

JUDICIAL COUNCIL OF CALIFORNIA

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INVITATION TO COMMENT SPR22-13

Title

Juvenile Law: Short-Term Residential
Therapeutic Program Placement

Proposed Rules, Forms, Standards, or Statutes

Amend Cal. Rules of Court, rules 5.618,
5.697, and 5.903; adopt form JV-240;
approve form JV-459(A); revise forms
JV-235, JV-236, JV-237, JV-238, JV-239,
JV-320, JV-421, JV-430, JV-432, JV-433,
JV-435, JV-437, JV-438, JV-440, JV-442,
JV-443, JV-445, JV-446, JV-455, JV-457,
JV-461(A), JV-462, JV-642, JV-667,
JV-672, JV-674, and JV-678

Proposed by

Family and Juvenile Law Advisory
Committee
Hon. Stephanie E. Hulse, Cochair
Hon. Amy M. Pellman, Cochair

Action Requested

Review and submit comments by May 13,
2022.

Proposed Effective Date

January 1, 2023

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Executive Summary and Origin

The Family and Juvenile Law Advisory Committee proposes that the Judicial Council amend three rules and adopt, approve, and revise Judicial Council forms, effective January 1, 2023, to finalize the implementation of Assembly Bill 153 (Stats. 2021, ch. 86). AB 153 implements part IV of the federal Family First Prevention Services Act, which requires participating states to create a process of judicial review for each placement of a foster youth in a congregate care placement. This is the second time the proposal is circulating for public comment. The proposal initially circulated for public comment in spring 2021, before AB 153 was signed into law. Additional requirements created by AB 153 for status review hearings that were not addressed in the previous proposal are incorporated into this proposal.

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

Background

In 2018, the federal Family First Prevention Services Act (FFPSA) was signed into law.¹ Part IV of the legislation addresses steps that participating states must take to safely reduce the inappropriate use of congregate care for children. The federal legislation requires that, for congregate care placements to be eligible for federal title IV-E funding, each placement of a foster youth in a congregate care setting must be reviewed and approved by a “family or juvenile court or another court (including a tribal court) of competent jurisdiction, or an administrative body appointed or approved by the court, independently.” The act requires that participating states must implement its provisions no later than October 1, 2021.

California, which relies on federal funding to fund its short-term residential therapeutic program (STRTP) placements, elected to implement the requirements of part IV of the FFPSA to ensure that these placements remain eligible for federal funding. To meet the deadline of October 1, 2021, the California Department of Finance introduced budget trailer bill language in early 2021 that would implement part IV of the FFPSA and thus bring California into compliance with the federal requirements. The trailer bill language was amended into Assembly Bill 153 (Committee on Budget; Stats. 2021, ch. 86),² which was signed into law on July 16, 2021. The requirements created by AB 153 are the subject of this proposal.

Prior Circulation

In the spring rules cycle of 2021, the committee took the unusual step of circulating the initial version of this proposal for comment based on the trailer bill language. This was done to ensure juvenile courts would not be forced to implement legislation effective October 1, 2021, without rules and forms in place. The committee was also aware that the trailer bill language required the Judicial Council to adopt rules of court and develop or amend appropriate forms, as necessary, and that courts would be faced with a brand-new process for any new placement in a STRTP starting on October 1. If the committee had waited to circulate the proposal for comment until after the legislation had been finalized, rules and forms would not have been in place when the legislation became effective.

The proposal was revised after the comment period to comply with the final version of AB 153. The final version of the proposal was not circulated for public comment and is therefore being circulated in this cycle to meet the requirement that each proposal circulate for public comment.

The Proposal

AB 153 requires the Judicial Council to adopt and amend rules of court and develop appropriate forms for the implementation of several of its provisions. The proposal would conform the rules and forms to additional new requirements created by AB 153 that were not addressed in the last rules cycle. In addition, proposed changes to the process for reviewing STRTP placements would

¹ Pub. L. No. 115-123 (Feb. 9, 2018) 132 Stat. 254. The FFPSA was included as a provision in the Bipartisan Budget Act of 2018, www.congress.gov/115/plaws/publ123/PLAW-115publ123.pdf.

² The bill is accessible at https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=20210220AB153.

improve efficiency and promote compliance with the requirements of AB 153 and federal legislation.

The following actions are proposed:

- Amend three California Rules of Court:
 - Rule 5.618, Placement in short-term residential therapeutic program;
 - Rule 5.697, Disposition hearing for a nonminor; and
 - Rule 5.903, Nonminor dependent status review hearing.
- Adopt a new Judicial Council form: *Notice of Request for Approval of Short-Term Residential Therapeutic Program Without a Hearing* (JV-240).
- Approve a new Judicial Council form: *Status Review Attachment: Sexual and Reproductive Health Services (Welf. & Inst. Code, §§ 366(a)(1)(F), 727.2(e)(7))* (JV-459(A)).
- Revise 27 Judicial Council forms:
 - *Placing Agency's Request for Review of Placement in Short-Term Residential Therapeutic Program* (JV-235)
 - *Input on Placement in Short-Term Residential Therapeutic Program* (JV-236)
 - *Proof of Service—Short-Term Residential Therapeutic Program Placement* (JV-237)
 - *Notice of Hearing on Placement in Short-Term Residential Therapeutic Program* (JV-238)
 - *Order on Placement in Short-Term Residential Therapeutic Program* (JV-239)
 - *Orders Under Welfare and Institutions Code Sections 366.24, 366.26, 727.3, 727.31* (JV-320)
 - *Findings and Orders After Six-Month Status Review Hearing (Welf. & Inst. Code, § 366.21(e))* (JV-430)
 - *Six-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.21(e))* (JV-432)
 - *Six-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.21(e))* (JV-433)
 - *Findings and Orders After 12-Month Permanency Hearing (Welf. & Inst. Code, § 366.21(f))* (JV-435)
 - *Twelve-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.21(f))* (JV-437)
 - *Twelve-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.21(f))* (JV-438)
 - *Findings and Orders After 18-Month Permanency Hearing (Welf. & Inst. Code, § 366.22)* (JV-440)
 - *Eighteen-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.22)* (JV-442)
 - *Eighteen-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.22)* (JV-443)

- *Findings and Orders After Postpermanency Hearing—Parental Rights Terminated; Permanent Plan of Adoption (Welf. & Inst. Code, § 366.3) (JV-445)*
- *Findings and Orders After Postpermanency Hearing—Permanent Plan Other Than Adoption (Welf. & Inst. Code, § 366.3) (JV-446)*
- *Findings and Orders After 24-Month Permanency Hearing (Welf. & Inst. Code, § 366.25) (JV-455)*
- *Twenty-four-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.25) (JV-457)*
- *Dispositional Attachment: Nonminor Dependent (JV-461(A))*
- *Findings and Orders After Nonminor Dependent Status Review Hearing (JV-462)*
- *Initial Appearance Hearing—Juvenile Delinquency (JV-642)*
- *Custodial and Out-of-Home Placement Disposition Attachment (JV-667)*
- *Findings and Orders After Six-Month Prepermanency Hearing—Delinquency (JV-672)*
- *Findings and Orders After Permanency Hearing—Delinquency (JV-674)*
- *Findings and Orders After Postpermanency Hearing—Delinquency (JV-678)*

Rules of court

Rule 5.618

Rule 5.618 was created in the 2021 spring rules cycle after AB 153 was signed into law. The rule sets a procedural framework for the court’s review of a STRTP placement. The committee has reviewed the rule and proposed the rule be revised in several ways.

Removal of form references. The committee elected to propose that many of the forms associated with the STRTP review hearing be optional. The forms are fixtures in the current version of rule 5.618 and are integral to the process for the court to receive input and objections to the STRTP placement, and for the process to approve the placement without a hearing.³ But with the forms now being proposed to be optional, the rule has been updated to remove references in the rule to the forms and replace them with more generic language to allow for a proof of service or filing that are not on Judicial Council forms.

Notice to parties. The list of individuals required to receive notice has been updated to include a nonminor dependent’s guardian ad litem, the county counsel, the district attorney, the social worker or probation officer, and a nonminor dependent’s legal guardian if they are receiving reunification services. In addition, a child’s Child Abuse Prevention and Treatment Act (CAPTA) guardian ad litem has been added to the list for those situations described in rule 5.662 in which an attorney is not appointed for a child. And finally, a nonminor dependent’s guardian ad litem if one has been appointed consistent with Code of Civil Procedure section 372 and

³ Rule 5.618(f) requires that the placing agency has verified through the JV-237 proof of service form that they served the report 10 court days before the hearing on all parties; subdivision (f) also requires that to approve the placement without a hearing, that no party has objected to the placement through form JV-236 within five court days of receiving the report. In addition, subdivision (f) requires that local rules meet the same requirements. Subdivision (b) of the rule also requires that form JV-235 be served on the parties to satisfy the requirement that the parties be notified of the request for review, and that form JV-236 be served on the parties at the same time.

Probate Code sections 810–813 has also been added to the list of individuals required to receive notice (rule 5.618(b)).

Submission of the report. Subdivision (d)(1) was updated to require the social worker or probation officer to “submit” the report to the court, as opposed to “file” the report with the court. This change was made to reflect the language in sections 361.22(c)(1) and 727.12(c)(1).

Parties who can object. The list of parties who can object to the placement has been updated to include the district attorney on the case, and the Child Abuse Prevention and Treatment Act (CAPTA) guardian ad litem and a nonminor dependent’s guardian ad litem as discussed above (rule 5.618(e)(5)). These additions are all considered parties to the case. The committee elected to give only parties the ability to object and therefore prevent the court from approving the placement without a hearing, as parties are the ones who could be aggrieved by the court’s decision.

Code of Civil Procedure section 1013(a). A comment was received in last year’s rules cycle questioning whether the rule’s timeline for an objection from a party would be subject to Code of Civil Procedure section 1013(a).⁴ An adequate response to that question was not provided in the last cycle. Like many other juvenile rules, an abbreviated timeline required responses be received without the benefit of the extensions of Code of Civil Procedure section 1013(a).⁵

The last sentence of Code of Civil Procedure section 1013(a) states, “This extension applies in the absence of a specific exception provided for by this section or other statute or rule of court.” Because the statute allows for exceptions in a rule of court, the committee proposes that rule 5.618(f)(1)(C) be updated to clarify that “[t]he requirements of Code of Civil Procedure section 1013(a) do not apply to this subdivision.” An advisory comment was also added to the rule, indicating that the reason for the exception to Code of Civil Procedure section 1013(a) is based on the exigency required by the timelines of Welfare and Institutions Code sections 361.22 and 727.12⁶ and the need for a prompt resolution of the youth’s status in a STRTP placement.

⁴ “[A]ny right or duty to do any act or make any response within any period or on a date certain after service of the document, which time period or date is prescribed by statute or rule of court, shall be extended five calendar days, upon service by mail, if the place of address and the place of mailing is within the State of California, 10 calendar days if either the place of mailing or the place of address is outside the State of California but within the United States, and 20 calendar days if either the place of mailing or the place of address is outside the United States.” (Code Civ. Proc., § 1013(a)).

⁵ For example, for a hearing to review a child’s removal from their school of origin, rule 5.651(e)(2)(A)(i) requires the request for a hearing by the child’s attorney be filed within 2 court days of receiving notice of the placement change. For a hearing to review an out-of-county placement, a parent has 7 calendar days to object and request a hearing after receiving notice of the placement change. The court must hold a hearing not later than 5 calendar days after the objection is received and prior to the placement. (Welf. & Inst. Code, § 361.2(h).) A request for review of a presumptive transfer waiver determination must be made within 7 court days of the petitioner’s being noticed of the placing agency’s determination on the request for waiver of presumptive transfer. A hearing can be set no later than 5 court days after the request for a hearing was filed. (Cal. Rules of Court, rule 5.647(b)(3) & (c)(1).)

⁶ All further statutory references are to the Welfare and Institutions Code unless otherwise indicated.

Rules 5.903 and 5.697

These rules are proposed to be amended because each rule lists the items required for the report for the hearing, and rule 5.903 lists required findings and orders. These requirements have both been changed by AB 153. The committee recommends that each rule be revised to refer to the statutory requirements for these items, as opposed to creating a duplicate list of the statutes' requirements. Doing so will ensure that the rule will not have to be updated each time there is a legislative change. Those portions of the rule that are contained in the statute were removed and replaced with a reference to the applicable Welfare and Institutions Code section; however, the requirements of rule 5.903 first recommended by the Family and Juvenile Law Advisory committee and adopted by the Judicial Council in 2011 that are not in statute will remain in the rule. A similar update was not required for rule 5.708 (General review hearing requirements) because the rule already cross-references the statute.⁷

Forms related to the STRTP review

New form JV-240

One of the most important features of rule 5.618 is its fulfillment of the statutory mandate that the rule include a process to approve a STRTP placement without a hearing.⁸ In last year's rules cycle, the committee paid careful attention to creating this process. A process was created that requires the report to be served 10 court days before the hearing, and if no party objects within five court days of receiving the report, the court may approve the placement and vacate the hearing date.

The rule, however, does not currently require that any notice be provided that a request for approval without a hearing is being made. Forms that are distributed to parties provide information that the placement could be approved if no party objects.⁹ But for parties and for the court it may be difficult to determine when approval without a hearing is being requested.

To make sure parties are clearly aware that a request is being made to approve the placement without a hearing, the committee is recommending the adoption of new mandatory form, *Notice of Request for Approval of Short-Term Residential Therapeutic Program Without a Hearing* (form JV-240), attached on page 37, and recommending that rule 5.618(f)(1)(B) be amended to require that the form be served on parties along with the report.

Mandatory versus optional: forms JV-235, JV-236, JV-237, and JV-239

The committee elected to propose forms JV-235, JV-236, and JV-237 be made optional and that JV-239 remain mandatory (JV-238 would remain optional). Based on the experience gained by

⁷ Rule 5.708 requires that reports include "[a] factual discussion of each item listed in sections 366.1 and 366.21(c)," so the updates by AB 153 are reflected by the reference to the statute.

⁸ See §§ 361.22(h), 727.12(h).

⁹ The current version of the request for review (form JV-235) does provide parties notice that the placing agency will be requesting approval of the placement without a hearing in item 4. JV-235 and JV-236 also provide advisements to parties that the placement could be approved without a hearing if certain conditions are met.

courts, having the forms mandatory worked initially, but had become onerous after more experience in holding these hearings had been gained. Form JV-239 is recommended to remain mandatory to ensure that correct findings and orders are made.

Modifications to STRTP review forms

In addition to several technical edits, the following modifications are proposed for the forms addressing the court's review of a STRTP placement. All changes are highlighted on the attached forms found on pages 35-36.

Level of care versus placement. Form JV-239, the court's findings and orders form, is updated to reflect one of the minor discrepancies between sections 361.22 and 727.12. Section 361.22(e)(3) requires the court to determine whether the STRTP *level of care* is consistent with the short- and long-term mental and behavioral health goals and permanency plan for the child or nonminor dependent. Section 727.12(e)(3), however, requires this determination to be made as to the specific STRTP. This difference could be significant in some situations, and the form has been updated in item 7 to reflect this distinction.

Placement address. The request for review (form JV-235) may not provide enough specificity as to which specific placement is being reviewed, as it requires the name of the placement only. This could cause an issue when a STRTP is part of an agency that has multiple homes. Including the address of the STRTP in the identifying information in the form would therefore provide the level of specificity needed. If the placement is confidential under section 308, the form indicates that the information can be provided by using [form JV-287](#). This proposal requests specific comment on this issue.

List of reasons for court's determination. Sections 361.22(e)(6) and 727.12(e)(6) require the court to "[m]ake a finding, either in writing or on the record, of the basis for its determinations pursuant to this subdivision." The committee elected to include a list of typical reasons for the court's determination on the form JV-239 that the court can check to meet this requirement. Item 10 on form JV-239 has been updated with a list of typical reasons for the court's determination to approve or disapprove the placement.

Form JV-236 introductory paragraph. The introductory paragraph was updated to provide additional clarification on the review of the placement without a hearing. A reference to proposed new form JV-240 was added, alerting parties that they will receive this notice if a request is made to approve the placement without a hearing. A similar reference was added to form JV-235.

Forms related to status review hearings

The following discussion addresses updates to 22 status review forms to implement new requirements under AB 153 and other changes to improve consistency with the Welfare and Institutions Code and among forms.

The forms are being circulated for comment a second time because they were updated after the comment period in the last rules cycle and the requirements of AB 153 were not all addressed in that cycle due to time constraints.¹⁰

AB 153 created two new sets of findings that the court will need to consider at status review hearings (see section 366(a)(1)(F) and (G)). These new subdivisions both require that on or before January 1, 2023, “the Judicial Council shall amend and adopt rules of court and develop appropriate forms for the implementation of this subparagraph.”

Sexual and reproductive health services. AB 153 created a requirement at status review hearings that the court review the placing agency’s responsibility to provide sexual and reproductive health information (section 366(a)(1)(F)). The finding is not required for every foster youth, but is required “[f]or a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, or a nonminor dependent.”

Because these findings are not required for every foster youth, and because the required findings are lengthy, the committee recommends that a new form be created for use as an attachment, to be used for those hearings at which the findings are required.¹¹ The proposed *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)) is attached on page 110.

To indicate to the court when the attachment is required, the status review forms have the following new item added:

- For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)) has been completed and is attached.

Education findings. AB 153 amended section 366 to require the court to consider new information and make findings related to the provisions of support for foster youth as they pursue secondary education. The following findings from section 366(a)(1)(G)(i) must be addressed by the court:

For a child who is 16 years of age or older or for a nonminor dependent, whether the social worker or probation officer has, pursuant to the requirements of

¹⁰ One form from the spring cycle (JV-410) is not circulating for comment because no further updates were made to the form after the comment period, and it does not require additional AB 153 updates. This form will be updated with technical amendments consistent with issues discussed below and included in the final report to the Judicial Council, but the committee determined it does not require re-circulation under rule 10.22(d)(2) because the changes are minor substantive change that are unlikely to create controversy.

¹¹ Because the finding will always be required for a nonminor dependent, the full list of findings are being included on forms related to nonminor dependent status review (forms JV-461(A) and JV-462).

paragraph (22) of subdivision (g) of Section 16501.1, identified the person or persons who shall be responsible for assisting the child or nonminor dependent with applications for postsecondary education and related financial aid, or that the child or nonminor dependent stated that they do not want to pursue postsecondary education, including career or technical education.

Because this finding is required at a status review hearing, it will need to be included in most of the forms in this proposal. The finding is proposed to appear as follows:

- a. The child is 16 years of age or older:
 - (1) An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 - (2) The name of the support person(s) to assist the child is: _____ . The relationship(s) to the child is: _____ .
 - (3) An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 - (4) To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services
 - (a) stated on the record.
 - (b) as follows: [*Comment field*]
- b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.

Additional forms added to proposal. Incorporated in this proposal are four additional forms that were not part of the proposal in the 2021 spring rules cycle. These additions were required because the findings of AB 153 would be required for status review hearings for cases in reunification whether the youth was returned home or remained in foster care.¹² Status review forms for cases in reunification are divided into multiple attachments to address the different possible outcomes during reunification, with a parent form that includes the findings that would be required regardless of whether the youth returns home or not. These parent forms are included in this proposal so that the AB 153 findings can be added to them.¹³

¹² The STRTP review hearings that led to the initial expansion of forms in the proposal are only required to be made when the youth *remains* placed in the STRTP, implicating only those forms in which the youth remains in foster care; however, the reproductive health rights findings and education findings would be required whether the minor remains in foster care or not.

¹³ The additional forms include:

- *Findings and Orders After Six-Month Status Review Hearing (Welf. & Inst. Code, § 366.21(e)) (JV-430);*
- *Findings and Orders After 12-Month Permanency Hearing (Welf. & Inst. Code, § 366.21(f)) (JV-435);*
- *Findings and Orders After 18-Month Permanency Hearing (Welf. & Inst. Code, § 366.22) (JV-440); and*
- *Findings and Orders After 24-Month Permanency Hearing (Welf. & Inst. Code, § 366.25) (JV-455).*

Other form revisions

In addition to the AB 153 findings mentioned above, the forms are being updated to promote consistency in several respects and with other substantive updates. The issues that follow are being addressed across all the forms.

Statutory citations. All forms are being updated to make the format of statutory citations consistent. A full citation is provided in the statutory reference at the bottom of the form, for example, “Welfare and Institutions Code, §.” The rest of the form uses the abbreviated citation “Welf. & Inst. Code, §.” If a code section cited in the form is not spelled out with a full citation at the bottom of the form, then that code section is spelled out in full, for example, “Family Code section.”¹⁴

Court’s signature. The court’s signature line is being updated to be consistent across the forms. The signature line will designate the judicial officer’s status as “ Judge Temporary Judge Referee Commissioner.” Many current forms use this approach, while others use “Judge” or “Judicial Officer.”

Gender references. Gender references are being removed consistent with the Judicial Council’s commitment to use nonbinary language in its forms. The committee determined, however, that references to “mother” and “father” are still necessary because the Welfare and Institutions Code uses these designations and they often have legal implications, and that, therefore, the Legislature should address this issue first. But forms are being updated with an additional “Other” option where a list of parents is provided, to allow for the inclusion of nonbinary parents and same-sex parents.

