222, Opposition to or Statement About Application Regarding Psychotropic Medication, as follows:

- a. Attorney's name: _____ Date notified: _____
Manner: In person By fax at (specify): _____
 By electronic service at (e-mail address): _____ (time sent): _____
 By depositing copies in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____
- b. CAPTA guardian ad litem's name: _____ Date notified: _____
Manner: In person By fax at (specify): _____
 By electronic service at (e-mail address): _____ (time sent): _____
 By depositing copies in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____

7 The following attorneys were notified of the physician's request to begin and/or continue administering psychotropic medication, of the name of each medication, and that a JV-220, Application Regarding Psychotropic Medication, and a JV-220(A), Prescribing Physician's Statement—Attachment, are pending before the court. They were also provided with a copy of JV-220(A), Prescribing Physician's Statement—Attachment, a copy of JV-220(B), Social Worker or Probation Officer's Statement—Attachment, a copy of JV-217-INFO, Information About Psychotropic Medication Forms, and a blank copy of JV-222, Opposition to or Statement About Application Regarding Psychotropic Medication, or with information on how to obtain a copy of each form as follows:

- a. Attorney's name: _____ Date notified: _____
Attorney for (name): _____
Manner: In person By phone at (specify): _____ By fax at (specify): _____
 By electronic service at (e-mail address): _____ (time sent): _____
 By depositing the required information and copies of JV-217-INFO and JV-222 in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____
- b. Attorney's name: _____ Date notified: _____
Attorney for (name): _____
Manner: In person By phone at (specify): _____ By fax at (specify): _____
 By electronic service at (e-mail address): _____ (time sent): _____

Case Number: _____

Child's Name: _____

- 7 By depositing the required information and copies of JV-217-INFO and JV-222 in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (*specify*): _____
- c. Attorney's name: _____ Date notified: _____
 Attorney for (*name*): _____
 Manner: In person By phone at (*specify*): _____ By fax at (*specify*): _____
 By electronic service at (*e-mail address*): _____ (*time sent*): _____
 By depositing the required information and copies of JV-217-INFO and JV-222 in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (*specify*): _____

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

Date: _____

Type or print name ▶ *Sign your name* Signature follows on page 3.

- 8 The child's CASA volunteer was notified that a JV-220 and a JV-220(A) are pending before the court. The CASA was provided a completed JV-220(A), *Prescribing Physician's Statement—Attachment*, a completed JV-220(B), *Social Worker or Probation Officer's Statement—Attachment*, and a blank copy of JV-219, *Statement Regarding Psychotropic Medication* or information on how to obtain a copy of the form as follows:
 CASA volunteer (*name*): _____ Date notified: _____
 Manner: In person By phone at (*specify*): _____
 By electronic service at (*e-mail address*): _____ (*time sent*): _____
 By depositing the required information in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (*specify*): _____

- 9 The Indian child's tribe was notified of the physician's request to begin and/or continue administering psychotropic medication, of the name of each medication, and that a JV-220, *Application Regarding Psychotropic Medication*, and a JV-220(A), *Prescribing Physician's Statement—Attachment*, are pending before the court. They were also provided a copy of JV-220(A), *Prescribing Physician's Statement—Attachment*, a copy of JV-220(B), *Social Worker or Probation Officer's Statement—Attachment*, and a blank copy of JV-219, *Statement Regarding Psychotropic Medication* or information on how to obtain a copy of the form. They were also provided a copy of JV-217-INFO, *Information About Psychotropic Medication Forms*, and a blank copy of JV-222, *Opposition to or Statement About Application Regarding Psychotropic Medication*, or with information on how to obtain a copy of each form, as follows:
 Indian Tribe (*name*): _____ Date notified: _____
 Manner: In person By phone at (*specify*): _____ By fax at (*specify*): _____
 By electronic service at (*e-mail address*): _____ (*time sent*): _____
 By depositing the required information in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (*specify*): _____

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

Date: _____

Type or print name ▶ *Sign your name*

JV-222

Opposition to or Statement About Application Regarding Psychotropic Medication

Clerk stamps date here when form is filed.

If you do not agree that the child should take the recommended psychotropic medication and/or continue the psychotropic medication that the child is currently taking, you must complete this form and file it with the court within four court days of service of notice of the pending application for psychotropic medication. Read JV-217-INFO, *Information About Psychotropic Medication Forms*, for more information about the required forms and the application.

1 Your information:

- a. Name: _____
- b. Address: _____

- c. Phone: _____ Fax: _____
E-mail: _____
- d. If you are not an attorney filling out this form for a client, your relationship to the child is: _____
- e. If you are an attorney filling out this form for a client, provide the following information about your client:
Your client's name: _____
Your client's relationship to the child: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's Name
Date of Birth:

Court fills in case number when form is filed.

Case Number:

2 The application is opposed because: _____

Case Number: _____

Child's name: _____

3 The application is not opposed, but I want to tell the court the following:

4 I am the attorney for the child.
a. I need more time to investigate the application.
b. I need the following information to determine whether to agree with or oppose the application:

c. There is other information the judge should know:

5 Additional information about the child for the court to consider is included on Attachment 5.

Date:

Type or print name



Signature

JV-223

Order Regarding Application for Psychotropic Medication

Clerk stamps date here when form is filed.

