



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: September 25, 2020

Title

Rules and Forms: Miscellaneous Technical Changes

Agenda Item Type

Action Required

Effective Date

January 1, 2021

Rules, Forms, Standards, or Statutes Affected

Amend rule 9.21; and revise forms FL-192, FL-445, FL-575; ICWA-030, ICWA-090; JV-101(A), JV-110, JV-221, JV-410, JV-457, and JV-535.

Date of Report

August 20, 2020

Recommended by

Judicial Council staff
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Executive Summary

Various members of the judicial branch, members of the public, and Judicial Council staff have identified errors in the California Rules of Court and Judicial Council forms resulting from typographical errors and changes resulting from legislation, and previous rule amendments and form revisions. Judicial Council staff recommend making the necessary corrections to avoid causing confusion for court users, clerks, and judicial officers.

Recommendation

Judicial Council staff recommend that the council, effective January 1, 2021:

1. Amend rule 9.21 to update the address for the Office of the Clerk, State Bar Court;
2. Revise forms FL-192, FL-445, and FL-575 to remove a reference to incorrect forms and to make the relief requested conform with the Family Code;

3. Revise *Notice of Child Custody Proceeding for Indian Child* (form ICWA-030) to make it consistent with legal requirements by removing notice to the Secretary of the Interior;
4. Revise the name of *Order on Ex Parte Hearing to Return Physical Custody of an Indian Child* (form ICWA-090) to *Order After Hearing on Ex Parte Request to Return Physical Custody of an Indian Child*;
5. Revise *Additional Children Attachment – Juvenile Dependency Petition (form JV-101(A))* to replace the word “sex” with “gender,” to make it consistent with related forms;
6. Revise *Juvenile Dependency Petition (Version Two)* (form JV-110) to make the language in item 2.c. the same as the language in item 2.c. of a related form, *Juvenile Dependency Petition (Version One)* (form JV-100);
7. Revise *Proof of Notice of Application* (form JV-221) to add a checkbox for item 5, to delete item number “5” on page 2, and to replace the incorrect reference to “page 3” with “page 4” under the signature lines on pages 2 and 3;
8. Revise *Findings and Orders After Detention Hearing* (form JV-410) to correct the name of the hearing in item 2 of page one from “Dispositional” to “Detention”;
9. Revise *Twenty-four-Month Prepermanency Attachment: Reunification Services Terminated* (form JV-457) to correct the title in the footer and change the name to “*Twenty-four-Month Permanency Attachment: Reunification Services Terminated.*”
10. Revise *Order Designating Educational Rights Holder* (form JV-535), items 1.a.&b. (3), to replace the incorrect reference to “section 319(g)” with “Welf. & Inst. Code section 319(j)” and add “Welf. & Inst. Code” before all code references in items 1, 3, 9, and 11, and add “California Rules of Court” to item 2 before “rule 5.502.”

The text of the amended rule and the revised forms are attached at pages 6–45.

Relevant Previous Council Action

Although the Judicial Council has acted on these rules and forms, this proposal recommends only minor corrections unrelated to any prior action.

Analysis/Rationale

The changes to these rules and forms are technical in nature and necessary to correct inadvertent omissions and incorrect references as discussed more fully below.

Rule 9.21

Rule 9.21 is amended to change the address of the Office of the Clerk, State Bar Court, from its former location at 1149 South Hill Street, Los Angeles, California 90015, to its current location at 845 S. Figueroa Street, Los Angeles, California 90017.

Forms FL-192, FL-445, and FL-575

Forms FL-192, FL-445, and FL-575 are revised to remove a reference to incorrect forms and to have requested relief conform with the Family Code. Specifically, form FL-192 current states in the section entitled “What forms do I need?”:

If you are asking to change a child support order open with the local child support agency, you must fill out one of these forms:

- FL-680, *Notice of Motion (Governmental)* or FL-683 *Order to Show Cause (Governmental)* **and**
- FL-684, *Request for Order and Supporting Declaration (Governmental)*

This item directs self-represented litigants to the correct form to request the modification of a support order if the local child support agency (LCSA) is involved in their case. However, the first two governmental forms listed are specifically designed to be completed and filed only by an LCSA. Additionally, rule 5.92(a)(3) states, “[i]n a local child support action under the Family Code, any party other than the [LCSA] must use Request for Order (form FL-300) to ask for court orders.” As the form currently contains incorrect information, it is recommended that the references to these governmental forms be deleted.