Appearance by child. The section on the forms addressing the child’s appearance at the hearing who is 10 years old or older is being updated to reflect the requirements of section 349(d), ensuring proper notice and giving the court the option to continue the hearing to ensure the child can be present, or make a finding that it is not in the best interests of the child to continue the hearing.

In addition, substantive legal issues have been addressed in the form revisions, including the following issues:

Return home at postpermanency hearing. A suggestion was received from a stakeholder in 2020 noting that form JV-446 does not include an option to return the child home at a postpermanency hearing. Section 366.3 includes several provisions that indicate return to a parent is a germane issue at a postpermanency hearing.¹⁵ Section 366.3(f) also indicates there is a presumption that

¹⁴ These changes are also being made to the forms related to the STRTP review process discussed in this proposal. An exception was made, however, in the forms that were providing instructions to parties. In those situations, the code section was spelled out in full as “Welfare and Institutions Code section.”

¹⁵ Section 366.3 also requires the court to consider several findings that contemplate the minor could be a candidate to return to their home, including the following required findings:

- Whether continued placement remains necessary;

continued care is in the best interests of the child and goes on to state that this presumption can be overcome if the parents prove by a preponderance of the evidence that further efforts at reunification are in the child’s best interests.

The committee considered this issue and recommended that the form be updated to provide for these possible outcomes. The following findings are recommended to be added to form JV-446 as items 11 and 38:

11. Continued out-of-home placement is no longer necessary. The child is ordered immediately returned to the home of the mother father legal guardian.
- a. Family maintenance services are ordered for six months.
- b. Custody of the child under the custody order and final judgment entered this day. Visitation with the child will be as stated in the *Visitation Order-Juvenile* (form JV-205). The clerk of the juvenile court must file with the family court a completed *Custody Order-Juvenile-Final Judgment* (form JV-200) and *Visitation Order-Juvenile* (form JV-205).
38. The mother father nonbinary parent have proved by a preponderance of the evidence that further efforts at reunification are the best alternative for the child. Further reunification services to return the child to a safe home environment are ordered to the parent for a period of six months.

Sibling under three and termination of services at six months. Forms related to the disposition hearing and six-month reunification hearing are updated to comply with the requirements of 361.5(a)(1)(C) when reunification services are terminated at the six-month review hearing for a sibling group that includes a child who was under the age of three at removal. According to the recent case *W.P. v. Superior Court* (2018) 20 Cal.App.5th 1196, section 361.5(a)(1)(C) requires that to terminate services at the six-month review, the siblings must have been removed at the same time and remain placed together.¹⁶ Forms related to the disposition hearing and the six-month status review were updated with this information (forms JV-415, JV-432, and JV-433).

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- The extent of progress the parents or legal guardians have made toward alleviating or mitigating the causes necessitating placement in foster care; and
 - The likely date by which the child may be returned to, and safely maintained in, the *home* (§ 366.3(e)(1), (7) & (8)).

A court must also consider all permanency planning options for the child, “including whether the child should be *returned to the home of the parent*” (§ 366.3(h), italics added).

¹⁶ “*For the purpose of placing and maintaining a sibling group together in a permanent home should reunification efforts fail, for a child in a sibling group whose members were removed from parental custody at the same time, and in which one member of the sibling group was under three years of age on the date of initial removal from the physical custody of his or her parent or guardian, court-ordered services for some or all of the sibling group may be limited as set forth in subparagraph (B). ... (§ 361.5, subd. (a)(1)(C).)*” 20 Cal.App.5th at p. 1202, italics added.

The changes include adding language that the sibling group was “removed at the same time” and “are placed together.”

In addition, form JV-432, *Six-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.21(e))*, addressing the continuation of services for this classification of youth at the six-month review, has been updated. The current version of the form requires a finding of a substantial probability of return to continue services to the 12-month review for a child under three years of age or member of a sibling group at removal. However, section 366.21(e)(3) requires that to terminate services in this situation, the court must first find by clear and convincing evidence that the parent failed to participate regularly and make substantive progress in a court-ordered treatment plan.¹⁷ If the parent then proves a substantial probability of return, the court must continue services. The form has been updated to reflect these requirements.

Important individuals. The findings in form JV-446, item 23, related to the identification of important individuals to the child, have been updated to reflect the requirement for this finding that a child be 10 years of age *and* has been in out-of-home placement for six months or longer, reflecting the statutory language of section 366.3(e)(2). The current version of the form indicates the findings are required if the child is age 10 or older. In other forms, the language that the child has been in out-of-home placement for six months was removed, because the language is not in section 366.21, 366.22, or 366.25, and would be superfluous when holding a 12-month, 18-month, or 24-month reunification review hearing.

In addition, discrepancies in the finding have been noted in the code, depending on the hearing and the case status. For instance, sections 366.21(g)(5)(B), 366.22(a)(3), and 366.25(a)(3) require “reasonable efforts” to maintain relationships to individuals important to the child when the court is terminating reunification services, while section 366.3(e)(2) does not require a reasonable efforts finding.¹⁸ And section 366(a)(1)(B) requires the finding be made in the context of the court’s reasonable efforts finding.¹⁹ The finding is addressed in 10 status review forms.

¹⁷ § 366.21(e)(3): “If the child was under three years of age on the date of the initial removal, or is a member of a sibling group described in subparagraph (C) of paragraph (1) of subdivision (a) of Section 361.5, and the court finds by clear and convincing evidence that the parent failed to participate regularly and make substantive progress in a court-ordered treatment plan, the court may schedule a hearing pursuant to Section 366.26 within 120 days. If, however, the court finds there is a substantial probability that the child, who was under three years of age on the date of initial removal or is a member of a sibling group described in subparagraph (C) of paragraph (1) of subdivision (a) of Section 361.5, may be returned to his or her parent or legal guardian within six months or that reasonable services have not been provided, the court shall continue the case to the 12-month permanency hearing.”

¹⁸ The current version of form JV-446 already includes the requirements of section 366.3(e)(2) and does not need to be updated (see item 23). But language has been added to clarify the findings are required if the child is 10 years of age or older.

¹⁹ The court must determine “[t]he extent of the agency’s compliance with the case plan in making reasonable efforts, or, in the case of a child 16 years of age or older with another planned permanent living arrangement, the ongoing and intensive efforts, to return the child to a safe home and to complete any steps necessary to finalize the

Division of Juvenile Justice (DJJ) commitment. The committee recommends that item 9 on form JV-667, *Custodial and Out-of-Home Placement Disposition Attachment*, addressing the court’s order placing the minor in the DJJ, be removed. Under Senate Bill 823 (Stats. 2020, ch. 337, §§ 23, 24),²⁰ section 607 was repealed and replaced with a new section 607, prohibiting the intake of wards into DJJ starting July 1, 2021.

Indian Child Welfare Act (ICWA) inquiry in wardship proceeding. The committee proposes that *Initial Appearance Hearing—Juvenile Delinquency* (form JV-642) be updated to address inquiry requirements under ICWA. The Supreme Court, in *In re W.B.* (2012) 55 Cal.4th 30, clarified that ICWA notice is only required in circumscribed situations in a delinquency proceeding involving a youth in foster care or at risk of entering foster care, but “California law requires the court to *inquire* about a child’s Indian status at the outset of all juvenile proceedings.”²¹ The committee therefore recommended that a similar format for ICWA inquiry contained in JV-410 (items 9 and 10),²² the detention form for dependency cases, be included on form JV-642.

Reasonable efforts to locate a missing child. The committee elected to include additional short, modified findings in status review forms for when the child is missing from placement. The following language is proposed on forms where a reasonable efforts finding is required:

- The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.

Although not explicitly required in statute, the committee recommends including these modified findings to ensure that when courts make a reasonable efforts finding, or determines that placement is necessary and appropriate, they take into account the child’s status as missing when doing so. Delinquency status review forms in this proposal already include this modified language, which has been on those forms since their inception in 2012.²³

In addition, the committee also recommends similar modified findings on status review forms, addressing those situations in which the youth is in custody, as follows:

permanent placement of the child, *including efforts to maintain relationships between a child who is 10 years of age or older and who has been in an out-of-home placement for six months or longer, and individuals other than the child’s siblings who are important to the child, consistent with the child’s best interests*” (italics added).

²⁰ The bill is accessible at https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB823.

²¹ 55 Cal.4th at p. 40. As to notice, the court held “[a] delinquency court must ensure that *notice* is given and other ICWA procedures are complied with *only* when (1) exercising “dual status” jurisdiction over an Indian child (see *post*, at pp. 46–47); (2) placing an Indian child outside the family home for committing a “status offense” (§§ 601–602; see *post*, at p. 42); or (3) placing an Indian child initially detained for “criminal conduct” (§ 602; see *post*, at pp. 42–43) outside the family home for reasons based entirely on harmful conditions in the home.” *Ibid*.

²² Form JV-410, *Findings and Orders After Detention Hearing (Welf. & Inst. Code, § 319)*, <https://www.courts.ca.gov/documents/jv410.pdf>.

²³ Forms JV-672, JV-674, and JV-678.

- The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement □ was □ was not appropriate.

As mentioned, these modified findings will help ensure that courts take into account the child's status when making these important findings; these additions will not take much additional space on forms.

Advisement of appellate rights. The committee recommends removing an information box on appellate rights contained at the end of several forms in this proposal. The information box relates to a former subdivision (a) of rule 5.590, which did not require that parents be mailed an advisement of appellate rights if they were not present at the hearing. The boxes were added to the forms to make parents aware that they would not be advised of appellate rights if they did not appear at the hearing. Rule 5.590 was revised effective January 1, 2020, to require the mailing of the appellate advisement if the parent was not present; therefore, the information box on the forms is no longer necessary.²⁴

Ongoing and intensive efforts. Forms related to the termination of reunification services include a finding that ongoing and intensive efforts (O&I) were provided if the child is placed in another planned permanent living arrangement (APPLA). The committee recommends that this finding be removed.

The O&I finding is required for a youth over the age of 16 and placed in an APPLA. An APPLA can be ordered at a hearing where reunification services are terminated if there is a compelling reason for not setting a section 366.26 hearing, but in these situations, those code sections addressing reunification review hearings do not require the court to make the O&I finding the same day the APPLA is ordered.²⁵ The reasonable efforts and O&I findings are backward-looking findings, meaning that the court is considering the efforts of the agency for the prior six months. A court would not be able to review O&I efforts when the permanent plan of APPLA is being ordered the same day.²⁶

Out-of-state residential facilities. One of AB 153's principal objectives was to curtail and eventually eliminate the placement of foster youth in out-of-state residential facilities.²⁷ Starting January 1, 2023 (the same date this proposal would become effective), AB 153 requires all out-

²⁴ Forms JV-430, JV-435, and JV-440.

²⁵ Sections 366.21, 366.22, and 366.25 do not address O&I efforts, but do require the court to list barriers to achieving the permanent plan as of the hearing date. Section 366(a) requires a finding of O&I efforts if the permanent plan is APPLA, but as discussed above, when APPLA is ordered the same day, there cannot be an expectation of a review of that finding for the preceding six months the case was in reunification.

²⁶ Forms JV-440, JV-455, and JV-674.

²⁷ See Assem. Bill 153, § 2.

of-state residential facilities (OSRF) be decertified and all foster youth be returned to California.²⁸

Family Code section 7911 subdivision (d) precludes the possibility of a placement in an OSRF starting on the effective date of this proposal. The committee therefore recommends that forms be updated to eliminate the option of placement in an OSRF. The four delinquency forms in this proposal include findings related to OSRF and the committee recommends these be removed.²⁹ Keeping the findings on the forms might signal to courts that these placements would still be permissible.

Alternatives Considered

The committee considered circulating the proposal for comment in the previous rules cycle of winter 2021–22, immediately after the spring rules cycle. However, the committee determined that the proposal should circulate in the spring 2022 cycle to allow more time for the proposal to benefit from the experience gained in juvenile courts implementing the rules and forms of the earlier proposal. In addition, there was only a three-month difference in the effective date if the proposal went out in the spring cycle (the effective date for the winter cycle would have been September 1, 2022; the spring cycle effective date is January 1, 2022).

There were several issues that the committee considered in the course of the formation of this proposal. An issue of discussion was whether the forms should be mandatory or optional. Some committee members felt that the forms should remain mandatory because the process remains very new and filings are required to be made on an abbreviated timeline. But the majority of committee members preferred to make the forms optional, with the exception of the findings and orders form (JV-239) and the proposed new form JV-240.

The committee also considered how the new finding related to the court’s oversight of secondary education services should appear on the forms. The committee considered the more detailed version that is displayed on the forms and in this report, but also considered a shorter finding that essentially tracked the language in the statute. The committee, however, preferred to have the forms generate more engagement by the court in identifying the individual who would be assisting the youth.

The committee also considered whether the postpermanency form should include findings returning the child to the home of the parents. There was a discussion as to whether the child’s custody status could be changed without a section 388 petition, as the court in these situations had previously made findings that return home would be detrimental. But the committee unanimously agreed that return home is an option at a postpermanency hearing given the language of section 366.3.

²⁸ Fam. Code, § 7911(d).

²⁹ Forms JV-667, JV-672, JV-674, and JV-678.

The committee considered as well whether the new required findings in section 366(a)(1)(F) and (G) discussed above would be required when a child was returned home at a reunification review hearing. Status review forms for cases in reunification are divided into multiple attachments to address the different possible outcomes during reunification, with a parent form that includes the findings that would be required regardless of whether the youth returns home or not. The committee determined that findings would be required in both situations, so the findings were added to the parent forms related to reunification review hearings.

Fiscal and Operational Impacts

The committee anticipates that courts will incur additional costs when a hearing under rule 5.618 is held, but this is the result of the implementation of AB 153 rather than the proposal. This proposal may achieve judicial economy as the new requirements created by AB 153 will be contained in forms, providing courts with a quick reference for the new requirements of AB 153. A uniform procedure for hearings reviewing STRTP placements as proposed can also effect judicial economy and save costs for courts and litigants. Courts may be able to save time by using the procedure created in this proposal as opposed to having to create their own procedures for these hearings.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Should form JV-235 include the placement address?
- Should form JV-446 address the return of the minor to the home of the parent or legal guardian?
- Should the forms related to the juvenile court's review of STRTP placements (forms JV-235, JV-236, JV-237, and JV-239) be mandatory or optional?
- Does the process to approve the placement without a hearing in rule 5.618(f) appropriately address its stated purpose? Would any modifications to the process improve the process?
- Should the rule include a timeline for the filing and serving of the objection to the STRTP, or should this be left to local courts to determine, as the current rule requires?

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 3 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. Cal. Rules of Court, rules 5.618, 5.697, and 5.903, at pages 18–28
2. Forms JV-235, JV-236, JV-237, JV-238, JV-239, JV-240, JV-421, JV-430, JV-432, JV-433, JV-435, JV-437, JV-438, JV-440, JV-442, JV-443, JV-445, JV-446, JV-455, JV-457, JV-459(A), JV-461(A), JV-462, JV-642, JV-667, JV-672, JV-674, and JV-678, at pages 29–139

Rules 5.618, 5.697, and 5.903 of the California Rules of Court would be amended, effective January 1, 2023, to read:

1 **Rule 5.618. Placement in short-term residential therapeutic program (§§ 361.22,**
2 **727.12)**

3
4 **(a) Applicability**

5
6 This rule applies to the court’s review under section 361.22 or 727.12 following the
7 placement of a child or nonminor dependent in a short-term residential therapeutic
8 program.

9
10 **(b) Service of request for hearing**

11
12 The social worker or probation officer must use *Placing Agency’s Request for*
13 *Review of Placement in Short-Term Residential Therapeutic Program* (form JV-
14 ~~235~~) to request a hearing notify the following parties that a hearing is requested
15 under section 361.22(b)(1) or 727.12(b)(1), and serve a copy of the form and a
16 blank copy of *Input on Placement in Short-Term Residential Therapeutic Program*
17 (form JV-236) within five calendar days of each placement of a child or nonminor
18 dependent in a short-term residential therapeutic program on:

- 19
20 (1) The child’s parents and their attorneys of record, if parental rights have not
21 been terminated, or a nonminor dependent’s parents and their attorneys of
22 record, if the parent is receiving family reunification services;
23
24 (2) The child’s legal guardians, if applicable, and their attorneys of record or a
25 nonminor dependent’s legal guardians and their attorneys of record, if the
26 legal guardian is receiving family reunification services;
27
28 (3) The attorney of record for the child or nonminor dependent, or their CAPTA
29 guardian ad litem as defined by rule 5.662, and the child, if older than 10
30 years of age, or the nonminor dependent;
31
32 (4) The child’s or nonminor dependent’s Indian tribe and any Indian custodian,
33 in the case of an Indian child, and their attorneys of record; ~~and~~
34
35 (5) The district attorney if the youth is a ward of the juvenile court;
36
37 ~~(5)~~(6) For a child or nonminor dependent under section 300 or 450 jurisdiction, the
38 child’s or nonminor dependent’s Court Appointed Special Advocate
39 volunteer, if applicable; and
40
41 (7) A nonminor dependent’s guardian ad litem if one has been appointed

1 consistent with Code of Civil Procedure section 372 and Probate Code
2 sections 810–813.

3
4 **(c) Setting the hearing**

5
6 The court must set a hearing under section 361.22(d) or 727.12(d) after receiving a
7 request for a hearing to be held within 45 days of the start of the short-term
8 residential therapeutic program placement. The court must provide notice of the
9 hearing to the following:

- 10
11 (1) The child’s parents and their attorneys of record, if parental rights have not
12 been terminated, or a nonminor dependent’s parents and their attorneys of
13 record, if the parent is receiving family reunification services;
14
15 (2) The child’s legal guardians, if applicable, and their attorneys of record or a
16 nonminor dependent’s legal guardians and their attorneys of record, if the
17 legal guardian is receiving family reunification services;
18
19 (3) The attorney of record for the child or nonminor dependent, or their CAPTA
20 guardian ad litem as defined by rule 5.662, and the child if older than 10
21 years of age, or the nonminor dependent;
22
23 (4) A nonminor dependent’s guardian ad litem if one has been appointed
24 consistent with Code of Civil Procedure section 372 and Probate Code
25 sections 810–813;
26
27 ~~(4)~~(5) The child’s or nonminor dependent’s Indian tribe and any Indian custodian,
28 in the case of an Indian child, and their attorneys of record; ~~and~~
29
30 (6) The social worker or probation officer;
31
32 (7) The district attorney if the youth is a ward of the juvenile court;
33
34 (8) The county counsel; and
35
36 ~~(5)~~(9) The child’s or nonminor dependent’s Court Appointed Special Advocate
37 volunteer, if applicable.

38
39 **(d) Report for the hearing**

- 40
41 (1) The ~~report described in~~ social worker or probation officer must submit a
42 report to the court that includes the information required by section 361.22(c)

1 or 727.12(c) ~~must be filed with the court~~ no later than seven calendar days
2 before the hearing.

3
4 (2) The report must be served on the individuals listed in (c) of this rule no later
5 than seven calendar days before the hearing.

6
7 (3) The documentation required by section 361.22(c)(1)(A) or 727(c)(1)(A) must
8 not contain information that is privileged or confidential under existing state
9 law or federal law or regulation without the appropriate waiver or consent.

10
11 **(e) Input on placement**

12
13 (1) The following parties who object to the placement may inform the court of
14 the objection by filing *Input on Placement in Short-Term Residential*
15 *Therapeutic Program* (form JV-236), or by use of another method:

16
17 (A) The child's parents and their attorneys of record, if parental rights have
18 not been terminated, or a nonminor dependent's parents and their
19 attorneys of record, if the parent is receiving family reunification
20 services;

21
22 (B) The child's legal guardians, if applicable, and their attorneys of record
23 or a nonminor dependent's legal guardians and their attorneys of
24 record, if the legal guardian is receiving family reunification services;

25
26 (C) The attorney of record for the child or nonminor dependent, or their
27 CAPTA guardian ad litem as defined by rule 5.662, and the child if
28 older than 10 years of age, or the nonminor dependent; ~~and~~

29
30 (D) A nonminor dependent's guardian ad litem if one has been appointed
31 consistent with Code of Civil Procedure section 372 and Probate Code
32 sections 810–813;

33
34 ~~(D)~~(E) The child's or nonminor dependent's Indian tribe and any Indian
35 custodian, in the case of an Indian child, and their attorneys of record;
36 and

37
38 (F) The district attorney if the youth is a ward of the juvenile court.

39
40 (2) ~~Form JV-236 may be used to~~ The individuals listed in (1) and other
41 individuals with an interest in the child or nonminor may use form JV-236 or
42 another method to provide input to the court on the child's or nonminor's

1 placement in the short-term residential therapeutic program ~~by the individuals~~
2 ~~listed in (1) and other individuals with an interest in the child or nonminor.~~

3
4 (3) Input from a Court Appointed Special Advocate volunteer can also be by a
5 court report under local rule.

6
7 (4) Local county practice and local rules of court determine the procedures for
8 completing, filing, and ~~noticing~~ servicing form JV-236, except as otherwise
9 provided in this rule.

