

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

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

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

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

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

Child returned home

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

Child remaining in out-of-home placement

5. Continued out-of-home care is in the best interest of the child. Reunification services are terminated.
6. The child's out-of-home placement is necessary.
7. a. The child's out-of-home placement is appropriate.
b. The child's current placement is not appropriate. This hearing is continued for a report by probation on the progress made to locate an appropriate placement.
8. 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 the county agency on the progress made toward finding an appropriate placement for the child.
11. The probation department has has not exercised due diligence to locate an appropriate relative with whom (*name of child*) could be placed. Each relative whose name has been submitted to the department has has not been evaluated. (Fam. Code, § 7950.)
12. Probation has has not complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent placement of the child.
 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 (*specify*):

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13. **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.

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

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

(1) The child is returned home immediately.

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

(3) Legal guardianship.

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

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

(2) 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)*:

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

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

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

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

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

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

Case planning and visitation

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.

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

- 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 persons or agency ordered to take the steps necessary for the child to receive these services, assessments, and/or evaluations are:
 - a. set forth on the record.
 - b. as follows:

- 23. The child has siblings under the court's jurisdiction and all of the siblings are **not** placed together in the same home.
 - a. Visitation between the child and child's siblings who are not placed together is appropriate and ordered.
 - b. The court finds by clear and convincing evidence that visitation between the siblings who are not placed together would be contrary to the safety and well-being of at least one of the children. No visitation is ordered.

- 24. Visitation with the child is ordered:
 - a. as set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
 - b. as set forth in *Visitation Attachment: Sibling* (form JV-401).
 - c. as follows (*specify*):

Health and education

- 25. The child does does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on (*date*):

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

- 27. A limitation on the parents legal guardians to make educational decisions for the child
 - a. is **not** necessary. The parents or legal guardian hold educational rights and responsibilities, including those listed in California Rules of Court, rule 5.650(e) and (f).
 - b. is necessary. Those rights are limited as ordered and as set forth in *Order Designating Educational Rights Holder* (form JV-535).

- 28. The child's school placement has changed since the last review hearing.
 - a. The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days since the placement change.
 - b. The child is enrolled in attending school.

Parentage

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

as to the identity and address of all presumed or alleged fathers. All alleged fathers present during the hearing who had not previously submitted a *Statement Regarding 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

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

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

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

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

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

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

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

36. The sealing process has been explained to the 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.

37. Number of pages attached:

Date:



JUDICIAL OFFICER