In addition, forms FL-445 and FL-575, at item 2 are revised to remove the term “service” from the following sentence, “I request that service of the registration of support order be vacated (canceled) because...” This change is needed so the forms conform with the relevant provisions of the Family Code that state a party may contest the registration of a support order by requesting the registration, not the service of the registration, be vacated.¹

Form ICWA-030

Notice of Child Custody Proceeding for Indian Child (form ICWA-030) is revised to remove the requirement to send notices in ICWA cases to the Secretary of the Interior, in addition to the Sacramento Area Director of the Bureau of Indian Affairs, to make it consistent with the new federal regulations issued in 2016 and in AB 3176. By error, the *Notice of Child Custody Proceeding for Indian Child* (form ICWA-030) which implements the notice requirements of ICWA was not revised to remove reference to notice to the secretary of the Interior. This can cause confusion by implying that such notice continues to be necessary.

¹ See Fam. Code § 5603 regarding contesting the registration of a California support order; see Fam. Code §§ 5700.606, 5700.607 regarding contesting the registration of an out-of-state support order.

Form ICWA-090

Order on Ex Parte Hearing to Return Physical Custody of an Indian Child (form ICWA-090) is revised to change the form name to *Order After Hearing on Ex Parte Request to Return Physical Custody of an Indian Child*. A rules and forms proposal that implemented AB 3176 included the adoption of three new forms to implement the mandate in Welfare and Institutions Code § 319.4 establishing a right to request an ex parte hearing for return of an Indian child who was removed on an emergency basis if a party asserts that the emergency placement is no longer necessary and required the Judicial Council to develop rules and forms to implement the section.

One of the new forms, *Order on Request for Ex Parte Hearing to Return Physical Custody of an Indian Child* (form ICWA-080) was to be used by the court after the court determined whether a hearing was warranted. Another order form, form ICWA-090 was intended to be used by the court to issue its order if a hearing was held and a determination made after hearing. In error, the form was given the same name as form ICWA-080, rather than named correctly to identify it as an order after hearing. The proposed revision would change the name of the ICWA-090 to *Order After Hearing on Ex Parte Request to Return Physical Custody of an Indian Child*. The proposed change will avoid confusion by differentiating the use and purpose of form ICWA-090 from form ICWA-080.

Form JV-101(A)

A rules and forms proposal that implemented AB 3176 revised *Juvenile Dependency Petition (Version One)* (form JV-100) and the *Juvenile Dependency Petition (Version Two)* (form JV-110). In addition to certain substantive amendments, the proposal revised items 1.(e) and 1.(b) respectively to substitute the term “gender” for the term “sex”. No revisions were made to the *Additional Children Attachment – Juvenile Dependency Petition* (form JV-101(A)) which is a companion to the petitions and is used when there are more children encompassed by the petition that can be fit on the petitions themselves. Item 5. e. on page 1 of the JV-101(A) form continues to say “sex” rather than “gender”. Users pointed out the inconsistency between the forms and stated that this inconsistency could create confusion. Form JV-101(A) is therefore revised to replace the word “sex” with “gender,” to make it consistent with related forms.

Form JV-110

The rules and forms proposal that implemented AB 3176 revised both the *Juvenile Dependency Petition (Version One)* (form JV-100) and the *Juvenile Dependency Petition (Version Two)* (form JV-110), but incorrectly used different language in item 2. c. of each form, though that item addresses the same issue.

Item 2. c. of form JV-110 currently reads “Inquiry has been made by *(insert name)* _____ as to whether the child is or may be a member of an Indian tribe or eligible for membership and the biological child of a member has not yet been completed for the reasons set out below. I am aware of the ongoing obligation to complete this inquiry and will complete the *Indian Child Inquiry Attachment* (form ICWA-010(A)), and submit it to the court as soon as possible.” To avoid confusion and make it consistent with form JV-100, the language in item 2.c. is revised to

read “Inquiry about whether the child is or may be a member of an Indian tribe or eligible for membership and the biological child of a member has not yet been completed for the reasons set out below. I am aware of the ongoing obligation to complete this inquiry and will complete the *Indian Child Inquiry Attachment* (form ICWA-010(A)), and submit it to the court as soon as possible.”

Policy implications

There are no policy implications to this proposal.

Comments

This proposal was not circulated for public comment because the changes are noncontroversial, involve technical revisions, and are therefore within the Judicial Council’s purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

Alternatives considered

None.

Fiscal and Operational Impacts

Operational impacts are expected to be minor. The proposed revisions may result in reproduction costs if courts provide hard copies of any of the forms recommended for revision. Because the proposed changes are technical corrections, case management systems are unlikely to need updating to implement them.

Attachments and Links

1. Cal Rules of Court, rule 9.21 at page 6;
2. Forms FL-192, FL-445, FL-575; ICWA-030, ICWA-090; JV-101(A), JV-110, JV-410, JV-457, and JV-535, at pages 7–45.