10
11 **(f) Approval without a hearing**

12
13 (1) After the court receives a request for review, the court may approve the
14 placement without a hearing if the following conditions are met:

15
16 (A) The service requirements of (b) were met;

17
18 (B) No later than five court days before the hearing date, the placing
19 agency has filed ~~*Proof of Service—Short Term Residential Therapeutic*~~
20 ~~*Program Placement (JV-237)*~~ a proof of service verifying that the
21 parties listed in (e)(1) were served, no later than 10 court days before
22 the hearing date, a copy of the report described in section 361.22(c) or
23 727.12(c) and a completed *Notice of Request for Approval of Short-*
24 *Term Residential Therapeutic Program Without a Hearing (form JV-*
25 *240) no later than 10 court days before the hearing date*;

26
27 (C) No party listed in (e)(1) has notified the court of their objection to the
28 placement within 5 court days of receiving the report described in
29 section 361.22(c) or 727.12(c). Code of Civil Procedure section
30 1013(a) does not apply to this deadline; and

31
32 (D) Based on the information before the court, the court intends to approve
33 the placement consistent with section 361.22(e) or 727.12(e) and (g) of
34 this rule.

35
36 (2) If the court approves the placement without a hearing, it must notify the
37 individuals in (c) of the court's decision to approve the placement and vacate
38 the hearing set under section 361.22(d)(1) or 727.12(d)(1).

39
40 (3) Nothing in this subdivision precludes the court from holding a hearing when
41 no objection to the placement is received.
42

1 (4) Notwithstanding (1)–(3), the court may approve the placement without a
2 hearing under a local rule of court if the local rule is adopted under the
3 procedures in rule 10.613 and meets the following requirements:
4

5 (A) The rule ensures that prior to the hearing date, the placing agency has
6 filed a proof of service form JV-237 verifying that the parties listed in
7 (e)(1) were served, no later than 10 court days before the hearing date,
8 a copy of the report described in section 361.22(c) or 727.12(c) and
9 form JV-240 no later than 10 court days before the hearing date;
10

11 (B) The rule ensures the court does not approve the placement until all the
12 parties listed in (e)(1), after receiving the report, have been given an
13 opportunity to indicate to the court their position on the placement
14 through form JV-236; and
15

16 ~~(C) The rule ensures the court's approval is consistent with section~~
17 ~~361.22(e) or 727.12(e) and (g) of this rule; and~~
18

19 ~~(D)~~(C) The rule ensures that the approval occurs no later than 60 days
20 from the start of the placement.
21

22 **(g) Conduct of the hearing**
23

24 (1) In addition to the report described in section 361.22(c) or 727.12(c), the court
25 may consider all evidence relevant to the court's determinations ~~of~~ required
26 under section 361.22(e)(2), (3) and (4) or 727.12(e)(2), (3) and (4) and
27 whether the placement in the short-term residential therapeutic program is
28 consistent with the child's or nonminor dependent's best interest.
29

30 (2) The court must make the ~~findings~~ determinations in section 361.22(e)(2) and
31 (3) or 727.12(e)(2) and (3) by a preponderance of the evidence.
32

33 (3) The court must approve or disapprove the placement based on the
34 determinations in section ~~366.22~~ 361.22(e)(2), (3) and (4) or 727.12(e)(2), (3)
35 and (4) and whether it appears that the child's or nonminor dependent's best
36 interest will be promoted by the placement.
37

38 (4) If the court continues the hearing for good cause, including for an evidentiary
39 hearing, in no event may the hearing be continued beyond 60 days after the
40 start of the placement.
41

42 **Advisory Committee Comment**
43

1 The exception to Code of Civil Procedure section 1013(a) in subdivision (f)(1)(C) was created
2 due to the exigency required by the timelines of sections 361.22 and 727.12 and the need for a
3 prompt resolution of the youth’s status in a short-term residential therapeutic program placement.
4
5

6 **Rule 5.697. Disposition hearing for a nonminor (Welf. & Inst. Code, §§ 224.1, 295,**
7 **303, 358, 358.1, 361, 361.6, 366.31, 390, 391)**
8

9 (a)–(d) ***

10
11 (e) **Social study (§§ 358, 358.1)**
12

13 The petitioner must prepare a social study of the nonminor if the court proceeds to
14 a disposition hearing. The social study must include a discussion of all matters
15 relevant to disposition and a recommendation for disposition.
16

17 (1) The petitioner’s social study must include the following information:
18

19 (A)–(G) ***
20

21 (H) ~~The nonminor’s plans to remain under juvenile court jurisdiction,~~
22 ~~including the criteria in section 11403(b) that the nonminor meets or~~
23 ~~plans to meet. All other relevant requirements of sections 358 and~~
24 ~~358.1.~~
25

26 (I) ~~The efforts made by the social worker to help the nonminor meet the~~
27 ~~criteria in section 11403(b). The requirements of section 366.31(b).~~
28

29 (J) ~~The efforts made by the social worker to comply with the nonminor's~~
30 ~~Transitional Independent Living Case Plan, including efforts to finalize~~
31 ~~the permanent plan and prepare the nonminor for successful adulthood.~~
32 ~~If the court will make the findings in (h)(3)(C) at the disposition~~
33 ~~hearing, the requirements of section 366.31(d) if reunification services~~
34 ~~pursuant to section 361.3 are recommended, or information addressing~~
35 ~~the required judicial determinations of section 366.31(e).~~
36

37 (K) ~~The continuing necessity for the nonminor's placement and the facts~~
38 ~~supporting the conclusion reached.~~
39

40 (L) ~~The appropriateness of the nonminor's current foster care placement.~~
41

1 ~~(M) Progress made by the nonminor toward meeting the Transitional~~
2 ~~Independent Living Case Plan goals and the need for any modifications~~
3 ~~to assist the nonminor in attaining the goals.~~

4
5 ~~(N) Verification that the nonminor was provided with the information,~~
6 ~~documents, and services required under section 391.~~

7
8 ~~(O) For a placement made on or after October 1, 2021, the information~~
9 ~~specified in section 361.22(c), if the nonminor has been placed in a~~
10 ~~short term residential therapeutic program.~~

11
12 (2) ***

13
14 ~~(f)–(g) ***~~

15
16 **(h) Findings and orders (§§ 358, 358.1, 361, 361.6, 390)**

17 ***

18
19
20 ~~(1)–(2) ***~~

21
22 (3) ***

23
24 ~~(A)–(B) ***~~

25
26 (C) The following findings and orders must be ~~considered~~ made either at
27 the nonminor disposition hearing held under this rule and section
28 358(d), or at a nonminor dependent status review hearing under rule
29 5.903 and section 366.31 held within 60 days of the nonminor
30 disposition hearing:

31
32 (i) The findings and orders ~~contained in~~ required by rule
33 5.903(e)(1)(A) ~~(P)~~;

34
35 ~~(ii) The orders contained in rule 5.903(e)(2)(A)(i) and (ii); and~~

36
37 ~~(iii)~~ (ii) For a nonminor dependent whose case plan is court-ordered
38 family reunification services, a determination of the following:

39
40 a.–b. ***

1 **Rule 5.903. Nonminor dependent status review hearing (§§ 224.1(b), 295, 366.1,**
2 **366.3, 366.31)**

3
4 **(a)–(c) *****

5
6 **(d) Reports**

7
8 (1) The social worker or probation officer must submit a report to the court that
9 includes ~~information regarding~~ the required information in section 366.31(b),
10 (d), (f) or (h), as applicable, and section 391(c). For a nonminor dependent
11 with a permanent plan of another planned permanent living arrangement, the
12 report must include a factual discussion of each item listed in section
13 366.31(e). The following additional information must also be included:

14
15 ~~(A) The continuing necessity for the nonminor dependent's placement and~~
16 ~~the facts supporting the conclusion reached;~~

17
18 ~~(B) The appropriateness of the nonminor dependent's current foster care~~
19 ~~placement;~~

20
21 ~~(C) The nonminor dependent's plans to remain under juvenile court~~
22 ~~jurisdiction including the criteria in section 11403(b) that he or she~~
23 ~~meets;~~

24
25 ~~(D) The efforts made by the social worker or probation officer to help the~~
26 ~~nonminor dependent meet the criteria in section 11403(b);~~

27
28 ~~(E) Verification that the nonminor dependent was provided with the~~
29 ~~information, documents, and services as required under section 391(e);~~

30
31 ~~(F)~~(A) How and when the Transitional Independent Living Case Plan
32 was developed, including the nature and the extent of the nonminor
33 dependent's participation in its development, and for the nonminor
34 dependent who has elected to have the Indian Child Welfare Act
35 continue to apply, the extent of consultation with the tribal
36 representative;

37
38 ~~(G) The efforts made by the social worker or probation officer to comply~~
39 ~~with the nonminor dependent's Transitional Independent Living Case~~
40 ~~Plan, including efforts to finalize the permanent plan and prepare him~~
41 ~~or her for independence;~~
42

1 (H)(B) Progress made toward meeting the Transitional Independent
2 Living Case Plan goals and the need for any modifications to assist the
3 nonminor dependent in attaining the goals;

4
5 (I) ~~The efforts made by the social worker or probation officer to maintain~~
6 ~~relationships between the nonminor dependent and individuals who are~~
7 ~~important to him or her, including the efforts made to establish and~~
8 ~~maintain relationships with caring and committed adults who can serve~~
9 ~~as a lifelong connection;~~

10
11 (J) ~~The efforts made by the social worker or probation officer to establish~~
12 ~~or maintain the nonminor dependent's relationship with his or her~~
13 ~~siblings who are under the juvenile court's jurisdiction as required in~~
14 ~~section 366(a)(1)(D);~~

15
16 (K) ~~For a nonminor dependent whose case plan is continued court-ordered~~
17 ~~family reunification services, the information required in section~~
18 ~~366.31(d); and~~

19
20 (L) ~~For a nonminor who has returned to the home of the parent or former~~
21 ~~legal guardian, whether continued juvenile court jurisdiction is~~
22 ~~necessary and the facts in support of that conclusion.~~

23
24 (2)-(3) ***

25
26 (e) **Findings and orders**

27
28 The court must consider the safety of the nonminor dependent, and ~~the following~~
29 ~~judicial findings and orders must be made and included in the written court~~
30 ~~documentation of the hearing~~ make the judicial findings and issue the orders
31 required by section 366.31(d), (e), or (f), as applicable, along with the following
32 judicial findings and orders, and include them in the written court documentation
33 for the hearing:

34
35 (1) *Findings*

36
37 (A) Whether notice was given as required by law;

38
39 (B) ~~Whether the nonminor dependent's continuing placement is necessary;~~

40
41 (C) ~~Whether the nonminor dependent's current placement is appropriate;~~

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~~(N)~~(K) The extent of progress made by the nonminor dependent toward meeting the Transitional Independent Living Case Plan goals and any modifications needed to assist in attaining the goals; and

~~(O)~~ Whether reasonable efforts were made by the social worker or probation officer to maintain relationships between the nonminor dependent and individuals who are important to him or her, including the efforts made to establish and maintain relationships with caring and committed adults who can serve as lifelong connections;

~~(P)~~ Whether reasonable efforts were made by the social worker or probation officer to establish or maintain the nonminor dependent's relationship with his or her siblings who are under the juvenile court's jurisdiction as required in section 366(a)(1)(D);

~~(Q)~~ For a nonminor dependent whose case plan is continued court-ordered family reunification services, the findings required in section 366.31(d); and

~~(R)~~(L) For a nonminor who has returned to the home of the parent or former legal guardian, whether continued juvenile court jurisdiction is necessary.

(2) ***

Placing Agency's Request for Review of Placement in Short-Term Residential Therapeutic Program

Clerk stamps date here when form is filed.

**DRAFT
Not approved by
the Judicial Council
JV-235.v9.032122.ja**

The youth has been placed in a short-term residential therapeutic program and the placing agency below requests the court set a hearing to review the placement consistent with Welf. & Inst. Code, § 361.22 or 727.12.

1 Agency requesting review: _____
Name and title of person filing the form: _____

Address: _____
Phone: _____

Fill in court name and street address:

Superior Court of California, County of

2 The child or nonminor dependent was placed at the following short-term residential therapeutic program:

The placement is confidential; the following information is submitted through form JV-287.

Name: _____
Address: _____
on (date): _____

Fill in child's/nonminor's name and date of birth:

Child's/Nonminor's name:

Child's/Nonminor's date of birth:

3 The agency listed in 1 requests that the court set a hearing under Welf. & Inst. Code, § section 361.22 or 727.12 to review the placement of the child or nonminor dependent in the short-term residential therapeutic program.

Court fills in case number when form is filed.

Case Number:

4 **To the parent, guardian, child or nonminor dependent, and the child's Indian tribe or Indian custodian in the case of an Indian child: If you do not agree with the placement of the youth in the short-term residential therapeutic program, you may inform the court of your objection.** To do so, you must file your objection with the court prior to the hearing. You may use form JV-236, *Input on Placement in Short-Term Residential Therapeutic Program* to file your objection, or file an objection without using form JV-236. It is recommended that you consult with your attorney if, you have one, on the best way to make your objection known to the court. The court will set a hearing and will inform you when the hearing will occur. Before the hearing, you will receive a report from the social worker or probation officer that will explain why the placement was made and how it serves the needs of the child or nonminor dependent. The report is described in Welfare and Institutions Code section 361.22(c) (dependency), or 727.12(c) (delinquency).

The agency may request that the court approve the placement without a hearing. The agency will inform you of this request by sending form JV-240, *Notice of Request for Approval of Short-Term Residential Therapeutic Program Without a Hearing*, to you when it sends you the report. If the agency is seeking approval without a hearing, your objection must be filed with the court within five court days of when you receive the report for the hearing. If no objections are received, the court may approve the placement without a hearing.

Date: _____

Type or print your name

Sign your name

Input on Placement in Short-Term Residential Therapeutic Program

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council
JV-236.v9.032122.ja

If you do not agree with the placement of the child or nonminor dependent in a short-term residential therapeutic program, or if you would like to provide input on the placement without objecting to the placement, you may inform the court of your objection or input by using this form. Only a party to the case can object to the placement, while anyone with an interest in the child or nonminor dependent can use the form to provide their input. When you receive the report, the agency may also send you form JV-240, Notice of Request for Approval of Short-Term Residential Therapeutic Program Without a Hearing, which will indicate that the agency is requesting that the court approve the placement without a hearing. In this case, the court may approve the placement and cancel the hearing if you do not file your objection within five court days of receiving the report. If you file the objection within this time frame, the hearing will be held in court. You should, however, also consult with your attorney because there may be a local court rule that has a different timeline for your objection. If the hearing is kept on calendar, you should work with your attorney to determine when the form is required to be filed.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's/nonminor's name and date of birth:

Child's/Nonminor's name:

Child's/Nonminor's date of birth:

Court fills in case number when form is filed.

Case Number:

1 My contact information (if confidential, use form JV-287):

- a. Name:
b. Address:
c. City/State/Zip:
d. Phone:
e. E-mail:

2 Relationship to the child or nonminor dependent :

- a. Self
b. Parent or legal guardian
c. Indian custodian
d. Attorney for parent, legal guardian, or Indian custodian
e. Attorney for child or nonminor dependent
f. The child's or nonminor's Indian tribe
g. District attorney
h. Other:

3 The child or nonminor dependent was placed in a short-term residential therapeutic program on (date):

4 I am a party to the case or attorney listed in item 2a through 2g:

- a. I received the report from the social worker or probation officer addressing the child's or nonminor dependent's placement in the short-term residential therapeutic program on (date):
b. I have not received the report.

5 I am a party to the case listed in item 2a through 2g and I object to the child's/nonminor dependent's placement in the short-term residential therapeutic program. (If no objections are received from any of the parties to the case, the court may approve the placement without holding a hearing).

6 I oppose the placement because:



ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council JV-237.v6.032122.ja
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S/NONMINOR'S NAME: CHILD'S/NONMINOR'S DATE OF BIRTH: HEARING DATE AND TIME:	
Proof of Service—Short-Term Residential Therapeutic Program Placement	CASE NUMBER:

I served a copy of:

- The request for review described in Welf. & Inst. Code, § 361.22(b)(1) or 727.12(b)(1) AND a blank copy of *Input on Placement in Short-Term Residential Therapeutic Program* (form JV-236), AND/OR
- The report as described in Welf. & Inst. Code, § 361.22(c) or 727.12(c) for a hearing on (date): _____
- Notice of Request for Approval of Short-Term Residential Therapeutic Program Without a Hearing* (form JV-240) if requesting approval of the placement without a hearing.

on the following persons or entities by

- personally delivering a copy to the person served, OR
- by delivering a copy to a competent adult at the usual place of residence or business of the person served and thereafter mailing a copy by first-class mail to the person served at the place where the copy was delivered, OR
- by placing a copy in a sealed envelope and depositing the envelope directly in the U.S. mail with postage prepaid, or at my place of business for same-day collection or mailing with the U.S. mail following our ordinary business practices with which I am readily familiar, OR
- by delivering a copy by electronic means at the electronic service address indicated below (*electronic service must comply with Welf. & Inst. Code, § 212.5*):

- | | |
|--|---|
| 1. a. <input type="checkbox"/> The child (<i>if 10 years of age or older</i>) or the nonminor dependent
(1) Name:
(2) Mailing, in-person, or electronic service address:
(3) Date of service:
(4) Method of service: | 1. b. <input type="checkbox"/> Attorney or Child Abuse Prevention and Treatment Act (CAPTA) guardian ad litem
(1) Name
(2) Mailing, in-person, or electronic service address:
(3) Date of service:
(4) Method of service: |
| 2. a. <input type="checkbox"/> Parent/Legal Guardian
(1) Name:
(2) Mailing, in-person, or electronic service address:
(3) Date of service:
(4) Method of service: | 2. b. <input type="checkbox"/> Attorney
(1) Name
(2) Mailing, in-person, or electronic service address:
(3) Date of service:
(4) Method of service: |
| 3. a. <input type="checkbox"/> Parent/Legal Guardian
(1) Name:
(2) Mailing, in-person, or electronic service address:
(3) Date of service:
(4) Method of service: | 3. b. <input type="checkbox"/> Attorney
(1) Name
(2) Mailing, in-person, or electronic service address:
(3) Date of service:
(4) Method of service: |

CHILD'S/NONMINOR'S NAME:	CASE NUMBER:
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4. a. The child's or nonminor dependent's Indian tribe
- (1) Name:
 - (2) Mailing, in-person, or electronic service address:
 - (3) Date of service:
 - (4) Method of service:

4. b. Attorney
- (1) Name
 - (2) Mailing, in-person, or electronic service address:
 - (3) Date of service:
 - (4) Method of service:

5. a. Indian custodian
- (1) Name:
 - (2) Mailing, in-person, or electronic service address:
 - (3) Date of service:
 - (4) Method of service:

5. b. Attorney
- (1) Name
 - (2) Mailing, in-person, or electronic service address:
 - (3) Date of service:
 - (4) Method of service:

6. CASA volunteer
- a. Name:
 - b. Mailing, in-person, or electronic service address:
 - c. Date of service:
 - d. Method of service:

7. Other (*specify*):
- a. Name:
 - b. Mailing, in-person, or electronic service address:
 - c. Date of service:
 - d. Method of service:

8. Other (*specify*):
- a. Name:
 - b. Mailing, in-person, or electronic service address:
 - c. Date of service:
 - d. Method of service:

9. Other (*specify*):
- a. Name:
 - b. Mailing, in-person, or electronic service address:
 - c. Date of service:
 - d. Method of service:

10. At the time of service I was at least 18 years of age. If service was made in person, by mail, or electronic service, I am not a party to this matter. I am a resident of or employed in the county where the service occurred. My residence or business mailing address, or my electronic service address, is (*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 your name

Sign your name

Notice of Hearing on Placement in Short-Term Residential Therapeutic Program

Clerk stamps date here when form is filed.

**DRAFT
Not approved by
the Judicial Council
JV-238.v7.022222.ja**

1 The court received the request for review as defined in Welf. & Inst. Code, § 361.22(b) or 727.12(b), filed on (date): _____

2 Notice requirements were met. The request for hearing and *Input on Placement in Short-Term Residential Therapeutic Program* (form JV-236) have been served, consistent with Welf. & Inst. Code, § 361.22(b)(2) or 727.12(b)(2) and rule 5.618(b) of the California Rules of Court.

Notice requirements were not met. The social worker or probation officer is ordered to serve the request for hearing and *Input on Placement in Short-Term Residential Therapeutic Program* (form JV-236) as required in Welf. & Inst. Code, § 361.22(b)(2) or 727.12(b)(2) and rule 5.618(b) of the California Rules of Court.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's/nonminor's name and date of birth:

Child's/nonminor's name:

Date of birth:

Court fills in case number when form is filed.

Case Number:

3 **Notice of Hearing**

The court will hold a hearing on the request for review of the child or nonminor's placement in the short-term residential therapeutic program. (The hearing must be set or be held at a regularly scheduled hearing within 45 days of the start of the placement.)

