

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
YOUTH'S NAME:		
Nonminor's Informed Consent to Hold Disposition Hearing		CASE NUMBER:

To the youth: This form is used to tell the court whether you agree to participate in a disposition hearing after you turn 18 years old. When you turn 18, you are an adult and therefore can decide if your case will remain open or not. Read this form carefully—with your attorney. This completed form must be submitted to the court at or before the scheduled disposition hearing. For more information, read page 2 of this form.

1. Youth's information

- a. Name:
- b. Date of Birth:
- c. The youth was found to be a minor described by Welfare Institutions Code section 300 before turning 18 years of age, and has been continuously and remains detained under Welfare and Institutions Code section 319(c).

2. I (*youth's name*), understand I have the right to agree or not to agree to the holding of a disposition hearing as a nonminor and that the following are correct (*check and then initial each box unless you have a question*):

- a. The potential benefits of continued dependency have been explained to me, and I understand those benefits. Initial
- b. I have been informed that if the court establishes dependency, I would have the right to seek termination of dependency and have dependency reinstated at a later date until I turn 21 years old.
- c. I have talked to my attorney about providing informed consent and the setting of the nonminor disposition hearing.

3. Check whether you consent to a hearing or do not consent:

- a. I consent to proceed to a nonminor disposition hearing to consider whether I was at risk of harm in the home of my parent or guardian before I turned 18 years old, and to consider my status as a nonminor dependent.
- b. I do not consent to the setting of a nonminor disposition hearing. I understand that the court will dismiss jurisdiction, and I will not be eligible for extended foster care.

Date: _____
▶ _____
 (SIGNATURE OF YOUTH)

 (TYPE OR PRINT NAME)

4. If the court has appointed you as a guardian ad litem for the nonminor, indicate in item 3 whether you consent on behalf of the nonminor to proceeding with a nonminor disposition hearing.

Date: _____
▶ _____
 (SIGNATURE OF GUARDIAN AD LITEM)

 (TYPE OR PRINT NAME)

Declaration of Attorney (required unless the nonminor is not competent to direct counsel)

5. I am the attorney for the youth named above. I hereby declare that I have discussed the implications of setting and not setting a nonminor disposition hearing with my client.

Date: _____
▶ _____
 (SIGNATURE OF ATTORNEY)

 (TYPE OR PRINT NAME)

SEE PAGE TWO FOR INFORMATION ABOUT THE NONMINOR DISPOSITION HEARING

What is a Nonminor Disposition Hearing?

To the youth: This page tells you about your right to agree or not agree to holding a disposition hearing after you turn 18 years old. When you turn 18, you are legally an adult and have the decision-making authority of an adult. This form explains what a disposition hearing is, your rights as an adult, and extended foster care, or “AB 12.”

1. **What is a nonminor disposition hearing?** A nonminor disposition hearing is a special hearing for a youth who became involved in the dependency court right around the time they turned 18 years old. It happens when the court takes jurisdiction of a child, but doesn't have the disposition hearing until after that child turns 18 and becomes an adult.
2. **What is a disposition hearing?** The disposition hearing occurs after the court takes jurisdiction of a child at the jurisdiction hearing by deciding that the child is unsafe and that the court should be involved in the child's life. At the disposition hearing, the court decides what should happen to the child next. The court decides things such as: whether it is safe to live in the parent's or guardian's home, whom the youth should live with and how to make the parent's or guardian's home safe for the child.
3. **What rights do I have as an adult?** When you turn 18 years old, you have all the legal decision making rights of an adult. This means that you decide things like where you live, whether you consent to medical care, where you go to school, and if your dependency case will remain open. A parent or social worker no longer make these decisions for you.
4. **How is a nonminor disposition hearing different from a regular disposition hearing?** First, before the nonminor disposition hearing can be held, you have to agree to the hearing. Also, unlike a disposition hearing for a child, the court does not decide if you should live with your parent or guardian. The court cannot tell an adult where to live. However, although you can decide where you live, if you intend to participate in AB 12, you need to work with your social worker on where you will live, and you must be in a placement approved by your social worker.
5. **How do I agree to the nonminor disposition hearing?** You will need to provide “informed consent.” To do so, work with your attorney and submit this *Nonminor's Informed Consent to Hold Disposition Hearing* (form JV-463). This form must be filed with the court by you or your attorney at or before the disposition hearing.
6. **What happens if I agree to the nonminor disposition hearing?** If you are 18 years old, and you agree to having the nonminor disposition hearing, the court will hold the hearing to determine if you were in danger in the home of your parent or guardian immediately before you turned 18 years old. This finding must be made for you to be eligible for AB 12. If the court does not make this finding, the case will be dismissed. The court will consider evidence including the social worker's report and may hear testimony.
7. **What happens if I don't agree to the disposition hearing?** When you are an adult, the law gives you the right to decide if you want to have a nonminor disposition hearing. If you do not agree, the court will dismiss your case. Your social worker, your attorney, and the court will no longer be formally involved in your life and you will not be eligible for AB 12.

It is important to remember that the decision to proceed with your case after you turn 18 years old belongs to you. A major factor in your decision may be whether you want to participate in AB 12. You should discuss this decision with your attorney and your social worker.