Rule 9.21 of the California Rules of Court would be amended, effective January 1, 2021, to read:

Rule 9.21. Resignations of licensees of the State Bar with disciplinary charges pending

(a) General provisions

A licensee of the State Bar against whom disciplinary charges are pending may tender a written resignation from the State Bar and relinquishment of the right to practice law. The written resignation must be signed and dated by the licensee at the time it is tendered and must be tendered to the Office of the Clerk, State Bar Court, ~~1149 South Hill Street~~ 845 S. Figueroa Street, Los Angeles, California ~~90015~~ 90017. The resignation must be substantially in the form specified in (b) of this rule. In submitting a resignation under this rule, a licensee of the State Bar agrees to be transferred to inactive status in the State Bar effective on the filing of the resignation by the State Bar. Within 30 days after filing of the resignation, the licensee must perform the acts specified in rule 9.20(a)(1)–(4) and (b) and within 40 days after filing of the resignation, the licensee must file with the Office of the Clerk, State Bar Court, at the above address, the proof of compliance specified in rule 9.20(c). No resignation is effective unless and until it is accepted by the Supreme Court after consideration and recommendation by the State Bar Court.

(b)–(e) * * *

NOTICE OF RIGHTS AND RESPONSIBILITIES Health-Care Costs and Reimbursement Procedures

**Not approved by
the Judicial Council**

IF YOU HAVE A CHILD SUPPORT ORDER THAT INCLUDES A PROVISION FOR THE REIMBURSEMENT OF A PORTION OF THE CHILD'S OR CHILDREN'S HEALTH-CARE COSTS AND THOSE COSTS ARE NOT PAID BY INSURANCE, THE LAW SAYS:

1. Notice. You must give the other parent an itemized statement of the charges that have been billed for any health-care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 30 days after those costs were given to you.

2. Proof of full payment. If you have already paid all of the uninsured costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.

3. Proof of partial payment. If you have paid only your share of the uninsured costs, you must (1) give the other parent proof that you paid your share, (2) ask that the other parent pay his or her share of the costs directly to the health-care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.

4. Payment by notified parent. If you receive notice from a parent that an uninsured health-care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health-care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.

5. Disputed charges. If you dispute a charge, you may file a motion in court to resolve the dispute, but only if you pay that charge before filing your motion. If you claim that the other party has failed to reimburse you for a payment, or the other party has failed to make a payment to the provider after proper notice has been given, you may file a motion in court to resolve the dispute. The court will presume that if uninsured costs have been paid, those costs were reasonable. The court may award attorney fees and costs against a party who has been unreasonable.

6. Court-ordered insurance coverage. If a parent provides health-care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health-care costs.

- a. Burden to prove.** The party claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.
- b. Cost of additional coverage.** If a parent purchases health-care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.

7. Preferred health providers. If the court-ordered coverage designates a preferred health-care provider, that provider must be used at all times consistent with the terms of the health insurance policy. When any party uses a health-care provider other than the preferred provider, any health-care costs that would have been paid by the preferred health provider if that provider had been used must be the sole responsibility of the party incurring those costs.

INFORMATION SHEET ON CHANGING A CHILD SUPPORT ORDER

General Information

The court has just made a child support order in your case. This order will remain the same unless a party to the action requests that the support be changed (modified). An order for child support can be modified only by filing a motion to change child support and serving each party involved in your case. If both parents and the local child support agency (if it is involved) agree on a new child support amount, you can complete, have all parties sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* ([form FL-350](#)) or *Stipulation and Order (Governmental)* ([form FL-625](#)).

When a Child Support Order May Be Modified

The court takes several things into account when ordering the payment of child support. First, the number of children is considered. Next, the net incomes of both parents are determined, along with the percentage of time each parent has physical custody of the children. The court considers both parties' tax filing status and may consider hardships, such as a child of another relationship. An existing order for child support may be modified when the net income of one of the parents changes significantly, the parenting schedule changes significantly, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based upon having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. *Remember:* You must follow the order you have now.

What forms do I need?

If you are asking to change a child support order, you must fill out one of these forms:

- [Form FL-300](#), *Request for Order* **or**
- [Form FL-390](#), *Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support*

You must also fill out one of these forms:

- [Form FL-150](#), *Income and Expense Declaration* **or**
- [Form FL-155](#), *Financial Statement (Simplified)*

What if I am not sure which forms to fill out?

Talk to the family law facilitator at your court.

After you fill out the forms, file them with the court clerk and ask for a hearing date. Write the hearing date on the form.