Name and address of court: _____

Hearing Date

→Date: _____ Time: _____
Dept.: _____ Room: _____

Date: _____

Judge Temporary Judge Referee Commissioner

CHILD'S/NONMINOR'S NAME:	CASE NUMBER:
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- 6. The needs of the child or nonminor dependent
 - a. can be met through placement in a family-based setting.
 - b. cannot be met through placement in a family-based setting. The placement in a short-term residential therapeutic program does does not provide the most effective and appropriate care setting for the child or nonminor dependent in the least restrictive environment.
- 7. a. For a youth under Welf. & Inst. Code, § 300 or 450 jurisdiction: A short-term residential therapeutic program level of care is is not consistent with the short- and long-term mental and behavioral health goals and permanency plan for the child or nonminor dependent.
- b. For a youth under Welf. & Inst. Code, § 602 jurisdiction: The short-term residential therapeutic program is is not consistent with the short- and long-term mental and behavioral health goals and permanency plan for the minor or nonminor dependent.
- 8. In the case of an Indian child, there is is not clear and convincing evidence of good cause to depart from the placement preferences set forth in Welf. & Inst. Code, § 361.31.
- 9. The short-term therapeutic residential program identified in the placing agency's request for review as defined in Welf. & Inst. Code, § 361.22(b) or 727.12(b), filed on _____, is:
 - approved.
 - disapproved. The social worker or probation officer is ordered to transition the child or nonminor dependent to a placement setting that is consistent with the determinations in items 6, 7 and 8 within 30 days.
- 10. The basis for the court's determination in item 9 has been stated on the record or is stated in writing here:
 - a. Based on the court's determinations in items 6, 7, and 8.
 - b. The placement does does not promote the child's or nonminor dependent's best interests.
 - c. The child or nonminor dependent's needs can be meet in a lower level of care placement.
 - d. Another lower level of care placement is available and willing to accept the child or nonminor dependent.
 - e. The child or nonminor dependent has left the placement and has yet to be located.
 - f. Other:

11. Other orders:

12. Next hearing date: _____ Time: _____ Dept.: _____ Room: _____

Date: _____

JUDGE
 TEMPORARY JUDGE
 COMMISSIONER
 REFEREE

Notice of Request for Approval of Short-Term Residential Therapeutic Program Without a Hearing

Clerk stamps date here when form is filed.

**DRAFT
Not approved by
the Judicial Council
JV-240.v5.022222.ja**

You are receiving this notice because a request is being made to approve the placement of the child or nonminor dependent in the short-term residential therapeutic program indicated below without holding a hearing. The hearing date indicated below has been set, but that hearing may be canceled if no party to the case makes an objection to the placement. To object to the placement, you can use *Input on Placement in Short-Term Residential Therapeutic Program* (form JV-236), or consult with your attorney, if you have one, to ensure that your objection is received by the court in a different format.

Fill in court name and street address:

Superior Court of California, County of

1 Agency requesting review: _____
Name and title of person filing the form: _____
Address: _____
Phone: _____

Fill in child's/nonminor's name and date of birth:

Child's/Nonminor's name:

Child's/Nonminor's date of birth:

2 The child or nonminor dependent was placed at the following short-term residential therapeutic program:
(name): _____
on (date): _____

Court fills in case number when form is filed.

Case Number:

3 After meeting the requirements of rule of court 5.618(f) of the California or local rule _____, the placing agency in item 1 is requesting that the court consider approving the placement without a hearing.

4 **If you do not file an objection to the placement indicated above within 5 court days of receiving the report for the hearing, the court may approve the placement without a hearing.** To do so, you may make your objection using *Input on Placement in Short-Term Residential Therapeutic Program* (form JV-236) and filing it with the court or by filing an objection without using form JV-236. It is recommended that you consult with your attorney, if you have one, on the best way to make your objection known to the court. The report for the hearing is described in Welf. & Inst. Code § 361.22(c) or 727.12(c).

Date: _____

Type or print your name

Sign your name

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council JV-320.v6.032122.ja
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CHILD'S NAME:		
ORDERS UNDER WELFARE AND INSTITUTIONS CODE SECTIONS 366.24, 366.26, 727.3, 727.31		CASE NUMBER:

Child's name:	
Date of birth:	Age:
Parent's name (if known):	
Parent's name (if known):	
Parent's name (if known):	

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

2. The court has read and considered the assessment prepared under Welf. & Inst. Code, § 361.5(g), 366.21(i), 366.22(c), 366.25(b), or 727.31(b) and the report and recommendation of the
 social worker probation officer and other evidence.
3. The court has considered the wishes of the child, consistent with the child's age, and all findings and orders of the court are made in the best interest of the child.

THE COURT FINDS AND ORDERS

4. a. Notice has been given as required by law.
 b. This case involves an Indian child, and the court finds that notice has been given to the parents, Indian custodian, Indian child's tribe, and the Bureau of Indian Affairs (BIA) in accordance with Welf. & Inst. Code, § 224.3; the original certified mail receipts, return cards, copies of all notices, and any responses to those notices are in the court file.
5. **For a child 10 years of age or older who is not present:**
- a. The child was properly notified of the right to attend the hearing under Welf. & Inst. Code, § 349(a) and was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.
- b. The child was not properly notified of the right to attend the hearing under Welf. & Inst. Code, § 349(a) or the child wished to be present and was not given an opportunity to be present and
- (1) there is good cause for a continuance for a period of time necessary to provide notice and secure the presence of the child to enable the child to be present.
- (2) it is in the best interest of the child not to continue the hearing.

CHILD'S NAME:	CASE NUMBER:
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6. The court takes judicial notice of all prior findings, orders, and judgments in this proceeding.
7. The court previously made a finding denying or terminating reunification services, under **Welf. & Inst. Code, § 361.5, 366.21, 366.22, 366.25, 727.2, or 727.3**, for
- parent (*name*):
- parent (*name*):
- parent (*name*):
8. a. The court finds, by clear and convincing evidence, that it is likely the child will be adopted.
- b. The child is an Indian child or there is reason to know that the child is an Indian child, and
- (1) The court has heard and considered all relevant, admissible evidence, including:
- (A) Qualified expert witness testimony provided by _____ ; and
(*Name of Witness*)
- (B) Evidence regarding the prevailing social and cultural practices of the child's tribe; and
- (2) The court finds beyond a reasonable doubt that continued physical custody by the mother father
 Indian custodian other (*name and relationship to child*):
 other (*name and relationship to child*): _____ is likely to result in
serious emotional or physical damage to the child.
9. The parental rights of
- a. parent (*name*):
- b. parent (*name*):
- c. parent (*name*):
- d. alleged fathers (*names*):
- e. unknown mother all unknown fathers
- are terminated, adoption is the child's permanent plan, and the child is referred to the California Department of Social Services or a local licensed adoption agency for adoptive placement.
- f. **The adoption is likely to be finalized by (*date*):**
(If item 9 is completed, skip items 10–16 and go directly to item 17.)
10. This case involves an Indian child. The parental rights of
- a. parent (*name*):
- b. parent (*name*):
- c. parent (*name*):
- d. Indian custodians (*names*):
- e. alleged fathers (*names*):
- f. unknown mother all unknown fathers
- are modified in accordance with the tribal customary adoption order of the (*specify*): _____ tribe,
dated _____ and comprising _____ pages, which is accorded full faith and credit and fully incorporated herein.
The child is referred to the California Department of Social Services or a local licensed adoption agency for tribal customary
adoptive placement in accordance with the tribal customary adoption order.
(If item 10 is completed, skip items 11–16 and go directly to item 17.)
11. The child is living with a relative who is unable or unwilling to adopt the child because of circumstances that do not include an unwillingness to accept legal or financial responsibility for the child, but who is willing and capable of giving the child a stable and permanent home through legal guardianship. Removal of the child from the custody of this relative would be detrimental to the child's emotional well-being. *(If item 11 is checked, skip items 12–14 and go directly to item 15 (guardianship).)*
12. Termination of parental rights would be detrimental to the child for the following reasons: *(If item 12 is checked, check the applicable reasons below, skip items 13–14, and go directly to item 15 (guardianship) or 16 (continued foster care).)*
- a. The parents or guardians have maintained regular visitation and contact with the child, and the child would benefit from continuing the relationship.
- b. The child is 12 years of age or older and objects to termination of parental rights.

CHILD'S NAME:	CASE NUMBER:
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12. c. The child is placed in a residential treatment facility, adoption is unlikely or undesirable, and continuation of parental rights will not prevent a permanent family placement if the parents cannot resume custody when residential care is no longer needed.
- d. The child is living with a foster parent or Indian custodian who is unable or unwilling to adopt the child because of exceptional circumstances that do not include an unwillingness to accept legal or financial responsibility for the child, but who is willing and capable of providing the child with a stable and permanent environment. Removal of the child from the physical custody of the foster parent or Indian custodian would be detrimental to the emotional well-being of the child.

NOTE: Do not check item 12d if the child is either:

- (1) under the age of 6; or
- (2) a member of a sibling group, at least one member of which is under the age of 6, that is or should be placed together.

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

13. Termination of parental rights would not be detrimental to the child, but the child is difficult to place for adoption and there is no identified or available prospective adoptive parent for the child because the child (*check the applicable reason or reasons below and complete item 14*):

- a. is a member of a sibling group that should stay together.
- b. has a diagnosed medical, physical, or mental disability.
- c. is 7 years of age or older.

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

(Do not check item 14a for a tribal customary adoption. If item 14a is checked, provide for visitation in items 14b and 14c, as appropriate, skip items 15 and 16, and go directly to item 17.)

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

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

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

(*Name*):

is appointed guardian of the child's person and estate. The clerk is ordered to issue *Letters of Guardianship* once the appointed guardian has signed the required oath or affirmation. This appointment is not effective until letters have issued.

(Do not check item 15 for a tribal customary adoption. If item 15 is checked, provide for visitation in items 15a and 15b, as appropriate, complete item 15c or 15d, then skip item 16 and go directly to item 17.)

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

CHILD'S NAME:	CASE NUMBER:
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15. b. Visitation between the child and *(names)*:
is detrimental to the child's physical or emotional well-being and is terminated.
- c. Dependency Wardship jurisdiction is terminated.
(If the child is a dependent and the appointed guardian is a relative or nonrelative extended family member whose home has been approved as a resource family home for at least six months, the court must terminate dependency unless the guardian objects or the court makes a finding of exceptional circumstances.)

The juvenile court retains jurisdiction over the guardianship under Welf. & Inst. Code, § 366.4 or 728(f).

- d. Dependency Wardship jurisdiction is not terminated. Dependency or wardship jurisdiction is likely to be terminated by *(date)*: _____.

16. The court orders the permanent plan of
- a. Permanent placement with a fit and willing relative, subject to the periodic review of the juvenile court under Welf. & Inst. Code, § 366.3.
- b. Placement in foster care with a permanent plan of:
- (1) returning home;
 - (2) adoption;
 - (3) legal guardianship; or
 - (4) placement with a fit and willing relative.
- c. for a child 16 years and older, another planned permanent living arrangement.
The barriers to achieving the child's permanent plan in items 16b and 16c are *(specify)*:

The child, if 10 years of age or older, has identified the following individuals, other than the child's siblings, who are important to the child *(specify)*:

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

- d. Visitation between the child and
 parent *(name)*:
 parent *(name)*:
 legal guardian *(name)*:
 other *(name)*:
is scheduled as follows *(specify)*:
- e. Visitation between the child and *(names)*:
is detrimental to the child's physical or emotional well-being and is terminated.
17. The child is an Indian child. The court finds that the child's permanent plan complies with the placement preferences because:
- a. The permanent plan is not adoption, and *(choose one)*:
- (1) The child is placed with a member of the child's extended family, as defined by Welf. & Inst. Code, § 224.1(c); or
 - (2) A diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or

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17. a. (3) A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
- (4) A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe or an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
- (5) The child is placed in accordance with the preferences established by the tribe; or
- (6) The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.
- b. The permanent plan is adoption, and (*choose one*):
- (1) The child is placed with a member of the child's extended family; or
- (2) A diligent search was made for a placement with a member of the child's extended family, those efforts are documented in detail in the record, and the child is placed with other members of the child's tribe; or
- (3) An diligent search was made for a placement with a member of the child's extended family or other member of the child's tribe, those efforts are documented in detail in the record, and the child is placed with another Indian family; or
- (4) The child is placed in accordance with the preferences established by the tribe; or
- (5) The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in detail in the record.
18. The child's placement is necessary.
19. The child's placement is appropriate.
20. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted pursuant to Welf. & Inst. Code, § 366.1(l) when determining the continuing necessity for and appropriateness of the placement.
21. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.
22. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.
23. The agency has complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent plan.
24. The child is an Indian child, and active efforts, as detailed in the record, were were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. If active efforts were made, those efforts have proved successful unsuccessful.
25. Child is 14 years of age or older:
- a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
- b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.
- c. To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services
- (1) stated on the record.
- (2) as follows:

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26. The child remains a dependent ward of the court. (Do NOT check **this item** if item 15c is checked.)

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

28. Other (specify):

29. Next hearing date: _____ Time: _____ Dept.: _____ Room: _____
- a. Continued hearing under **Welf. & Inst. Code, § 366.26** for receipt of report on attempts to locate an appropriate adoptive family
 - b. Continued hearing under **Welf. & Inst. Code, § 366.24(c)(6)** for receipt of the tribal customary adoption order
 - c. Six-month postpermanency review
 - d. Other (specify): _____

30. The
- a. Parent (name): _____
 - b. Parent (name): _____
 - c. **Parent (name):** _____
 - d. Indian custodian (name): _____
 - e. Child
 - f. Other (name): _____
 - g. **Other (name):** _____
- have been advised of their appeal rights under **California** Rules of Court, rule 5.590.

Date: _____

▶

JUDGE
 TEMPORARY JUDGE
 COMMISSIONER
 REFEREE

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

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

Circumstances justifying removal from custodial parent

2. There is clear and convincing evidence of the circumstances stated in Welf. & Inst. Code, § 361 regarding the persons specified below (check all that apply):
- | | 361(c)(1) | 361(c)(2) | 361(c)(3) | 361(c)(4) | 361(c)(5) |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> |
| g. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> |
3. The child is an Indian child or there is reason to know that the child is an Indian child, and
- a. qualified expert witness testimony was provided by _____ ; and
- b. evidence regarding the prevailing social and cultural practices of the child's tribe was provided; and
- c. there was clear and convincing evidence that continued physical custody by the following person is likely to cause serious emotional or physical damage to the child:
- | | | |
|---|--|---|
| <input type="checkbox"/> Mother | <input type="checkbox"/> Biological father | <input type="checkbox"/> Legal guardian |
| <input type="checkbox"/> Presumed father | <input type="checkbox"/> Indian custodian | |
| <input type="checkbox"/> Other (specify): | | |
4. Reasonable efforts were were not made to prevent or eliminate the need for removal from the home.
5. The child is an Indian child or where there is reason to know that the child is an Indian child, and as set out in detail in the record,
- a. affirmative, active, thorough, and timely efforts have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
- b. these efforts did did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
- c. to the maximum extent possible, the efforts were were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe; and
- d. these efforts and the case plan have have not been developed and conducted to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.
- e. the active efforts have proved successful unsuccessful.
6. **Based on the facts stated on the record, continuance in the home is contrary to the child's welfare and physical custody is removed from (check all that apply)**
- | | | |
|---|--|---|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> Indian custodian | |
| <input type="checkbox"/> other (specify): | | |
| <input type="checkbox"/> other (specify): | | |

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Family finding and engagement

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

Case plan development

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

Custody and placement

9. The mother presumed father biological father did not reside with the child at the time the petition was filed and does does not desire custody of the child.
- a. By clear and convincing evidence, placement with the following parent would be detrimental to the safety, protection, or physical or emotional well-being of the child:
 Mother Presumed father Biological father
- b. The factual basis for the findings in this item is stated on the record.
10. **The care, custody, control, and conduct of the child is under the supervision of the county agency for placement**
- a. in the approved home of a relative.
- b. in the approved home of a nonrelative extended family member.
- c. the approved home of a resource family, as defined in Welf. & Inst. Code, § 16519.5 or a home that is pending approval under section 16519.5(e)(1).
- d. with a foster family agency for placement in a foster family home.
- e. in a suitable licensed community care facility.
- f. in a short-term residential therapeutic program. A hearing to review the placement under Welf. & Inst. Code, § 361.22 was held on or is set for *(date)*:
11. **Placement with the child's relative, (name):**
has been independently considered by the court and is denied for the reasons stated on the record.
12. The child is an Indian child or there is reason to know the child is an Indian child. Currently *(choose one)*:
- a. the child is placed with a member of the child's extended family as defined by section 1903 of title 25 of the United States Code; or
- b. a diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
- c. a diligent search was made for a placement with a member of the child's extended family, or a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
- d. a diligent search was made for a placement with a member of the child's extended family, or in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or

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- 12. e. the child is placed in accordance with the preferences established by the tribe; or
- f. the court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.

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

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

15. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.

16. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.

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

- a. The matter is continued to the date and time indicated in form JV-415, item 18 for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (*specify*):

18. For a child placed in short-term residential therapeutic program, the court has considered the evidence and documentation submitted under **Welf. & Inst. Code, § 366.1(f)** when determining the continuing necessity for and appropriateness of the placement.

19. **The child is placed outside the state of California and that out-of-state placement**

- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. is not the most appropriate placement for the child and is not in the best interest of the child.
The matter is continued to the date and time indicated in form JV-415, item 18 for a written oral report by the county agency on the progress made toward
 - (1) returning the child to California and locating an appropriate placement within California.
 - (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - (3) other (*specify*):

Reunification services

20. **Provision of reunification services to the biological father** will will not benefit the child.

21. **The mother is incarcerated** and is seeking to participate in the Department of Corrections and Rehabilitation community treatment program.

- a. Participation in the program is is not in the child's best interest.
- b. The program is is not suitable to meet the needs of the mother and child.

22. **The following person is incarcerated:**

- mother legal guardian other (*specify*):
 - presumed father Indian custodian other (*specify*):
- and reasonable reunification services are

- a. granted.
- b. denied, because, by clear and convincing evidence, providing reunification services would be detrimental to the child.

23. **As provided in Welf. & Inst. Code, § 361.5(b), by clear and convincing evidence**

- a. the mother legal guardian other (*specify*):
- presumed father Indian custodian other (*specify*):

is a person described in **Welf. & Inst. Code, § (choose all that apply)**

- 361.5(b)(3) 361.5(b)(7) 361.5(b)(9) 361.5(b)(11) 361.5(b)(13) 361.5(b)(16)
- 361.5(b)(4) 361.5(b)(8) 361.5(b)(10) 361.5(b)(12) 361.5(b)(15) 361.5(b)(17)

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23. a. and reunification services are
- (1) granted, because by clear and convincing evidence reunification is in the best interest of the child.
- (2) denied.
- b. The mother legal guardian other (specify):
 presumed father Indian custodian other (specify):
 is a person described in Welf. & Inst. Code, § 361.5(b)(1), and a reasonably diligent search has failed to locate the person. Reunification services are denied.
- c. The mother legal guardian other (specify):
 presumed father Indian custodian other (specify):
 is a person described in Welf. & Inst. Code, § 361.5(b)(2), and reunification services are
- (1) granted.
- (2) denied, because the person, even with the provision of services, is unlikely to be capable of adequately caring for the child within the statutory time limits.
- d. The mother legal guardian other (specify):
 presumed father Indian custodian other (specify):
 is a person described in Welf. & Inst. Code, § 361.5(b)(5), and reunification services are
- (1) granted, because
- (a) reunification services are likely to prevent reabuse or neglect.
- (b) the failure to try reunification will be detrimental to the child because the child is closely and positively bonded to the person.
- (2) denied.
- e. The mother legal guardian
 presumed father Indian custodian
 other person who is a legal parent of the child (name):
 other (specify):
 is a person described in Welf. & Inst. Code, § 361.5(b)(6), and reunification services are
- (1) granted, because by clear and convincing evidence reunification is in the best interest of the child.
- (2) denied, because the child or the child's sibling suffered severe sexual abuse or the infliction of severe physical harm by the person, and it would not benefit the child to pursue reunification with that person.
- (3) The factual basis for the findings in this item is stated on the record.
- f. The mother legal guardian other (specify):
 presumed father Indian custodian other (specify):
 is a person described in Welf. & Inst. Code, § 361.5(b)(14). The court advised the person of any right to services and the possible consequences of a waiver. The person executed *Waiver of Reunification Services (Juvenile Dependency)* (form JV-195), and the court accepts the waiver, the person having knowingly and intelligently waived the right to services. Reunification services are denied.
- g. **The county agency must provide reunification services**, and the following must participate in the reunification services stated in the case plan:
- Mother Biological father Presumed father Other (specify):
 Indian custodian Legal guardian Other (specify):

24. **The likely date** by which the child may be returned to and safely maintained in the home or another permanent plan selected is (specify):

Efforts

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

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

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

Siblings

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

Health and education

29. The mother biological father Indian custodian
 presumed father legal guardian other (specify):
 other (specify):
 is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.
30. a. A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.
- b. A limitation on the right of the parents to make educational decisions for the child is necessary and those rights are limited as stated in *Order Designating Educational Rights Holder* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.
31. a. The child's educational needs are are not being met.
 b. The child's physical needs are are not being met.
 c. The child's mental health needs are are not being met.
 d. The child's developmental needs are are not being met.
32. The child does does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on (date):
33. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 28 or other concerns are:
 a. stated in the social worker's report.
 b. specified here:
34. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 30:
 a. Social worker.
 b. Parent (name):
 c. Surrogate parent (name):
 d. Educational representative (name):
 e. Other (name):

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35. The child's education placement has changed since the date the child was physically removed from the home.
- a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
- b. The child is enrolled in school.
- c. The child is attending school.
36. a. The child is 16 years of age or older, and pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):
- (1) An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
- (2) The name of the support person(s) to assist the child is:
The relationship(s) to the child is:
- (3) An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
- (4) To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services
- (a) stated on the record.
- (b) as follows:
- b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.
37. For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)) has been completed and is attached.
38. **Child 14 years of age or older**
- a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
- b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.
- c. To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services
- (1) stated on the record.
- (2) as follows:

Advisements

39. Child under the age of three years or member of a sibling group who were removed at the same time and remain placed together at the six-month review hearing, as described in Welf. & Inst. Code, § 361.5(a)(1)(C).
- a. **Failure to participate regularly and make substantive progress in court-ordered treatment programs may result in the termination of reunification services** for all or some members of the sibling group at the hearing scheduled on a date within six months from the date the child entered foster care under Welf. & Inst. Code, § 366.21(e).