The Court read and considered:

- a. JV-220, *Application Regarding Psychotropic Medication*, and JV-220(A), *Prescribing Physician's Statement—Attachment*, filed on (date): _____
- b. JV-220(B), *Social Worker or Probation Officer's Statement—Attachment*
- c. JV-222, *Opposition to or Statement About Application Regarding Psychotropic Medication*, filed on (date): _____
- d. JV-218, *Child's Statement Regarding Psychotropic Medication*, filed on (date): _____
- e. JV-219, *Statement Regarding Psychotropic Medication*, filed on (date): _____
- f. CASA report
- g. Other (specify): _____

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's Name

Date of Birth:

Court fills in case number when form is filed.

Case Number:

The Court finds and orders:

- 1 a. Notice requirements were met.
- b. Notice requirements were *not* met. Proper notice was not given to: _____

- 2 The matter is set for hearing on (date): _____ at (time): _____
in (dept.): _____

- 3 Application was made for authorization to begin or to continue giving the child the psychotropic medication listed in (22) on page 6 of JV-220(A).

A copy of page 6 of JV-220(A) is attached to this order.

The application is (check one):

- a. granted as requested.
- b. granted with the following modification or conditions to the request as made in (22) on the attached page 5 of JV-220(A) (specify all modifications and conditions): _____

- c. temporarily granted as requested until (enter a date no later than 14 calendar days from today's date): _____ . By that date, the department must resubmit the application with the missing information which is: _____



Case Number: _____

Child's name: _____

d. temporarily granted with the following modification or conditions to the request as made in 22 on the attached page of JV-220(A) until (enter a date no later than 14 calendar days from today's date): _____ . By that date, the department must resubmit the application with the missing information which is: _____

(Specify all modifications and conditions to the request): _____

e. denied (specify reason for denial): _____

If the application was for medication the child is currently taking, the social worker or probation officer must consult with the prescribing physician to determine whether the medication should be stopped immediately or gradually reduced over time.

f. denied. The department must resubmit the application with the missing information which is: _____ by (enter a date no later than 14 calendar days from today's date): _____

If the application was for medication the child is currently taking, the social worker or probation officer must consult with the prescribing physician to determine whether the medication should be stopped immediately or gradually reduced over time.

4 The

- a. social worker
- b. probation officer
- c. person who submitted application

is ordered to give a copy of this order, including page 5 of the JV-220(A) to the child's caregiver either in person or by mail within two days.

5 Other (specify): _____

This order is effective until terminated or modified by court order or until 180 days from the date of this order, whichever is earlier. If the prescribing physician is no longer treating the child, this order extends to subsequent treating physicians. A change in the child's placement does not require a new order regarding psychotropic medication. Except in an emergency situation, a new application must be submitted and consent granted by the court before giving the child medication not authorized in this order or increasing medication dosage beyond the maximum daily dosage authorized in this order.

Date: _____

▶ _____
Signature of judge or judicial officer

Report Regarding Psychotropic Medication—County Staff

Clerk stamps date here when form is filed.

DRAFT - Not approved by the Judicial Council

The social worker or probation officer must file this form at any hearing where the court is providing oversight of psychotropic medications. This includes all scheduled progress reports on orders authorizing psychotropic medication and every status review hearing. If you are filing this form for a status review hearing, file it with the status review hearing report. If you need more space for any of the items, write the item number and additional information on page 4 of this form. If you need more space than page 4, attach a sheet or sheets of paper.

1 Your name: _____

2 Your relationship to the child:

- Social worker Probation officer
- Public health nurse
- Other county staff (*specify*): _____

- 3 a. Name of caregiver: _____
- b. Address: _____
- c. Relationship to child: _____
- d. Date of last communication with caregiver: _____

4 Child Information

- a. Child's height: _____ b. Child's weight: _____
- c. Prescribing physician's name: _____
- d. Date last seen by prescribing physician: _____
- e. Next appointment date: _____
- f. Therapist's name: _____
- g. Date last seen by therapist: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's Name

Date of Birth:

Court fills in case number when form is filed.

Case Number:

5 List current court approved psychotropic medications. (*Verify that this is what child is taking.*)

Name of Medication	Dosage

Name of Medication	Dosage

6 The child is taking the medication in 5. This was verified by child caregiver other (*specify*): _____

7 The child is not taking the following medication in 5 (*specify*): _____
This was verified by child caregiver other (*specify*): _____



Case Number:

Child's name: _____

8 Describe the caregiver's observations regarding the effectiveness of the medication.

9 Describe the caregiver's observations regarding the side effects of the medication.

10 Describe any concerns the caregiver has regarding the medication.

11 Describe the child's observations regarding the effectiveness of the medication.

12 Describe the child's observations regarding the side effects of the medication.

13 Describe any concerns or complaints the child has regarding the medication.

14 List the dates of all medication management appointments since the last court hearing.

Case Number: _____

Child's name: _____

15 List the dates and reasons of other follow-up medical appointments since the last court hearing.

16 Relevant laboratory tests performed or ordered (specify frequency and date of most recent test):

- Kidney function: _____
- Liver function: _____
- Thyroid function: _____
- UA: _____
- Glucose: _____
- Lipid panel: _____
- CBC: _____
- EKG: _____
- Pregnancy: _____
- Medication blood levels (specify): _____
- Other (specify): _____

17 Describe other mental health treatments that are part of the child's overall treatment plan. (For example, frequency and type of counseling, wraparound, etc.)

18 Provide any other information you think the judge should know.



