

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

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

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

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

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

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

**Child returned home**

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

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

- 5.  By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
- 6.  The child's out-of-home placement is necessary.
- 7. a.  The child's out-of-home placement is appropriate.
- b.  The child's current placement is not appropriate. This hearing is continued for a report by probation on the progress made to locate an appropriate placement.
- 8.  For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welfare and Institutions Code section 706.5(c)(1)(B) when determining the continuing necessity for and appropriateness of the placement.
- 9.  The child has run away from placement. Out-of-home placement continues to be necessary. The placement was appropriate. Probation has made reasonable efforts to locate the child. Probation has complied with the case plan by making reasonable efforts to return the child to a safe home and to complete whatever steps are necessary to finalize the permanent plan.
- 10.  The child is placed outside the state of California and that out-of-state placement:
  - a.  continues to be the most appropriate placement and is in the child's best interest. There are no available and adequate in-state facilities to meet the child's needs. All licensure requirements have been met or a waiver granted. The placement complies with the requirements of Family Code section 7911.1.
  - b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued for a report by probation on the progress made toward finding an appropriate placement for the child.
- 11.  Probation  has  has not complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child, and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent plan.
  - For children 16 years of age or older placed in another planned permanent living arrangement, the court finds that probation  has  has not made the following ongoing and intensive efforts to return the child to a safe home or finalize the permanent plan:

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

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

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

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

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

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

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

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

b.  Reunification services are terminated.

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

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

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

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

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

(1)  The child is returned home immediately.

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

(3)  Adoption. A hearing under Welfare and Institutions Code section 727.31 is scheduled for (*date*): and an adoption assessment report is ordered.

(4)  Legal guardianship.

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

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

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

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

- return home                       establish legal guardianship
- place for adoption               place with a relative
- other (*specify*):

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- 17. a.  **The likely date** by which the permanent plan will be achieved is:
- b.  **The likely date** by which the child may be returned to and safely maintained in the home or another permanent plan selected is: . (Use this finding only when the court continues reunification services under item 15a.).
- c.  The court finds that the barriers to achieving the child's permanent plan are *(describe)*:

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

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

**Case planning and visitation**

- 19.  **The child is 14 years of age or older.** The services set forth in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
  
- 20. a.  The following were actively involved in the case plan development, including the plan for permanent placement:  
 child     mother     father     legal guardian     tribal representative  
 other :
- b.  The following were **not** actively involved in the case plan development, including the plan for permanent placement. The probation officer is ordered to actively involve them and submit an updated case plan within 30 days from today.  
 child     mother     father     legal guardian     tribal representative  
 other :
- c.  The following were **not** actively involved in the case plan development, including the plan for permanent placement. The probation officer is not required to involve them because they are unable, unavailable, or unwilling to participate.  
 child     mother     father     legal guardian     tribal representative  
 other :

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21.  The court finds that the child's:
- a. developmental needs  are  are not being met
  - b. mental health needs  are  are not being met
  - c. physical needs  are  are not being met
  - d. education needs  are  are not being met
22.  The additional services, assessments, and/or evaluations the child requires, and the person or agency ordered to take the steps necessary for the child to receive these services, assessments, and/or evaluations, are:
- a.  set forth on the record.
  - b.  as follows:
23. a.  The following are ordered by the court to participate with the child in a counselling or education program as directed by probation:  mother  father  legal guardian  other (*specify*):
- b.  The participation by the following is deemed by the court to be inappropriate or potentially detrimental to the child and their participation with the child in a counseling or education program is **not** ordered:  
 mother  father  legal guardian  other (*specify*):
24.  The child has siblings under the court's jurisdiction and all of the siblings are **not** placed together in the same home.
- a.  Visitation between the child and child's siblings who are not placed together is appropriate and ordered.
  - b.  The court finds by clear and convincing evidence that visitation between the siblings who are not placed together would be contrary to the safety and well-being of at least one of the children for the following reasons (*state reasons*):
- No visitation is ordered.
25.  Visitation with the child is ordered:
- a.  As set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
  - b.  As follows (*specify*):

**Health and education**

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

**Parentage**

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

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**Advisement**

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

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

33.  Other findings and orders:

a.  See attached.

b.  (Specify):

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

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

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

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

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

38. Number of pages attached:

Date:



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JUDICIAL OFFICER