Six-month hearing date:

- b. **At the six-month hearing** under Welf. & Inst. Code, § 366.21(e), the court will consider the following factors in deciding whether to limit reunification services to six months for all or some members of the sibling group:

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39. b. • whether the sibling group was removed from parental care as a group;
 • the closeness and strength of the sibling bond;
 • the ages of the siblings;
 • the appropriateness of maintaining the sibling group;
 • the detriment to the child if sibling ties are not maintained;
 • the likelihood of finding a permanent home for the sibling group;
 • whether the sibling group is currently placed in the same preadoptive home or has a concurrent plan goal of legal permanency in the same home;
 • the wishes of each child whose age and physical and emotional condition permits a meaningful response; and
 • the best interest of each child in the sibling group.
- c. **At the six-month hearing under Welf. & Inst. Code, § 366.21(e)**, if the child is not returned to the custody of a parent, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under Welf. & Inst. Code, § 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.**
40. **Child three years of age or older who is not a member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(1)(C).** The court informed all parties present at the time of the hearing and further advises all parties that, because the child was three years of age or older with no siblings under the age of three years at the time of initial removal, if the child is not returned to the custody of a parent at the Welf. & Inst. Code, § 366.21(f) permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and adoption of the child or, in the case of an Indian child for whom tribal customary adoption under Welf. & Inst. Code, § 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child.**

Twelve-month permanency hearing date:

41. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence, the court found that reunification services were not to be provided to the child's parents, legal guardian, or Indian custodian under Welf. & Inst. Code, § 361.5(b).
- c. The county agency and the licensed county adoption agency or the California Department of Social Services acting as an adoption agency will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing a notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as stated in rule 5.695(g)(10) of the California Rules of Court to any party not present.
- e. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who had relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Family Code section 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) (name):
- (2) (name):
- (3) (name):
- (4) (name):
- f. **The likely date** by which the permanent plan will be achieved is (*specify date*):

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3. b. (2) The child was not properly notified under Welf. & Inst. Code, § 349(d) of the right to attend the hearing or the child wished to be present and was not given an opportunity to be present and
- (a) there is good cause for a continuance for a period of time necessary to provide notice and secure the presence of the child to enable the child to be present.
- (b) it is in the best interest of the child not to continue the hearing.
4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5. A Court Appointed Special Advocate is appointed for the child.
6. **Parentage**
- a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
- (1) alleged parent (*name*):
- (2) alleged parent (*name*):
- (3) alleged parent (*name*):

Advisements and waivers

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

- | | | | |
|--|--|---|--------------------------------|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian | <input type="checkbox"/> child |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> alleged father | <input type="checkbox"/> Indian custodian | |
| <input type="checkbox"/> other (<i>specify</i>): | | | |

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

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

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

Case plan development

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

CHILD'S NAME:	CASE NUMBER:
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Efforts

10. The county agency

- a. has
- b. has not

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

11. The child is an Indian child or there is reason to know that the child is an Indian child, and as set out in detail in the record:

- a. Affirmative, active, thorough, and timely efforts have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
- b. These efforts did did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
- c. To the maximum extent possible, the efforts were were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe; and
- d. These efforts and the case plan have have not been developed and conducted to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.
- e. The active efforts have proved successful unsuccessful.

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

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

Siblings

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

Health and education

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

CHILD'S NAME:	CASE NUMBER:
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17. The child does does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on _____.

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

a. stated in the social worker's report.

b. specified here:

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

a. Social worker.

b. Parent (*name*):

c. Surrogate parent (*name*):

d. Educational representative (*name*):

e. Other (*name*):

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

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

b. The child is enrolled in school.

c. The child is attending school.

21. For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)) has been completed and is attached.

22. a. The child is 16 years of age or older, and pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):

(1) An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.

(2) The name of the support person(s) to assist the child is: _____ The relationship(s) to the child is: _____.

(3) An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.

(4) To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services

(a) stated on the record.

(b) as follows:

b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.

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

a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.

b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.

c. To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services

(1) stated on the record.

(2) as follows:

CHILD'S NAME:	CASE NUMBER:
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24. Placement and services are ordered as stated in (check appropriate boxes and attach indicated forms):

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

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

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

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

27. Other findings and orders:

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

28. The next hearing is scheduled as follows:

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

Hearing date:	Time:	Dept.:	Room:
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- d. Nonminor dependent status review (Welf. & Inst. Code, § 366.31)
- e. Other (specify):

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

30. Number of pages attached: _____

Date: _____

<input type="checkbox"/> JUDGE	<input type="checkbox"/> TEMPORARY JUDGE	<input type="checkbox"/> COMMISSIONER	<input type="checkbox"/> REFEREE
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CHILD'S NAME:	CASE NUMBER:
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6-MONTH PERMANENCY ATTACHMENT: REUNIFICATION SERVICES CONTINUED
(Welf. & Inst. Code, § 366.21(e))

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

Placement

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

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

4. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, §366.1(l) when determining the continuing necessity for and appropriateness of the placement.

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

- a. The matter is continued to the date and time indicated in form JV-430, item 26, for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (*specify*):

6. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.

7. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.

8. There has been a change in the child's placement, and the child is an Indian child or there is reason to know that the child is an Indian child. Currently (*choose one*):

- a. The child is placed with a member of the child's extended family as defined by 25 U.S.C. § 1903; or
- b. A diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
- c. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
- d. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
- e. The child is placed in accordance with the preferences established by the tribe; or
- f. The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.

9. **The child is placed outside the state of California and that out-of-state placement**

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

CHILD'S NAME:	CASE NUMBER:
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Reunification services

10. The child is an Indian child or there is reason to know that the child is an Indian child, and as set out in detail in the record:
- a. Affirmative, active, thorough, and timely efforts have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
 - b. These efforts did did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
 - c. To the maximum extent possible, the efforts were were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe; and
 - d. These efforts and the case plan have have not been developed and conducted to the maximum extent possible in partnership with the Indian child, the parents, extended family member, Indian custodians, and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.
 - e. The active efforts have proved successful unsuccessful.

11. Continuation of services for a child under the age of three years at the time of initial removal and their sibling group if the siblings were removed from the home at the same time as described in Welf. & Inst. Code, § 361.5(a) (1)(C), and who remain placed together:

- a. Services are continued as described in item 12; OR
- b. The court finds by clear and convincing evidence that the parent or legal guardian failed to participate regularly and make substantive progress in a court-ordered treatment plan, but reunification services are continued because:
 - (1) Having considered the relevant evidence, including the following factors:
 - i. Whether there has been significant progress in resolving the problems that led to the removal;
 - ii. Whether the capacity and ability to complete the objectives of the treatment plan and to provide for the child's safety, protection, physical and emotional health, and special needs has been demonstrated; and
 - iii. Whether there has been consistent and regular contact and visitation with the child.

The court finds there is a substantial probability that the child may be returned to the

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

within six months of the date of this hearing or within 12 months of the date the child entered foster care, whichever is sooner.

- (2) Reasonable services have not been provided to the
 - mother biological father Indian custodian
 - presumed father legal guardian other (specify):
 - other (specify):

12. Reunification services are continued for the

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

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

13. **The likely date** by which the child may be returned to and safely maintained in the home or placed for adoption, tribal customary adoption, legal guardianship, placed with a fit and willing relative or in another planned permanent living arrangement is (specify date):

CHILD'S NAME:	CASE NUMBER:
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Important individuals

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

Health

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

Advisement

16. 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 to a selection and implementation hearing under Welf. & Inst. Code, § 366.26 **that may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under Welf. & Inst. Code, § 366.24 is selected as the permanent plan, modification of parental rights and the adoption of the child and other members of the sibling group.**

Twelve-month permanency hearing date:

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

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

Placement

2. **The child's out-of-home placement is necessary.**
3. **The child's current placement is appropriate.**
4. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.1(l) when determining the continuing necessity for and appropriateness of the placement.
5. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a. The matter is continued to the date and time indicated in form JV-430, item 26, for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (specify):
6. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.
7. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.
8. There has been a change in the child's placement, and the child is an Indian child or there is reason to know that the child is an Indian child. Currently (choose one):
- a. The child is placed with a member of the child's extended family as defined by 25 U.S.C. § 1903; or
- b. A diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
- c. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
- d. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
- e. The child is placed in accordance with the preferences established by the tribe; or
- f. The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.
9. **The child is placed outside the state of California and that out-of-state placement**
- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-430, item 28, for a written oral report by the county agency on the progress made toward
- (1) returning the child to California and locating an appropriate placement within California.
- (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3) Other (specify):

CHILD'S NAME:	CASE NUMBER:
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Reunification services

10. The child is an Indian child or there is reason to know that the child is an Indian child, and as set out in detail in the record:
- a. Affirmative, active, thorough, and timely efforts have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
 - b. These efforts did did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
 - c. To the maximum extent possible, the efforts were were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe; and
 - d. These efforts and the case plan have have not been developed and conducted to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians, and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.
 - e. The active efforts have proved successful unsuccessful.

11. The child is an Indian child or there is reason to know that the child is an Indian child, and:
- a. Qualified expert witness testimony was provided by _____ ; and
 - b. Evidence regarding the prevailing social and cultural practices of the child's tribe was provided; and
 - c. There was clear and convincing evidence that continued physical custody by the following person is likely to cause serious emotional or physical damage to the child:
 - mother biological father legal guardian
 - presumed father Indian custodian
 - other (specify): _____
 - other (specify): _____

12. Reunification services terminated: Child under age of three years at time of removal or member of sibling group

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

failed to participate regularly and make substantive progress in a court-ordered treatment plan and there is not a substantial probability of return within six months. Reunification services are terminated.
- d. Scheduling a hearing under Welf. & Inst. Code, § 366.26 for this child and some or all members of the sibling group is in the child's best interest. The factual basis for this finding is stated on the record.

CHILD'S NAME:	CASE NUMBER:
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13. **Reunification services terminated: Child of any age**

- a. Reunification services are terminated for the
 mother biological father Indian custodian
 presumed father legal guardian other (specify):
 other (specify):
because the child was initially removed from the person indicated under Welf. & Inst. Code, § 300(g) and, by clear and convincing evidence,
(1) the person's whereabouts remain unknown.
(2) the person has not had contact or visited with the child for six months.
- b. Reunification services are terminated for the
 mother biological father Indian custodian
 presumed father legal guardian other (specify):
 other (specify):
because, by clear and convincing evidence, that person has been convicted of a felony indicating parental unfitness.
- c. Reunification services are terminated for the
 mother biological father Indian custodian
 presumed father legal guardian other (specify):
 other (specify):
because it is determined that the person is deceased.

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

Important individuals

15. **Child in out-of-home placement for six months or longer**

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

Health

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

CHILD'S NAME:	CASE NUMBER:
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Setting for selection of permanent plan

17. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
 - c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.21(i).
 - d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ (Juvenile Dependency)* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.590(b)(2) of the California Rules of Court to any party not present.
 - e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, placement with a fit and willing relative, or another planned permanent living arrangement, or in the case of an Indian child, in consultation with the child's tribe, tribal customary adoption for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to their usual place of residence or business only.
 - f. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Family Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
 - (1) (name):
 - (2) (name):
 - (3) (name):
 - (4) (name):
 - g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or with a fit and willing relative is (*specify date*):
18. **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and a potential legal guardian has not been identified.
- a. The child's permanent plan is permanent placement with (*name*): _____ a fit and willing relative.
The likely date by which the child's permanent plan will be achieved is (*specify date*): _____

CHILD'S NAME:	CASE NUMBER:
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18. b. The child remain in foster care with a permanent plan of *(specify)*:
- (1) Return home.
 - (2) Adoption.
 - (3) Tribal customary adoption.
 - (4) Legal guardianship.
 - (5) Placement with a fit and willing relative.
 - (6) 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:

<input type="checkbox"/> return home	<input type="checkbox"/> establish legal guardianship
<input type="checkbox"/> place for adoption	<input type="checkbox"/> place with a relative
<input type="checkbox"/> other <i>(specify)</i> :	

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

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

19. **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 interests are *(describe)*:

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council JV-435.v3.032122.ja
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
FINDINGS AND ORDERS AFTER 12-MONTH PERMANENCY HEARING (Welf. & Inst. Code, § 366.21(f))	CASE NUMBER:

1. Twelve-month permanency hearing

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

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

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

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

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

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

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

CHILD'S NAME:	CASE NUMBER:
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Efforts

10. The county agency

- a. has
- b. has not

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

- 11. The child is an Indian child or there is reason to know that the child is an Indian child, and as set out in detail in the record:
 - a. Affirmative, active, thorough, and timely efforts have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
 - b. These efforts did did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
 - c. To the maximum extent possible, the efforts were were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe; and
 - d. These efforts and the case plan have have not been developed and conducted to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians, and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.
 - e. The active efforts have proved successful unsuccessful.

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

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

Siblings

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

Health and education

- 15. a. **A limitation on the right of the parents to make educational decisions for the child is not necessary.** The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.
- b. A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Order Designating Educational Rights Holder* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.
- 16. a. The child's educational needs are are not being met.
- b. The child's physical needs are are not being met.
- c. The child's mental health needs are are not being met.
- d. The child's developmental needs are are not being met.
- 17. The child does does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on (*date*):

CHILD'S NAME:	CASE NUMBER:
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18. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 16 or other concerns are:

a. stated in the social worker's report.

b. specified here:

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

a. Social worker.

b. Parent (*name*):

c. Surrogate parent (*name*):

d. Educational representative (*name*):

e. Other (*name*):

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

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

b. The child is enrolled in school.

c. The child is attending school.

21. For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services (form JV-459 (A))* has been completed and is attached.

22. a. The child is 16 years of age or older, and pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):

(1) An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.

(2) The name of the support person(s) to assist the child is: _____ . The relationship(s) to the child is: _____ .

(3) An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.

(4) To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services

(a) stated on the record.

(b) as follows:

b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.

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

a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.

b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.

c. To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services

(1) stated on the record.

(2) as follows:

CHILD'S NAME:	CASE NUMBER:
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24. **Placement and services are ordered as stated in** (check appropriate boxes and attach indicated forms):

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

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

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

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

27. **Other findings and orders:**

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

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

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

Hearing date:	Time:	Dept.:	Room:
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- d. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- e. **Nonminor dependent status review (Welf. & Inst. Code, § 366.31)**
- f. Other (specify):

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

30. Number of pages attached: _____

Date: _____



<input type="checkbox"/> JUDGE	<input type="checkbox"/> TEMPORARY JUDGE	<input type="checkbox"/> COMMISSIONER	<input type="checkbox"/> REFEREE
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CHILD'S NAME:	CASE NUMBER:
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TWELVE-MONTH PERMANENCY ATTACHMENT: REUNIFICATION SERVICES CONTINUED
(Welf. & Inst. Code, § 366.21(f))

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

Placement

2. **The child's out-of-home placement is necessary.**
3. **The child's current placement is appropriate.**
4. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.1(l) when determining the continuing necessity for and appropriateness of the placement.
5. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a. The matter is continued to the date and time indicated in form JV-435, item 28, for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (specify):
6. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.
7. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.
8. There has been a change in the child's placement, and the child is an Indian child or there is reason to know that the child is an Indian child. Currently (choose one):
- a. The child is placed with a member of the child's extended family as defined by 25 U.S.C. § 1903; or
- b. A diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
- c. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
- d. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
- e. The child is placed in accordance with the preferences established by the tribe; or
- f. The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.

CHILD'S NAME:	CASE NUMBER:
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9. **The child is placed outside the state of California and that out-of-state placement**
- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
 - b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child.
 The matter is continued to the date and time indicated in form JV-435, item 28, for a written oral report by the county agency on the progress made toward
 - (1) returning the child to California and locating an appropriate placement within California.
 - (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - (3) Other (*specify*):

Reunification services

10. a. **There is substantial probability that the child may be returned** to the
- | | | |
|--|--|--|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> Indian custodian |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> legal guardian | <input type="checkbox"/> other (<i>specify</i>): |
| <input type="checkbox"/> other (<i>specify</i>): | | |
- by the date set for the 18-month permanency hearing under Welf. & Inst. Code, § 366.22 because the person has
- (1) made significant progress in resolving the problems that led to the removal;
 - (2) demonstrated the capacity and ability to complete the objectives of the treatment plan and to provide for the safety, protection, physical and emotional health, and special needs of the child; and
 - (3) consistently and regularly contacted and visited the child.
- b. Reasonable services have not been provided to the
- | | | |
|--|--|--|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> Indian custodian |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> legal guardian | <input type="checkbox"/> other (<i>specify</i>): |
| <input type="checkbox"/> other (<i>specify</i>): | | |

11. Reunification services are continued for the
- | | | |
|--|--|--|
| <input type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> Indian custodian |
| <input type="checkbox"/> presumed father | <input type="checkbox"/> legal guardian | <input type="checkbox"/> other (<i>specify</i>): |
- a. as previously ordered.
 - b. as modified
 - (1) on the record.
 - (2) in the case plan.

12. **The likely date** by which the child may be returned to and safely maintained in the home or another permanent plan selected is (*specify date*):

Important individuals

13. **Child 10 years of age or older**
- a. The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - b. The county agency has not made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
 - (1) as stated on the record.
 - (2) as follows:

CHILD'S NAME:	CASE NUMBER:
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Health

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

Advisement

15. 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 18-month permanency hearing set on a date within 18 months from the date the child was initially removed from their home, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26 **that may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under Welf. & Inst. Code, § 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.**

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

1. By a preponderance of the evidence, the return of the child to their parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
2. **Reunification services are terminated.**
3. The child is an Indian child or there is reason to know that the child is an Indian child, and as set out in detail in the record:
 - a. Affirmative, active, thorough, and timely efforts have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
 - b. These efforts did did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
 - c. To the maximum extent possible, the efforts were were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe; and
 - d. These efforts and the case plan have have not been developed and conducted to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians, and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.
 - e. The active efforts have proved successful unsuccessful.
4. The child is an Indian child or there is reason to know that the child is an Indian child, and
 - a. Qualified expert witness testimony was provided by (name): _____ ; and
 - b. Evidence regarding the prevailing social and cultural practices of the child's tribe was provided; and
 - c. There was clear and convincing evidence that continued physical custody by the following person is likely to cause serious emotional or physical damage to the child:

<input type="checkbox"/> mother	<input type="checkbox"/> biological father	<input type="checkbox"/> legal guardian
<input type="checkbox"/> presumed father	<input type="checkbox"/> Indian custodian	
<input type="checkbox"/> other (specify):		

Placement

5. **The child's out-of-home placement is necessary.**
6. **The child's current placement is appropriate.**
7. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.1(f) when determining the continuing necessity for and appropriateness of the placement.
8. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.
9. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.
10. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
 - a. The matter is continued to the date and time indicated in form JV-435, item 28, for a written oral report by the county agency on the progress made in locating an appropriate placement.
 - b. Other (specify):

CHILD'S NAME:	CASE NUMBER:
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11. There has been a change in the child's placement and the child is an Indian child or there is reason to know that the child is an Indian child. Currently (*choose one*):
- a. The child is placed with a member of the child's extended family as defined by 25 U.S.C. § 1903; or
 - b. A diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
 - c. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
 - d. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
 - e. The child is placed in accordance with the preferences established by the tribe; or
 - f. The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.

12. **The child is placed outside the state of California and that out-of-state placement**
- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
 - b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child.
The matter is continued to the date and time indicated in form JV-435, item 28, for a written oral report by the county agency on the progress made toward
 - (1) returning the child to California and locating an appropriate placement within California.
 - (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - (3) Other (*specify*):

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

Important individuals

14. **For a child who is 10 years of age or older**
- a. The county agency has made reasonable efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - b. The county agency has not made reasonable efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
 - (1) as stated on the record.
 - (2) as follows:

Health

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

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

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

a. The child's permanent plan is permanent placement with (name): _____ a fit and willing relative.
The likely date by which the child's permanent plan will be achieved is (specify date): _____

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

- (1) Return home.
- (2) Adoption.
- (3) Tribal customary adoption.
- (4) Legal guardianship.
- (5) Placement with a fit and willing relative.
- (6) 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:

<input type="checkbox"/> return home	<input type="checkbox"/> establish legal guardianship
<input type="checkbox"/> place for adoption	<input type="checkbox"/> place with a relative
<input type="checkbox"/> other (specify): _____	

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

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

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

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

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

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

CHILD'S NAME:	CASE NUMBER:
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18. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence, reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
 - c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.21(i).
 - d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing a notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.590(b)(2) of the California Rules of Court to any party not present.
 - e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, placement with a fit and willing relative, or another planned permanent living arrangement, or in the case of an Indian child, in consultation with the child's tribe, tribal customary adoption for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to **their** usual place of residence or business only.
 - f. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under **Family** Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
 - (1) *(name):*
 - (2) *(name):*
 - g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or with a fit and willing relative is *(specify date)*:

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council JV-440.v3.032122.ja
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
FINDINGS AND ORDERS AFTER 18-MONTH PERMANENCY HEARING (Welf. & Inst. Code, § 366.22)	CASE NUMBER:

1. Eighteen-month permanency hearing

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

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

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

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

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

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

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

CHILD'S NAME:	CASE NUMBER:
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- 3. b. (2) The child was not properly notified of the right to attend the hearing under Welf. & Inst. Code, § 349(a) or the child wished to be present and was not given an opportunity to be present and
 - (a) there is good cause for a continuance for a period of time necessary to provide notice and secure the presence of the child to enable the child to be present.
 - (b) it is in the best interest of the child not to continue the hearing.

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

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

6. Parentage

- a. The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.

- b. The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
 - (1) alleged parent (*name*):
 - (2) alleged parent (*name*):
 - (3) alleged parent (*name*):

Advisements and waivers

7. The court has informed and advised the

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

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

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

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

Case plan development

- 9. a. The following were actively involved in the case plan development, including the child's plan for permanent placement.
 - child mother father representative of child's identified Indian tribe
 - other (*specify*): other (*specify*):

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

CHILD'S NAME:	CASE NUMBER:
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15. b. A limitation on the right of the parents to make educational decisions for the child is necessary, and those rights are limited as stated in *Order Designating Educational Rights Holder* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650(e) and (f) may be obtained from the court clerk.
16. a. The child's educational needs are are not being met.
 b. The child's physical needs are are not being met.
 c. The child's mental health needs are are not being met.
 d. The child's developmental needs are are not being met.
17. The child does does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on *(date)*:
18. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 17 or other concerns are:
 a. stated in the social worker's report.
 b. specified here:
19. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 19:
 a. Social worker.
 b. Parent *(name)*:
 c. Surrogate parent *(name)*:
 d. Educational representative *(name)*:
 e. Other *(name)*:
20. The child's education placement has changed since the last review hearing.
 a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
 b. The child is enrolled in school.
 c. The child is attending school.
21. For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)) has been completed and is attached.
22. a. The child is 16 years of age or older, and pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):
 (1) An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 (2) The name of the support person(s) to assist the child is: _____ The relationship(s) to the child is:
 (3) An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 (4) To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services
 (a) stated on the record.
 (b) as follows:
- b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.

CHILD'S NAME:	CASE NUMBER:
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23. **Child 14 years of age or older:**
- a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
 - b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.
 - c. To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services
 - (1) stated on the record.
 - (2) as follows:

24. **Placement and services are ordered as stated in** (check appropriate boxes and attach indicated forms):
- a. *Eighteen-Month Permanency Attachment: Child Reunified (Welf. & Inst. Code, § 366.22)* (form JV-441), which is attached and incorporated by reference.
 - b. *Eighteen-Month Permanency Attachment: Reunification Services Terminated (Welf. & Inst. Code, § 366.22)* (form JV-442), which is attached and incorporated by reference.
 - c. *Eighteen-Month Permanency Attachment: Reunification Services Continued (Welf. & Inst. Code, § 366.22)* (form JV-443), which is attached and incorporated by reference.

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

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

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

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

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

Hearing date:	Time:	Dept.:	Room:
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- d. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- e. **Nonminor dependent status review (Welf. & Inst. Code, § 366.31)**
- f. Other (specify):

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

30. Number of pages attached: _____

Date: _____

<input type="checkbox"/> JUDGE	<input type="checkbox"/> TEMPORARY JUDGE	<input type="checkbox"/> COMMISSIONER	<input type="checkbox"/> REFEREE
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CHILD'S NAME:

CASE NUMBER:

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

1. By a preponderance of the evidence, the return of the child to their parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
2. **Reunification services are terminated.**
3. The child is an Indian child or there is reason to know that the child is an Indian child, and as set out in detail in the record:
- Affirmative, active, thorough, and timely efforts have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
 - These efforts did did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
 - To the maximum extent possible, the efforts were were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe; and
 - These efforts and the case plan have have not been developed and conducted to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians, and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.
 - The active efforts have proved successful unsuccessful.
4. The child is an Indian child or there is reason to know that the child is an Indian child, and
- Qualified expert witness testimony was provided by (*name*): _____ ; and
 - Evidence regarding the prevailing social and cultural practices of the child's tribe was provided; and
 - There was clear and convincing evidence that continued physical custody by the following person is likely to cause serious emotional or physical damage to the child:

<input type="checkbox"/> mother	<input type="checkbox"/> biological father	<input type="checkbox"/> legal guardian
<input type="checkbox"/> presumed father	<input type="checkbox"/> Indian custodian	<input type="checkbox"/> other (<i>specify</i>): _____
<input type="checkbox"/> other (<i>specify</i>): _____		

Placement

5. **The child's out-of-home placement is necessary.**
6. **The child's current placement is appropriate.**
7. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under **Welf. & Inst. Code, § 366.1(f)** when determining the continuing necessity for and appropriateness of the placement.
8. **The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.**
9. **The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.**
10. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- The matter is continued to the date and time indicated in form JV-440, item 27, for a written oral report by the county agency on the progress made in locating an appropriate placement.
 - Other (*specify*): _____

CHILD'S NAME:	CASE NUMBER:
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11. There has been a change in the child's placement, and the child is an Indian child or there is reason to know that the child is an Indian child. Currently (*choose one*):
- The child is placed with a member of the child's extended family as defined by 25 U.S.C. § 1903; or
 - A diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
 - A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
 - A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
 - The child is placed in accordance with the preferences established by the tribe; or
 - The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.

12. **The child is placed outside the state of California and that out-of-state placement**

- continues to be the most appropriate placement for the child and is in the best interest of the child.
- does not continue to be the most appropriate placement for the child and is not in the best interest of the child.
The matter is continued to the date and time indicated in form JV-440, item 28, for a written oral report by the county agency on the progress made toward
 - returning the child to California and locating an appropriate placement within California.
 - locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - Other (*specify*):

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

Important individuals

14. **For a child who is 10 years of age or older**

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

CHILD'S NAME:	CASE NUMBER:
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Health

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

Selection of permanent plan

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

a. The child's permanent plan is permanent placement with (name): _____ a fit and willing relative.
The likely date by which the child's permanent plan will be achieved is (specify date): _____

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

- (1) Return home.
- (2) Adoption.
- (3) Tribal customary adoption.
- (4) Legal guardianship.
- (5) Placement with a fit and willing relative.
- (6) 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): _____

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

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

17. **If another planned permanent living arrangement ordered for children 16 years:**

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): _____

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

19. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence, reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
- c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.22(c).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing a notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.590(b)(2) of the California Rules of Court to any party not present.
- e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, placement with a fit and willing relative, or another planned permanent living arrangement, or in the case of an Indian child, in consultation with the child's tribe, tribal customary adoption for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to their usual place of residence or business only.
- f. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Family Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) (*name*):
- (2) (*name*):
- g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or with a fit and willing relative is (*specify date*):

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

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

Placement

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

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

4. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.1(l) when determining the continuing necessity for and appropriateness of the placement.

5. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.

6. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.

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

a. The matter is continued to the date and time indicated in form JV-440, item 28, for a written oral report by the county agency on the progress made in locating an appropriate placement.

b. Other (*specify*):

8. There has been a change in the child's placement and the child is an Indian child, or there is reason to know that the child is an Indian child. Currently (*choose one*):

- a. The child is placed with a member of the child's extended family as defined by 25 U.S.C. § 1903; or
- b. A diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
- c. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
- d. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
- e. The child is placed in accordance with the preferences established by the tribe; or
- f. The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.

9. **The child is placed outside the state of California and that out-of-state placement**

- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-440, item 28, for a written oral report by the county agency on the progress made toward
 - (1) returning the child to California and locating an appropriate placement within California.
 - (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - (3) Other (*specify*):

CHILD'S NAME:	CASE NUMBER:
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Reunification services

10. By clear and convincing evidence, it is in the best interest of the child to provide additional reunification services to the.

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

- (1) who is making significant and consistent progress in a substance abuse treatment program.
(2) who is recently discharged from incarceration, institutionalization, or the custody of the Department of Homeland Security and making significant and consistent progress in establishing a safe home for the child's return.
(3) who was a minor parent or a nonminor dependent parent at the time of the initial hearing and is making significant and consistent progress in establishing a safe home for the child's return.

and

b. There is a substantial probability that the child may be returned to the

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

by the date set for the 24-month permanency hearing under Welf. & Inst. Code, § 366.25 because the person has

- (1) consistently and regularly contacted and visited the child;
(2) made significant and consistent progress in the prior 18 months in resolving the problems that led to the child's removal from the home; and
(3) demonstrated the capacity and ability to provide for the safety, protection, physical and emotional health, and special needs of the child and
(a) to complete the objectives of their substance abuse treatment plan as evidenced by reports from a substance abuse provider.
(b) to complete a treatment plan postdischarge from incarceration or institutionalization.

- c. The court finds reasonable reunification services have not been provided. Based on this finding and other relevant factors, including the likelihood of success of further reunification services and the child's need for a prompt resolution of dependency status, the court finds good cause under Welf. and Inst. Code section 352 to continue the 18-month status review to (specify date):

11. Reunification services are continued for the

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

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

12. **The likely date** by which the child may be returned to and safely maintained in the home or another permanent plan selected is (specify date):

CHILD'S NAME:	CASE NUMBER:
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Important individuals

13. **Child 10 years of age or older**
- a. The county agency has made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - b. The county agency has **not** made efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
 - (1) as stated on the record.
 - (2) as follows:

Health

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

Advisement

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

Twenty-four-month permanency hearing date:
--

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: FOR COURT USE ONLY DRAFT Not approved by the Judicial Council JV-445.v5.032122.ja
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
FINDINGS AND ORDERS AFTER POSTPERMANENCY HEARING— PARENTAL RIGHTS TERMINATED; PERMANENT PLAN OF ADOPTION (Welf. & Inst. Code, § 366.3)	CASE NUMBER:

1. Postpermanency hearing

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

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

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

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

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

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

CHILD'S NAME:	CASE NUMBER:
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3. b. (2) The child was not properly notified of the right to attend the hearing under Welf. & Inst. Code, § 349(a) or the child wished to be present and was not given an opportunity to be present and
- (A) there is good cause for a continuance for a period of time necessary to provide notice and secure the presence of the child to enable the child to be present.
- (B) it is in the best interest of the child not to continue the hearing.
4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5. A Court Appointed Special Advocate is appointed for the child.

Placement

6. **The child's out-of-home placement is necessary.**
7. **The child's current placement is appropriate.**
8. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.1(I) when determining the continuing necessity for and appropriateness of the placement.
9. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.
10. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.
11. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
- a. The matter is continued to the date and time indicated in item 32 for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other(*specify*):
12. **The child is placed outside the state of California and that out-of-state placement**
- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in item 32 for a written oral report by the county agency on the progress made toward
- (1) returning the child to California and locating an appropriate placement within California.
- (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3) Other(*specify*):

Case plan development

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

CHILD'S NAME:	CASE NUMBER:
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14. **Child 12 years of age or older:**
- a. The child was given the opportunity to review the case plan, sign it, and receive a copy.
 - b. The child was not given the opportunity to review the case plan, sign it, and receive a copy, and
 - (1) the county agency is ordered to provide the child with the opportunity to review the case plan, sign it, and receive a copy. The county agency is further ordered to submit to the court within 30 days of the date of this hearing written confirmation that the child was provided with this opportunity.
 - (2) the county agency is not required to actively involve the child because the child is unable, unavailable, or unwilling to participate.

Efforts

15. **The county agency**

- a. has
- b. has not

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

16. **Child not yet placed with prospective adoptive parent or a guardian**

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

17. The services provided to the child have been

- a. adequate.
- b. not adequate.

Health and education

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

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

CHILD'S NAME:	CASE NUMBER:
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20. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 18 or other concerns are:
- stated in the social worker's report.
 - specified here:
21. For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)) has been completed and is attached.
22. a. The child is 16 years of age or older, and pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):
- An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 - The name of the support person(s) to assist the child is: _____ . The relationship(s) to the child is: _____
 - An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 - To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services
 - stated on the record.
 - as follows:
- b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.
23. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 20:
- Social worker.
 - Surrogate parent (*name*):
 - Educational representative (*name*):
 - Other (*name*):
24. The child's education placement has changed since the last review hearing.
- The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
 - The child is enrolled in school.
 - The child is attending school.
25. **Child 14 years of age or older:**
- The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
 - The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.
 - To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services
 - stated on the record.
 - as follows:

CHILD'S NAME:	CASE NUMBER:
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Siblings

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

Permanent plan

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

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

Hearing date:	Time:	Dept:	Room:
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- a. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- b. Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- c. **Nonminor dependent status review (Welf. & Inst. Code, § 366.31)**
- d. Other (*specify*):

36. Number of pages attached: _____

Date: _____



JUDGE
 TEMPORARY JUDGE
 COMMISSIONER
 REFEREE

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council JV-446.v8.032322.ja
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
FINDINGS AND ORDERS AFTER POSTPERMANENCY HEARING— PERMANENT PLAN OTHER THAN ADOPTION (Welf. & Inst. Code, § 366.3)	CASE NUMBER:

1. Postpermanency hearing

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

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

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

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

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

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

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

CHILD'S NAME:	CASE NUMBER:
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3. b. (2) The child was not properly notified of the right to attend the hearing under Welf. & Inst. Code, § 349(a) or the child wished to be present and was not given an opportunity to be present and
- (A) there is good cause for a continuance for a period of time necessary to provide notice and secure the presence of the child to enable the child to be present.
- (B) it is in the best interest of the child not to continue the hearing.
4. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
5. A Court Appointed Special Advocate is appointed for the child.

6. Parentage

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

Advisements and waivers

7. The court has informed and advised the

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

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

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

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

Placement

9. Continued out-of-home placement is in the best interest of the child.
10. The child's out-of-home placement is necessary.
11. Continued out-of-home placement is no longer necessary. The child is ordered immediately returned to the home of the mother father legal guardian other (*specify*):
- a. Family maintenance services are ordered for six months.
- b. The family is not in need of further services, and the person specified in item 2a is granted physical and legal custody of the child under the custody order and final judgment entered this day. Visitation with the child will be as stated in the *Visitation Order-Juvenile* (form JV-205). The clerk of the juvenile court must file with the family court a completed *Custody Order-Juvenile-Final Judgment* (form JV-200) and *Visitation Order-Juvenile* (form JV-205).

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12. **The child's current placement is appropriate.**
13. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.1(f) when determining the continuing necessity for and appropriateness of the placement.
14. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.
15. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.
16. **The child's current placement is not appropriate.** The county agency must locate an appropriate place for the child.
- a. The matter is continued to the date and time indicated in item 45 for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (*specify*):
17. **The child is placed outside the state of California and that out-of-state placement**
- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in item 45 for a written oral report by the county agency on the progress made toward
- (1) returning the child to California and locating an appropriate placement within California.
- (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3) Other (*specify*):
18. The county agency has has not exercised due diligence to locate an appropriate relative with whom the child could be placed. Each relative whose name has been submitted to the department has has not been evaluated.

Case plan development

19. a. The child was actively involved in the case plan development, including the child's plan for permanent placement.
- b. The child was not actively involved in the case plan development, including the child's plan for permanent placement, and
- (1) the county agency is ordered to actively involve the child in the case plan development, including the plan for permanent placement, and to submit to the court an updated case plan within 30 days of the date of this hearing.
- (2) the county agency is not required to actively involve the child in the case plan development because the child was unable, unavailable, or unwilling to participate.
20. **Child 14 years of age or older:**
- a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
- b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.
- c. To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services
- (1) stated on the record.
- (2) as follows:

CHILD'S NAME:	CASE NUMBER:
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21. For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459 (A)) has been completed and is attached.

Efforts

22. The county agency

- a. has
- b. has not

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

23. The services provided to the child have been

- a. adequate.
- b. not adequate.

24. Child is 10 years of age or older and has been in an out-of-home placement for six months or longer

- a. The child has identified the following as an individual important to him or her:
 - (1) (name):
 - (2) (name):
- b. The county agency has has not made efforts to identify individuals who are important to the child, consistent with the child's best interest.
- c. The county agency has has not made efforts to maintain the child's relationships with the individuals who are important to the child, consistent with the child's best interest.
- d. The county agency has has not made efforts to identify a prospective adoptive parent or a legal guardian for the child.
- e. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
 - (1) as stated on the record.
 - (2) as follows:
- f. To identify a prospective adoptive parent or a legal guardian for the child, the county agency must provide the service
 - (1) as stated on the record.
 - (2) as follows:

Siblings

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

Education

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

CHILD'S NAME:	CASE NUMBER:
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29. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 28 or other concerns are:
- a. stated in the social worker's report.
 - b. specified here:
30. The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 29:
- a. Social worker.
 - b. Parent (*name*):
 - c. Surrogate parent (*name*):
 - d. Educational representative (*name*):
 - e. Other (*name*):
31. The child's education placement has changed since the last review hearing.
- a. The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
 - b. The child is enrolled in school.
 - c. The child is attending school.
32. a. The child is 16 years of age or older, and pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):
- (1) An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 - (2) The name of the support person(s) to assist the child is: _____ . The relationship(s) to the child is: _____ .
 - (3) An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 - (4) To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services
 - (a) stated on the record.
 - (b) as follows:
- b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.
33. **Child 12 years of age or older:**
- a. The child was given the opportunity to review the case plan, sign it, and receive a copy.
 - b. The child was not given the opportunity to review the case plan, sign it, and receive a copy, and
 - (1) the county agency is ordered to provide the child with the opportunity to review the case plan, sign it, and receive a copy. The agency is further ordered to submit to the court within 30 days of the date of this hearing written confirmation that the child was provided with this opportunity.
 - (2) the county agency is not required to give the child this opportunity because the child was unable, unavailable, or unwilling to participate.

Health

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

CHILD'S NAME:	CASE NUMBER:
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37. c. The court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because *(describe)*:

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

38. The mother father nonbinary parent has proved by a preponderance of the evidence that further efforts at reunification are the best alternative for the child. Further reunification services to return the child to a safe home environment are ordered to the parent for a period of six months. The case dated: _____ is appropriate and the mother father nonbinary parent is ordered to participate in the case plan.

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

40. The child's permanent plan identified in item 36 is appropriate and continues as the permanent plan.

41. a. The child's permanent plan identified in item 36 may not be appropriate, and the matter is ordered set for a hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.
- b. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.22(b).
- c. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as stated in rule 5.590(b)(2) of the California Rules of Court to any party not present.
- d. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, placement with a fit and willing relative, or another planned permanent living arrangement, or in the case of an Indian child, in consultation with the child's tribe, tribal customary adoption for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to their usual place of residence or business only.
- e. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Family Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).

- (1) *(name)*:
- (2) *(name)*:
- (3) *(name)*:
- (4) *(name)*:

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

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

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

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

Hearing date:	Time:	Dept:	Room:
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- a. Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- b. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- c. **Nonminor dependent status review (Welf. & Inst. Code, § 366.31)**
- d. Other (specify):

46. Number of pages attached: _____

Date: _____



<input type="checkbox"/> JUDGE	<input type="checkbox"/> TEMPORARY JUDGE	<input type="checkbox"/> COMMISSIONER	<input type="checkbox"/> REFEREE
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ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council JV-455.v4.032122.ja
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
FINDINGS AND ORDERS AFTER 24-MONTH PERMANENCY HEARING (Welf. & Inst. Code, § 366.25)	CASE NUMBER:

1. Twenty-four-month permanency hearing

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

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

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

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

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

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

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

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9. c. The following were **not** actively involved in the case plan development, including the child's plan for permanent placement. The county agency is not required to involve them because these persons are unable, unavailable, or unwilling to participate.
- child
 mother
 father
 representative of child's identified Indian tribe
 other (specify): _____
 other (specify): _____

Efforts

10. The county agency

- a. has
b. has not

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

11. The child is an Indian child or there is reason to know that the child is an Indian child, and as set out in detail in the record:
- a. Affirmative, active, thorough, and timely efforts have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
 - b. These efforts did did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
 - c. To the maximum extent possible, the efforts were were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe; and
 - d. These efforts and the case plan have have not been developed and conducted to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.
 - e. The active efforts have proved successful unsuccessful.

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

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

Siblings

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

Health and education

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

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

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

- 18. The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 17 or other concerns are:
 - a. stated in the social worker's report.
 - b. specified here:

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

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

- 21. **Child 14 years of age or older:**
 - a. The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
 - b. The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.
 - c. To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services
 - (1) stated on the record.
 - (2) as follows:

- 22. For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services (form JV-459(A))* has been completed and is attached.

- 23. a. The child is 16 years of age or older, and pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):
 - (1) An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 - (2) The name of the support person(s) to assist the child is: . The relationship(s) to the child is:
 - (3) An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.

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23. a. (4) To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services
- (a) stated on the record.
- (b) as follows:

- b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.

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

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

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

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

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

27. **Other findings and orders:**

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

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

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

Hearing date:	Time:	Dept.:	Room:
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- c. Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- d. Nonminor dependent status review (Welf. & Inst. Code, § 366.31)
- e. Other (specify):

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

30. Number of pages attached: _____

Date: _____



JUDGE TEMPORARY JUDGE COMMISSIONER REFEREE

CHILD'S NAME:	CASE NUMBER:
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**TWENTY-FOUR-MONTH PERMANENCY ATTACHMENT:
REUNIFICATION SERVICES TERMINATED
(Welf. & Inst. Code, § 366.25)**

1. By a preponderance of the evidence, the return of the child to **their** parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
2. **The child's out-of-home placement is necessary.**
3. **Reunification services are terminated.**
4. The child is an Indian child or there is reason to know that the child is an Indian child, and as set out in detail in the record:
 - a. Affirmative, active, thorough, and timely efforts have have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
 - b. These efforts did did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
 - c. To the maximum extent possible, the efforts were were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe; and
 - d. These efforts and the case plan have have not been developed and conducted to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians, and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers.
 - e. The active efforts have proved successful unsuccessful.
5. The child is an Indian child or there is reason to know that the child is an Indian child, and
 - a. Qualified expert witness testimony was provided by (*name*): _____ ; and
 - b. Evidence regarding the prevailing social and cultural practices of the child's tribe was provided; and
 - c. There was clear and convincing evidence that continued physical custody by the following person is likely to cause serious emotional or physical damage to the child:

<input type="checkbox"/> mother	<input type="checkbox"/> biological father	<input type="checkbox"/> legal guardian
<input type="checkbox"/> presumed father	<input type="checkbox"/> Indian custodian	
<input type="checkbox"/> other (<i>specify</i>): _____	<input type="checkbox"/> other (<i>specify</i>): _____	
6. There has been a change in the child's placement, and the child is an Indian child or there is reason to know that the child is an Indian child. Currently (*choose one*):
 - a. The child is placed with a member of the child's extended family as defined by 25 U.S.C. § 1903; or
 - b. A diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
 - c. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
 - d. A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
 - e. The child is placed in accordance with the preferences established by the tribe; or
 - f. The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.
7. **The child's current placement is appropriate.**

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8. For a child placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.1(l) when determining the continuing necessity for and appropriateness of the placement.

9. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. The county agency has has not made reasonable efforts to locate the child.

10. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.

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

- a. The matter is continued to the date and time indicated in form JV-455, item 27, for a written oral report by the county agency on the progress made in locating an appropriate placement.
- b. Other (*specify*):

12. **The child is placed outside the state of California and that out-of-state placement**

- a. continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-455, item 27 for a written oral report by the county agency on the progress made toward
 - (1) returning the child to California and locating an appropriate placement within California.
 - (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 - (3) Other (*specify*):

Selection of permanent plan

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

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

- a. The child's permanent plan is permanent placement with (*name*): _____ a fit and willing relative.
The likely date by which the child's permanent plan will be achieved is (*specify date*): _____
- b. The child remains in foster care with a permanent plan of (*specify*):
 - (1) Return home.
 - (2) Adoption.
 - (3) Tribal customary adoption.
 - (4) Legal guardianship.
 - (5) Placement with a fit and willing relative.
 - (6) 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:

<input type="checkbox"/> return home	<input type="checkbox"/> establish legal guardianship
<input type="checkbox"/> place for adoption	<input type="checkbox"/> place with a relative
<input type="checkbox"/> other (<i>specify</i>): _____	

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

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

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15. **If another planned permanent living arrangement ordered for a child 16 years of age or older:**

- 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*):

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

- b. By clear and convincing evidence, reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
- c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.25(b).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing a notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.590(b)(2) of the California Rules of Court to any party not present.
- e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, placement with a fit and willing relative, or another planned permanent living arrangement, or, in the case of an Indian child, tribal customary adoption for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to their usual place of residence or business only.
- f. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Family Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
 - (1) (*name*):
 - (2) (*name*):
 - (3) (*name*):
 - (4) (*name*):
- g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or with a fit and willing relative is (*specify date*):

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Important individuals

17. **Child is 10 years of age or older**
- a. The county agency has made reasonable efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - b. The county agency has not made reasonable efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.
 - c. To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
 - (1) as stated on the record.
 - (2) as follows:

Health

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

CHILD'S NAME:

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Status Review Attachment: Sexual and Reproductive Health Services
(Welf. & Inst. Code, §§ 366(a)(1)(F), 727.2(e)(7))

For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, the social worker or probation officer has done all of the following:

- Verified that the child has received comprehensive sexual health education that meets the requirements of Chapter 5.6 (commencing with Section 51930) of Part 28 of Division 4 of Title 2 of the Education Code through the school system or has ensured that the child will receive the instruction.
- Informed the child that they may access age-appropriate, medically accurate information about reproductive and sexual health care, including but not limited to unplanned pregnancy prevention, abstinence, use of birth control, abortion, and the prevention and treatment of sexually transmitted infections.
- Informed the child, in an age and developmentally appropriate manner, of the child's right to consent to sexual and reproductive health services and the child's confidentiality rights regarding those services.
- Informed the child how to access reproductive and sexual health care services and facilitated access to that care, including by assisting with any identified barriers to care, as needed.

The social worker or probation officer is ordered to complete any of the above requirements that have not been completed.

NONMINOR'S NAME:

CASE NUMBER:

DISPOSITIONAL ATTACHMENT: NONMINOR DEPENDENT

1. Reasonable efforts were were not made to prevent or eliminate the need for the nonminor's removal from the home.
2. Placement and care are vested with the county agency.
3. The county agency has has not exercised due diligence to locate an appropriate relative with whom the nonminor could be placed. Each relative whose name has been submitted to the department has has not been evaluated.
4. The nonminor dependent who is an Indian child has has not chosen to have the Indian Child Welfare Act apply to them as a nonminor dependent.
5. There was no inquiry or determination of whether the nonminor dependent was an Indian child before the nonminor dependent's 18th birthday.
 - a. The nonminor dependent would like an Indian Child Welfare Act determination. The county agency is ordered to comply with rule 5.481 of the California Rules of Court.
 - b. The nonminor dependent would not like an Indian Child Welfare Act determination.
6. Family reunification services are ordered under **Welf. & Inst. Code, § 361.6**.
 - a. The nonminor dependent and parents or guardians are in agreement with court-ordered family reunification services.
 - b. The provision of family reunification services is in the best interests of the nonminor dependent.
 - c. There is a substantial probability that the nonminor dependent will be able to safely reside in the home of the parent or guardian by the next review hearing.
7. The nonminor dependent is placed in a short-term residential therapeutic program. A hearing to review the placement under **Welf. & Inst. Code, § 361.22** was held on or is set for (*specify date*):

THE COURT MUST CONSIDER THE FOLLOWING FINDINGS AND ORDERS AFTER THE NONMINOR DISPOSITION HEARING OR AFTER A NONMINOR DEPENDENT STATUS REVIEW HEARING WITHIN 60 DAYS

8. a. The nonminor dependent's continued placement is necessary.
b. The nonminor dependent's continued placement is no longer necessary.
9. a. The nonminor dependent's current placement is appropriate.
b. The nonminor dependent's current placement is not appropriate. The county agency and the nonminor dependent must work collaboratively to locate an appropriate placement.
10. For a nonminor dependent placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under **Welf. & Inst. Code, § 366.31(b)(4)** when determining the continuing necessity for and appropriateness of the placement.
11. The nonminor dependent's Transitional Independent Living Case Plan includes a plan to satisfy at least one of the criteria in **Welf. & Inst. Code, § 11403(b)** to remain in foster care under juvenile court jurisdiction as indicated below:
 - a. Attending high school or a high school equivalency certificate (GED) program.
 - b. Attending a college, community college, or vocational education program.
 - c. Attending a program or participating in an activity that will promote or help remove a barrier to employment.
 - d. Employed at least 80 hours per month.
 - e. The nonminor is incapable of attending a high school, high school equivalency certificate (GED) program, college, community college, vocational education program, or an employment program or activity, or working 80 hours per month because of a medical condition.
12. The county agency has has not made reasonable efforts and provided assistance to help the nonminor dependent establish and maintain compliance with one of the conditions in **Welf. & Inst. Code, § 11403(b)**.
13. The nonminor dependent was was not provided with the information, documents, and services required under **Welf. & Inst. Code, § 391**.
14. The Transitional Independent Living Case Plan was was not developed jointly by the nonminor dependent and the county agency.

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15. The nonminor dependent has elected to have the Indian Child Welfare Act apply; the representative from their tribe was was not consulted during the development of the nonminor dependent's Transitional Independent Living Case Plan.
16. The nonminor dependent's Transitional Independent Living Case Plan does does not reflect the living situation and services consistent, in the nonminor dependent's opinion, with what they need to achieve successful adulthood and sets out benchmarks that indicate how both the county agency and the nonminor dependent will know when independence can be achieved.
17. The nonminor dependent's Transitional Independent Living Case Plan does does not include appropriate and meaningful independent living skill services that will help the nonminor transition from foster care to successful adulthood.
18. The county agency has has not made reasonable efforts to comply with the nonminor dependent's Transitional Independent Living Case Plan, including efforts to finalize the nonminor's permanent plan and prepare them for independence.
19. For a permanent plan of another planned permanent living arrangement, the county agency has has not made ongoing and intensive efforts to finalize the permanent plan.
20. The nonminor dependent did did not sign and receive a copy of the Transitional Independent Living Case Plan.
21. The county agency has has not made reasonable efforts to maintain relations between the nonminor dependent and individuals who are important to the nonminor, including efforts to establish and maintain relationships with caring and committed adults who can serve as lifelong connections.
22. a. The extent of progress made by the nonminor dependent toward meeting the Transitional Independent Living Case Plan goals has been excellent satisfactory minimal.
- b. The modifications to the Transitional Independent Living Case Plan goals needed to assist the nonminor dependent in their efforts to attain those goals were stated on the record.
23. The county agency has has not made reasonable efforts to establish or maintain the nonminor dependent's relationship with siblings who are under juvenile court jurisdiction.
24. The likely date by which the nonminor dependent is anticipated to achieve successful adulthood is
25. The nonminor dependent's permanent plan is:
- to return home.
 - adoption.
 - tribal customary adoption.
 - placement with a fit and willing relative.
 - another planned permanent living arrangement.
 - Other (*specify*):
26. For a permanent plan of another planned permanent living arrangement
- the court has asked the nonminor dependent about their desired permanency outcome.
 - The court has considered the evidence before it and finds another planned permanent living arrangement is the best permanent plan because:
 - the nonminor is 18 or older.
 - Other (*specify*):
 - The compelling reasons why other permanent plan options are not in the nonminor's best interest are that
 - the nonminor wants to live independently.
 - Other (*specify*):
27. Family reunification services are ordered under **Welf. & Inst. Code, § 361.6**.
- The county agency has has not complied with the case plan by making reasonable efforts—or in the case of an Indian child, active efforts, as described in **Welf. & Inst. Code, § 361.7**—to create a safe home for the nonminor dependent to reside in or to complete whatever steps are necessary to finalize the permanent placement of the nonminor.

NONMINOR'S NAME:	CASE NUMBER:
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27. b. The extent of progress that the parents or legal guardians have made toward alleviating or mitigating the causes necessitating placement in foster care has been excellent satisfactory minimal none.

c. The likely date by which the nonminor dependent may safely reside in the family home or achieve successful adulthood is: on (date): _____

28. a. The social worker has done all of the following:

- Verified that the nonminor dependent has received comprehensive sexual health education that meets the requirements of Chapter 5.6 (commencing with Section 51930) of Part 28 of Division 4 of Title 2 of the Education Code through the school system or has ensured that the child will receive the instruction.
- Informed the nonminor dependent that they may access age-appropriate, medically accurate information about reproductive and sexual health care, including but not limited to unplanned pregnancy prevention, abstinence, use of birth control, abortion, and the prevention and treatment of sexually transmitted infections.
- Informed the nonminor dependent, in an age and developmentally appropriate manner, of their right to consent to sexual and reproductive health services and their confidentiality rights regarding those services.
- Informed the nonminor dependent how to access reproductive and sexual health care services and facilitated access to that care, including by assisting with any identified barriers to care, as needed.

b. The social worker is ordered to complete any of the above requirements that have not been completed.

29. a. Pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):

- (1) An individual or individuals have been identified to assist the nonminor dependent with applications for postsecondary education, including career and technical education, and related financial aid.
- (2) The name of the support person(s) to assist the nonminor dependent is: _____
The relationship(s) to the nonminor dependent is: _____
- (3) An individual or individuals have not been identified to assist the nonminor dependent with applications for postsecondary education, including career and technical education, and related financial aid.
- (4) To assist the nonminor dependent in preparing for postsecondary education, the county agency must add to the case plan and provide the services
 - (a) stated on the record.
 - (b) as follows: _____

b. The nonminor dependent has stated that they do not want to pursue postsecondary education, including career or technical education

30. It appears that juvenile court jurisdiction over the nonminor dependent may no longer be necessary, and a hearing to consider termination of juvenile court jurisdiction under rule 5.555 of the California Rules of Court is ordered.

31. The nonminor dependent has elected not to remain in foster care. A hearing to consider termination of juvenile court jurisdiction under rule 5.555 of the California Rules of Court within 30 days is ordered.

32. Other findings and orders

- a. See [attachment 32a](#).
- b. (Specify): _____

NONMINOR'S NAME:	CASE NUMBER:
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33. The next hearings are scheduled as follows:

- a. Nonminor dependent status review hearing (Welf. & Inst. Code, § 366.31; Cal. Rules of Court, rule 5.903)

Hearing date:	Time:	Dept:	Room:
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- b. Hearing to consider termination of jurisdiction (Welf. & Inst. Code, § 391; Cal. Rules of Court, rule 5.555)

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

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

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council JV-462.v4.030122.ja	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
NONMINOR'S NAME: NONMINOR'S DATE OF BIRTH: HEARING DATE AND TIME:		
FINDINGS AND ORDERS AFTER NONMINOR DEPENDENT STATUS REVIEW HEARING		
CASE NUMBER:		
Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	Other Court Personnel:	Interpreter: Language:

- | | | | | |
|---------------------------------|--------------------------|--|------------------|--------------------------|
| 1. Parties (name): | Present | | Attorney (name): | Present |
| a. Nonminor dependent: | <input type="checkbox"/> | | | <input type="checkbox"/> |
| b. Probation officer: | <input type="checkbox"/> | | | <input type="checkbox"/> |
| c. County agency social worker: | <input type="checkbox"/> | | | <input type="checkbox"/> |
| d. Other (specify): | <input type="checkbox"/> | | | <input type="checkbox"/> |
2. Tribal representative (name):
3. Others present in courtroom
- a. Other (specify):
- b. Other (specify):
- c. Other (specify):
- d. Other (specify):
4. **The court has read and considered and admits into evidence:**
- a. Report of social worker dated:
- b. Report of probation officer dated:
- c. Other (specify):
- d. Other (specify):

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

5. Notice of the date, time, and location of the hearing was given as required by law.
6. The nonminor dependent's continued placement is necessary.
7. The nonminor dependent's continued placement is no longer necessary.
8. The nonminor dependent's current placement is appropriate.
9. The nonminor dependent's current placement is not appropriate. The county agency and the nonminor dependent must work collaboratively to locate an appropriate placement.
10. For a nonminor dependent placed in a short-term residential therapeutic program, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.31(b)(4) or 706.5(c)(1)(B) when determining the continuing necessity for and appropriateness of the placement.

NONMINOR'S NAME:	CASE NUMBER:
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11. The nonminor dependent's Transitional Independent Living Case Plan does include a plan for **them** to satisfy at least one of the criteria in **Welf. & Inst. Code, § 11403(b)** to remain in foster care under juvenile court jurisdiction as indicated below:
 - a. Attending high school or a high school equivalency certificate (GED) program.
 - b. Attending a college, a community college, or a vocational education program.
 - c. Attending a program or participating in an activity that will promote or help remove a barrier to employment.
 - d. Employed at least 80 hours per month.
 - e. The nonminor dependent is not able to attend a high school, a high school equivalency certificate (GED) program, a college, a community college, a vocational education program, or an employment program or activity or to work 80 hours per month due to a medical condition.

12. The county agency has has not made reasonable efforts and provided assistance to help the nonminor dependent establish and maintain compliance with one of the conditions in **Welf. & Inst. Code, § 11403(b)**.

13. The nonminor dependent was was not provided with the information, documents, and services as required under **Welf. & Inst. Code, § 391(c)**.

14. The Transitional Independent Living Case Plan was was not developed jointly by the nonminor dependent and the county agency.

15. For the nonminor dependent who has elected to have the Indian Child Welfare Act continue to apply, the representative from **their** tribe was was not consulted during the development of the nonminor dependent's Transitional Independent Living Case Plan.

16. The nonminor dependent's Transitional Independent Living Case Plan does does not reflect the living situation and services consistent, in the nonminor dependent's opinion, with what he or she needs to achieve successful adulthood and set out benchmarks that indicate how both the county agency and nonminor dependent will know when successful adulthood can be achieved.

17. The nonminor dependent's Transitional Independent Living Case Plan does does not include appropriate and meaningful independent living skill services that will help the youth transition from foster care to successful adulthood.

18. The county agency has has not made reasonable efforts to comply with the nonminor dependent's Transitional Independent Living Case Plan, including efforts to finalize the youth's permanent plan and prepare **them** for independence.

19. The county agency has has not made ongoing and intensive efforts to finalize the permanent plan.

20. The nonminor dependent did did not sign and receive a copy of **their** Transitional Independent Living Case Plan.

21. a. The extent of progress made by the nonminor dependent toward meeting the Transitional Independent Living Case Plan goals has been excellent satisfactory minimal.
 - b. The modifications to the Transitional Independent Living Case Plan goals needed to assist the nonminor dependent in **their** efforts to attain those goals were stated on the record.

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

23. The county agency has has not made reasonable efforts to maintain relations between the nonminor dependent and individuals who are important to **them**, including efforts to establish and maintain relationships with caring and committed adults who can serve as lifelong connections.

24. The county agency has has not made reasonable efforts to establish or maintain the nonminor dependent's relationship with **their** siblings who are under juvenile court jurisdiction.

25. The likely date by which it is anticipated the nonminor dependent will achieve successful adulthood is:

NONMINOR'S NAME:	CASE NUMBER:
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26. It appears that juvenile court jurisdiction over the nonminor may no longer be necessary, and a hearing to consider termination of juvenile court jurisdiction under rule 5.555 of the California Rules of Court is ordered.
27. At a hearing under rule 5.555 of the California Rules of Court held on the date below, the juvenile court entered the findings and orders as recorded on the *Findings and Orders After Hearing to Consider Termination of Juvenile Court Jurisdiction Over a Nonminor* (form JV-367), and juvenile court jurisdiction is terminated under those findings and orders.
28. Juvenile court jurisdiction over the youth as a nonminor dependent is continued and
- a. The youth's permanent plan is:
- (1) Return home
 - (2) Adoption
 - (3) Tribal customary adoption
 - (4) Placement with a fit and willing relative
 - (5) Another planned permanent living arrangement
 - (6) Other (*specify*):
- b. For nonminors placed in another planned permanent living arrangement, the court has considered the evidence before it and finds that another planned permanent living arrangement is still the best permanent plan because:
- (1) The nonminor is 18 or older.
 - (2) Other (*specify*):
- The compelling reasons why other permanent plan options are not in the nonminor's best interest are:
- (1) The nonminor wants to live independently.
 - (2) Other (*specify*):
- c. Family reunification services are continued.
- d. The matter is continued for a hearing set under Welf. & Inst. Code, § 366.31, and rule 5.903 of the California Rules of Court within the next six months.

29. a. The social worker or probation officer has done all of the following:

- Verified that the nonminor dependent has received comprehensive sexual health education that meets the requirements of Chapter 5.6 (commencing with Section 51930) of Part 28 of Division 4 of Title 2 of the Education Code through the school system or has ensured that the child will receive the instruction.
- Informed the nonminor dependent that they may access age-appropriate, medically accurate information about reproductive and sexual health care including but not limited to unplanned pregnancy prevention, abstinence, use of birth control, abortion, and the prevention and treatment of sexually transmitted infections.
- Informed the nonminor dependent, in an age and developmentally appropriate manner, of the child's right to consent to sexual and reproductive health services and the child's confidentiality rights regarding those services.
- Informed the nonminor dependent how to access reproductive and sexual health care services and facilitated access to that care, including by assisting with any identified barriers to care, as needed.

- b. The social worker or probation officer is ordered to complete any of the above requirements that have not been completed.

30. a. Pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):

- (1) An individual or individuals have been identified to assist the nonminor dependent with applications for postsecondary education, including career and technical education, and related financial aid.
- (2) The name of the support person(s) to assist the nonminor dependent is:
The relationship(s) to the nonminor dependent is:
- (3) An individual or individuals have not been identified to assist the nonminor dependent with applications for postsecondary education, including career and technical education, and related financial aid.

NONMINOR'S NAME:	CASE NUMBER:
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30. a. (4) To assist the nonminor dependent in preparing for postsecondary education, the county agency must add to the case plan and provide the services
- (a) stated on the record.
- (b) as follows:
- b. The nonminor dependent has stated that they do not want to pursue postsecondary education, including career or technical education.
31. All prior orders not in conflict with this order remain in full force and effect.
32. Other findings and orders
- a. See attachment 32a.
- b. (Specify):
33. Additional findings and orders for nonminor dependent with case plan of continued family reunification services
- a. The agency has has not complied with the case plan by making reasonable efforts to create a safe home for the nonminor dependent to reside in and to complete whatever steps are necessary to finalize the permanent plan.
- b. The extent of progress made toward alleviating or mitigating the causes necessitating the current out-of-home placement has been
- (1) by the father:
- (2) by the mother:
- (3) by the nonminor:
- (4) other (specify):
- (5) other (specify):
- c. The likely date by which the nonminor dependent may safely reside in the family home or achieve successful adulthood is:
- d. (1) The nonminor can safely reside in the family home and may return to the family home.
- (a) The court maintains jurisdiction under Welf. & Inst. Code, § 303(a) and a review hearing under Welf. & Inst. Code, § 366.31 is ordered.
- (b) It appears that juvenile court jurisdiction over the nonminor may no longer be necessary, and a hearing to consider termination of juvenile court jurisdiction under Welf. & Inst. Code, § 391 and rule 5.555 of the California Rules of Court is ordered.
- (2) The nonminor cannot safely reside in the family home, and reunification services are continued.
- (a) The nonminor dependent and parent(s) of guardian(s) are in agreement with the continuation of reunification services.
- (b) Continued reunification services are in the best interest of the nonminor dependent.
- (c) There is a substantial probability that the nonminor dependent will be able to safely reside in the family home by the next review hearing.
- (d) The matter is continued for a review hearing under Welf. & Inst. Code, § 366.31 and rule 5.903 of the California Rules of Court within the next six months.
- (3) Reunification services are terminated (check all that apply).
- (a) The nonminor cannot safely reside in the family home.
- (b) The nonminor dependent and parent(s) or guardian(s) are not in agreement with the continuation of reunification services.
- (c) Continued reunification services are not in the best interest of the nonminor dependent.
- (d) There is not a substantial probability that the nonminor dependent will be able to safely reside in the family home by the next review hearing.
- (e) The time frame for court-ordered reunification services exceeds the time frames as set forth in Welf. & Inst. Code, § 361.5.

NONMINOR'S NAME:	CASE NUMBER:
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34. Additional findings and orders for nonminor residing in the home of a parent or former legal guardian
- a. (1) It appears that juvenile court jurisdiction over the nonminor may no longer be necessary, and a hearing to consider termination of juvenile court jurisdiction under **Welf. & Inst. Code, § 391** and rule 5.555 of the California Rules of Court is ordered.
- (2) Court supervision and juvenile court jurisdiction continues to be necessary. The court maintains jurisdiction under **Welf. & Inst. Code, § 303(a)**. The matter is continued for a review hearing under Welf. & Inst. Code, § 366.31 and rule 5.903 of the California Rules of Court within the next six months.
- b. The county agency has has not complied with the case plan by making reasonable efforts to maintain a safe family home for the nonminor.
- c. The county agency has has not complied with the nonminor's Transitional Independent Living Case Plan, including efforts to prepare the nonminor for successful adulthood.

35. The next hearings are scheduled as follows:

- a. Nonminor dependent status review hearing (Welf. & Inst. Code, § 366.31; Cal. Rules of Court, rule 5.903)

Hearing date:	Time:	Dept:	Room:
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- b. Hearing to consider termination of jurisdiction under rule 5.555 of the California Rules of Court.

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

Hearing date:	Time:	Dept:	Room:
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36. Number of pages attached: _____

Date: _____



<input type="checkbox"/> JUDGE	<input type="checkbox"/> TEMPORARY JUDGE	<input type="checkbox"/> COMMISSIONER	<input type="checkbox"/> REFEREE
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CHILD'S NAME:	CASE NUMBER:
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10. d. The court finds that the child is an Indian child and a member of the tribe.

11. The mother father legal guardian other (specify):
were provided with a *Parental Notification of Indian Status* (form ICWA-020) and ordered to complete the form and submit it to the court before leaving the courthouse today.

12. The court advised the child and parent or legal guardian of (check all that apply)

- a. the contents of the petition.
- b. the nature and possible consequences of juvenile court proceedings.
- c. the purpose and scope of the initial hearing.
- d. the hearing rights described in rule:
- e. the reason the child was taken into custody.
- f. the parent or legal guardian's financial obligation and right to be represented by counsel.
- g. other:

13. Reading of the petition and advice of rights were waived by the child the child's counsel.

14. The prosecutor has requested that a hearing be set to determine whether the child should be transferred to the jurisdiction of the criminal court under *Welf. & Inst. Code, § 707*.

15. The child through counsel

- a. denied the allegations of the petition dated:
- b. asked the court to take no action on the petition at this time.

16. For the reasons stated on the record, the petition is dismissed in the interests of justice because the child does not need treatment or rehabilitation.

17. After inquiry, the court finds that the child understands the nature of the allegations and the direct consequences of admitting or pleading no contest to the allegations of the petition, and understands and waives the following hearing rights, which were explained (check all that apply):

- a. The right to have a hearing.
- b. The right to cross-examine and confront witnesses.
- c. The right to subpoena witnesses and present a defense.
- d. The right to remain silent.

18. a. The child through counsel

- (1) admitted the petition as filed as amended on (date):
- (2) pleaded no contest to the petition as filed as amended on (date):

- b. The child's counsel consents to the admission or plea of no contest.
- c. The admission or plea of no contest is freely and voluntarily made.
- d. There is a factual basis for the admission or plea of no contest.
- e. The court finds that the child was under 14 years old at the time of the offense but the child knew the wrongfulness of their conduct at the time the offense was committed.

19. a. The following allegations are admitted and found to be true:

Count number	<u>Statutory violation</u>	<u>Misdemeanor</u>	<u>Felony</u>	<u>To be specified at disposition</u>	<u>Enhancement (if applicable)</u>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

CHILD'S NAME:	CASE NUMBER:
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19. b. As to any offense that could be considered a misdemeanor or felony, the court is aware of and exercises its discretion to determine the offense, as stated in 18a.
- c. The following allegations are dismissed:
- | | |
|---------------------|----------------------------|
| <u>Count number</u> | <u>Statutory violation</u> |
|---------------------|----------------------------|

20. The child is described by section 601 602 of the Welf. & Inst. Code.

21. The maximum confinement time is:

22. The child's residence is in: _____ County.

23. The matter is transferred to: _____ County for disposition and further proceedings. *Juvenile Court Transfer Orders* (form JV-550) will be completed and transmitted immediately.

24. The child waives their right under *People v. Arbuckle* to have the disposition heard by this judicial officer.

CHILD IN CUSTODY

25. The court has considered the detention report prepared by probation
- and the following documents (*specify*):
 - and the testimony of (*name*):
 - and the examination by the court of (*name*):
 - and takes judicial notice of the entire court file.

26. The child is released from custody to the home of (*name, address, and relationship to child*):

- on home supervision on electronic monitoring
- the terms of which are stated in the attached *Terms and Conditions* (form JV-624).

27. The child is a dependent of the court under Welf. & Inst. Code, § 300 and is ordered released from custody. The child welfare services department must either ensure that the child's current caregiver take physical custody of the child or take physical custody of the child and place the child in a licensed or approved placement.

28. A prima facie showing has been made that the child's disposition is by Welf. & Inst. Code, § 601 or 602.

29. Based on the facts stated on the record, the child is detained in secure custody on the following grounds (*check all that apply*):
- a. The child has violated an order of the court.
 - b. The child has escaped from a court commitment.
 - c. The child is likely to flee the jurisdiction of the court.
 - d. It is a matter of immediate and urgent necessity for the protection of the child.
 - e. It is reasonably necessary for the protection of the person or property of another.

30. Based on the facts stated on the record, continuance in the child's home is contrary to the child's welfare.

31. Based on the facts stated on the record, there are no available services that would prevent the need for further detention.

32. Temporary placement and care is the responsibility of the probation department.

33. The child is placed in a short-term residential therapeutic program. A hearing to review the placement under Welf. & Inst. Code, § 727.12 will be set or is set for a date within 45 days of the start of the placement (*specify date*):

35. Probation is granted the authority to authorize medical, surgical, or dental care under Welf. & Inst. Code, § 739.

34. Probation is ordered to provide services that will assist with reunification of the child and the family.

CHILD'S NAME:	CASE NUMBER:
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36. The child and the parent or legal guardian have been advised that if the child cannot be returned home within the statutory timelines, a proceeding may be scheduled to determine an alternative permanent home, including an adoptive home after parental rights are terminated.
37. The mother father legal guardian is/are ordered to supply the names and contact information of adult relatives to probation so they can be notified of the child's removal and of their options to be included in the child's life.
38. The probation officer must file a case plan within 60 days.
39. Probation is authorized to release the minor at its discretion under the following circumstances:
40. The court accepts transfer from the County of:
41. Other orders:
42. Child Counsel waives time for *(check all that apply)*
 jurisdiction hearing disposition hearing other:
43. **The next hearings will be**
- | | | | |
|-------|-------|-------|------------------|
| Date: | Time: | Dept: | Type of hearing: |
| Date: | Time: | Dept: | Type of hearing: |
44. The child
- a. is ordered to return to court on the above date(s) and time(s).
- b. remains detained.
45. All prior orders not in conflict, including any terms and conditions of probation, remain in full force and effect.
46. All appointed counsel are relieved.

Date:

JUDGE
 TEMPORARY JUDGE
 COMMISSIONER
 REFEREE

Countersignature for detention orders *(if necessary)*:

Date:

JUDGE

CHILD'S NAME:	CASE NUMBER:
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7. d. The following are ordered to meet with the probation officer on a monthly basis:
- Mother Biological father Legal guardian Presumed father
 Alleged father Indian custodian Other (*specify*):
 Other (*specify*):
- e. The child is **ordered** to obey all reasonable directives of placement staff and probation. The child is not to leave placement without the permission of probation or placement staff.
- f. Pending placement, the child is detained in juvenile hall. If being housed in another county, please specify county:
- g. The child is placed on home supervision in the home of
- (1) parent (*name*): mother father nonbinary
(2) parent (*name*): mother father nonbinary
(3) legal guardian (*name*):
(4) other (*name and address*):
(5) other (*name and address*):
 and is subject to electronic monitoring.
- h. The parent or legal guardian must cooperate in the completion and signing of necessary documents to qualify the child for any medical or financial benefits to which the child may be entitled.
- i. The county is authorized to pay for care, maintenance, clothing, and incidentals at the approved rate.
- j. The likely date by which the child may be returned to and safely maintained in the home or another permanent plan selected is (*specify date*):
- k. The right of the parent or guardian to make educational decisions for the child is specifically limited. *Order Designating Educational Rights Holder* (form JV-535) will be completed and transmitted.
8. The care, custody, and control of the child has been ordered to be under the supervision of the probation officer for foster care placement under Welf. & Inst. Code, § 727(a). Consistent with Welf. & Inst. Code, § 764.2, the court has inquired of the mother and any other appropriate person as to the identity and address of all presumed or alleged fathers.
9. The child has been ordered into a placement described by title IV-E of the Social Security Act.
- a. The date the child entered foster care is: _____, which is 60 days after the day the child was removed from **their** home.
- b. An exception applies to the standard calculation of the date the child entered foster care because
- (1) the child has been detained for more than 60 days. Therefore, the date the child entered foster care is today's date of: _____.
- (2) the child has been in a ranch, camp, or other institution for more than 60 days and is now being ordered into an eligible placement. The date the child enters foster care will be the date he or she is moved into the eligible placement facility, which is anticipated to be: _____.
- (3) at the time the wardship petition was filed, the child was a dependent of the juvenile court and in an out-of-home placement. Thus, the date entered foster care is unchanged from the date the child entered foster care in dependency court. That date is: _____.

CHILD'S NAME:	CASE NUMBER:
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11. The child is committed to the care, custody, and control of the probation office for placement in the county juvenile ranch camp, forestry camp, or:
- a. for: months days.
 - b. until the requirement of the program has been satisfactorily completed.
 - c. if being housed in another county, please specify:

12. The minor is placed in a short-term residential therapeutic program. A hearing to review the placement under **Welf. & Inst. Code, § 727.12** was held on or is set for (*date*):

Date:



<input type="checkbox"/>	JUDGE	<input type="checkbox"/>	TEMPORARY JUDGE	<input type="checkbox"/>	COMMISSIONER	<input type="checkbox"/>	REFEREE
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CHILD'S NAME:	CASE NUMBER:
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FINDINGS AND ORDERS AFTER SIX-MONTH PREPERMANENCY HEARING—DELINQUENCY

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

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

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

2. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child who is not present:** The child received proper notice of their 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 their 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 their 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 Welf. & Inst. Code, § 706.5(c)(1)(B) when determining the continuing necessity for and appropriateness of the placement.
9. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. Probation has has not made reasonable efforts to locate the child.
10. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.
11. 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.
- 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.
12. 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.
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.**

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

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

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

Case planning and visitation

17. **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.

18. 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: 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: 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: other:

19. The court finds that the child's:

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

20. 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:

21. 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):

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):
 other (specify):

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

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

CHILD'S NAME:	CASE NUMBER:
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23. Visitation with the child is ordered:
- As set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
 - As follows (*specify*):

Health and education

24. The child does does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on (*date*):
25. For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)) has been completed and is attached.
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 *Welf. & Inst. Code, § 739* and vested with the probation department.
27. A limitation on the parents legal guardians to make educational decisions for the child
- is **not** necessary. The parents or legal guardians hold educational rights and responsibilities, including those listed in California Rules of Court, rule 5.650(e) and (f).
 - 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 dispositional hearing.
- The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days.
 - The child is enrolled in attending school.

Parentage

29. a. The child is 16 years of age or older, and pursuant to the requirements of *Welf. & Inst. Code, § 16501.1(g)(22)*:
- An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 - The name of the support person(s) to assist the child is:
The relationship(s) to the child is:
 - An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
 - To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services
 - stated on the record.
 - as follows:
- b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.
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 the form and submit it to the court.
- b. The court clerk probation department shall provide the notice required by *Welf. & Inst. Code, § 726.4* to:
- alleged father (*name*):
 - alleged father (*name*):

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 *Welf. & Inst. Code, § 727.31* to a selection and implementation hearing **that could result in the termination of parental rights and the adoption of the child.**

CHILD'S NAME:	CASE NUMBER:
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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):

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

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

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

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

38. 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 their attorney who can assist with sealing records.

39. Number of pages attached:

Date:



<input type="checkbox"/>	JUDGE	<input type="checkbox"/>	TEMPORARY JUDGE	<input type="checkbox"/>	COMMISSIONER	<input type="checkbox"/>	REFEREE
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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 their 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 their 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 their 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 Welf. & Inst. Code, § 706.5(c)(1)(B) when determining the continuing necessity for and appropriateness of the placement.
- 9. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. Probation has has not made reasonable efforts to locate the child.
- 10. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.
- 11. 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.
 - 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.
- 12. 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:
- 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.

CHILD'S NAME:	CASE NUMBER:
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14. **The child has no known Indian heritage.**
15. The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:

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

16. 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 other (specify): _____ by the date set for the 18-month permanency hearing because the mother father legal guardian other (specify): _____ 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 other (specify): _____.
- (2) The probation department has not provided reasonable services to the mother father legal guardian other (specify): _____.
The services provided have been inadequate in that:

(3) The probation department is ordered to provide reasonable reunification services to the mother father legal guardian other (specify): _____.

- b. Reunification services are terminated.
- (1) The probation department has provided or offered reasonable services but the mother father legal guardian other (specify): _____ 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 Other (specify): _____ 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 their 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. (Family Code § 7950.)

17. 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 Welf. & Inst. Code, § 727.31 is scheduled for (date): _____ and an adoption assessment report is ordered.
- (4) Legal guardianship.

CHILD'S NAME:	CASE NUMBER:
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17. 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)*:
18. 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:

19. a. The court asked the child where **they want** 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

20. **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.

CHILD'S NAME:	CASE NUMBER:
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31. 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*):
32. a. The child is 16 years of age or older, and pursuant to the requirements of Welf. & Inst. Code, § 16501.1(g)(22):
- (1) An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
- (2) The name of the support person(s) to assist the child is:
The relationship(s) to the child is:
- (3) An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
- (4) To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services
- (a) stated on the record.
- (b) as follows:
- b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.

Parentage

33. 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 Welf. & Inst. Code, § 726.4 to:
- (1) alleged father (*name*):
- (2) alleged father (*name*):

Advisement

34. 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 Welf. & Inst. Code, § 727.31 to a selection and implementation hearing **that could result in the termination of parental rights and the adoption of the child.**

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

36. Other findings and orders:

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

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

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

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

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

40. 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 their attorney who can assist with sealing records.

41. Number of pages attached:

Date: ▶

JUDGE
 TEMPORARY JUDGE
 COMMISSIONER
 REFEREE

CHILD'S NAME:

CASE NUMBER:

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 their 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 their 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 Welf. & Inst. Code, § 706.5(c)(1)(B) when determining the continuing necessity for and appropriateness of the placement.
9. The child is missing or has run away from placement. Out-of-home placement continues to be necessary. The placement was was not appropriate. Probation has has not made reasonable efforts to locate the child.
10. The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement was was not appropriate.
11. 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.
- 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.
12. 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. (Family Code § 7950.)
13. 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*):

CHILD'S NAME:	CASE NUMBER:
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Case planning and visitation

20. **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.
21. a. The child was actively involved in the development of **their** case plan, including the plan for permanent placement.
b. The child was **not** actively involved in the development of **their** 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.
22. The court finds that the child's:
a. developmental needs are are not being met. c. physical needs are are not being met.
b. mental health needs are are not being met. d. education needs are are not being met.
23. 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:
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. 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 set forth in *Visitation Attachment: Sibling* (form JV-401).
c. 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. For a child who is 10 years of age or older, is in junior high, middle, or high school, and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)) has been completed and is attached.
28. 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 **Welf. & Inst. Code, § 739** and vested with the probation department.
29. 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).
30. a. The Child is 16 years of age or older, and pursuant to the requirements of **Welf. & Inst. Code, § 16501.1(g)(22)**:
(1) An individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
(2) The name of the support person(s) to assist the child is:
The relationship(s) to the child is:

CHILD'S NAME:	CASE NUMBER:
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30. a. (3) An individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
- (4) To assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services
- (a) stated on the record.
- (b) as follows:
- b. The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.

31. 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

32. 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 **Welf. & Inst. Code, § 726.4** to:
- (1) alleged father (*name*):
- (2) alleged father (*name*):

Advisement

33. 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 **Welf. & Inst. Code, § 727.31** to a selection and implementation hearing **that could result in the termination of parental rights and the adoption of the child.**

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

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

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

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

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

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

39. 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 **their** attorney who can assist with sealing records.

40. Number of pages attached:

Date:
 JUDGE
 TEMPORARY JUDGE
 COMMISSIONER
 REFEREE

RULES COMMITTEE ACTION REQUEST FORM

Rules Committee Meeting Date: 03/30/22

Rules Committee action requested [Choose from drop down menu below]:
Circulate for comment (January 1 cycle)

Title of proposal: Juvenile Law: Short-Term Residential Therapeutic Program Placement

Proposed rules, forms, or standards (include amend/revise/adopt/approve):

Amend Cal. Rules of Court, rules 5.618, 5.697, and 5.903; adopt form JV 240; approve form JV 459(A); revise forms JV 235, JV 236, JV 237, JV 238, JV 239, JV-320, JV 421, JV 430, JV 432, JV 433, JV 435, JV 437, JV 438, JV 440, JV 442, JV 443, JV 445, JV 446, JV 455, JV 457, JV 461(A), JV 462, JV 642, JV 667, JV 672, JV 674, and JV 678

Committee or other entity submitting the proposal:

Family and Juvenile Law Advisory Committee

Staff contact (name, phone and e-mail): Daniel Richardson; 415-865-7619; daniel.richardson@jud.ca.gov
 Karis Daggs; 415-865-7704; karis.daggs@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Annual agenda approved by Rules Committee on (date): November 2, 2021

Project description from annual agenda: Monitor implementation of the Family First Prevention Services Act (FFPSA), which reforms federal child welfare financing streams, Title IV-E and Title IV-B of the Social Security Act, to provide services to families who are at risk of entering the child welfare system. Budget trailer bill legislation enacted in 2021, with an effective date of October 1, 2021 enacted key changes to court processes for approving placements in Short Term Residential Therapeutic Programs that required rule and form changes to implement. Those changes were approved by the Judicial Council at its October 1, 2021 meeting, and will circulate for public comment in the 2022 Winter rules and forms cycle for future revisions as well as to implement additional legislative clarifications.

Out of Cycle: *If requesting September 1 effective date or out of cycle, explain why:*

Additional Information for Rules Committee: (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

This proposal is circulating for comment a second time. It circulated for comment in the Spring 2021 prior to Assembly Bill 153 (the bill related to this proposal) was signed into law. The proposal updates the rules and forms that were finalized after the comment period as AB 153 was signed into law after the comment period of the last rules cycle. Proposal addresses the implementation of Assembly Bill 153 which implements part IV of the federal Family First Prevention Services Act. Additional updates required by AB 153 that were not made in the last rules cycle due to time constraints are addressed in the multiple status review forms in this proposal.

Additional Information for JC Staff (provide with reports to be submitted to JC):

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
- includes forms that staff will request be translated.

- **Form Descriptions** (for any proposal with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)
 - This proposal may require changes or additions to self-help web content.