The clerk **may** ask you to pay a filing fee. If you cannot afford the fee, fill out these forms, too:

- [Form FW-001](#), *Request to Waive Court Fees*
- [Form FW-003](#), *Order on Court Fee Waiver (Superior Court)*

You must serve the other parent. If the local child support agency is involved, serve it too.

This means someone 18 or over—**not you**—must serve the other parent copies of your filed court forms at least **16 court days** before the hearing. Add **5 calendar days** if you serve by mail within California (see Code of Civil Procedure section 1005 for other situations).

Court days are weekdays when the court is open for business (Monday through Friday except court holidays). **Calendar days** include all days of the month, including weekends and holidays. To find court holidays, go to www.courts.ca.gov/holidays.htm.

The server must also serve blank copies of these forms:

- [Form FL-320](#), *Responsive Declaration to Request for Order* **and** [form FL-150](#), *Income and Expense Declaration*, **or**
- [Form FL-155](#), *Financial Statement (Simplified)*

Then the server fills out and signs a *Proof of Service* ([form FL-330](#) or [form FL-335](#)). Take this form to the clerk and file it.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last two years and your last two months' pay stubs. The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- [Form FL-340](#), *Findings and Order After Hearing* **and**
- [Form FL-342](#), *Child Support Information and Order Attachment*

Need help?

Contact the [family law facilitator](#) in your county or call your county's bar association and ask for an experienced family lawyer.

1. A hearing on this application will be held as follows (*see instructions on how to get a hearing date*):

a. Date:	Time:	Dept:	Div:	Room:
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b. The address of the court is ☐ same as noted above ☐ Other (*specify*):

2. ☐ I request that the registration of support order be vacated (canceled) because (*check all that apply*):
- a. ☐ I am not the Obligor (the parent ordered to pay support) named in the statement for registration.
- b. ☐ the support order attached to the statement for registration is not a valid order.
- c. ☐ the amount of arrears (back support) listed in the paperwork attached to the statement for registration is incorrect.
The correct amount of arrears is (*specify amount*): \$ Supporting documents attached.
(NOTE: You can file this *Request* without stating what you believe is the correct amount of arrears.)
- d. ☐ Other (*specify*):
3. ☐ I request that enforcement of the support order be stayed (stopped) because the order has been appealed. I have furnished security for payment of the support ordered and the appeal is pending or the order has been stayed by another court.
4. Explain the facts in support of your request:

☐ Contained in the attached declaration.

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

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

INFORMATION SHEET FOR REQUEST FOR HEARING REGARDING REGISTRATION OF CALIFORNIA SUPPORT ORDER

(Do NOT deliver this Information Sheet to the court clerk.)

Please follow these instructions to complete the *Request for Hearing Regarding Registration of California Support Order* (form FL-445) if you do not have a lawyer representing you. Your lawyer, if you have one, should complete this form. You can get free help with this form from the [family law facilitator](#) in your county.

This form should be used if you received a notice of registration telling you that a California support order is being registered in a California court but you do not want that support order registered. To request a hearing regarding the registration of an out-of-state support order, use [form FL-575](#). To request a hearing regarding the registration of an International Hague Convention support order, use [form FL-594](#).

You must file your completed request for hearing with the court clerk. The address of the court clerk is the same as the one shown for the superior court on the notice of registration you received. You may have to pay a filing fee to request a hearing. If you cannot afford to pay the filing fee, you must file a *Request to Waive Court Fees* (form FW-001). You can get this form from the court clerk, the California Courts website at www.courts.ca.gov, or the [family law facilitator](#) in your county (who can also assist you with the application). Provide an original *Request for Hearing Regarding Registration of California Support Order* and any attachments plus at least three copies for filing. Keep copies of the filed request and any attachments for service, and keep the other copy for your records.

Someone other than you, who is at least 18 years old, must serve (deliver) copies of the request on the other parent, or their lawyer if they have one in this case. A copy must also be served on the local child support agency, if that office is providing services in the case. The paperwork must be served at least **15 days** before the hearing date. (**Note:** If the paperwork is served by mail, there are special rules regarding this service deadline.) Be sure to file your *Proof of Service* with the court clerk. More information about how to serve legal paperwork can be found on the California Courts website at www.courts.ca.gov/selfhelp-serving.htm or from the [family law facilitator](#) in your county.

INSTRUCTIONS FOR COMPLETING THE *REQUEST FOR HEARING REGARDING REGISTRATION OF CALIFORNIA SUPPORT ORDER* (YOU CAN COMPLETE THE FORM ON A COMPUTER, BY TYPING, OR BY PRINTING IN BLACK OR BLUE INK):

Page 1, first box, top of form, left side: Print your name, address, phone number, and e-mail address in this box.

Page 1, second box, left side: Print the name of your county and the court's address in this box. Use the same address for the court that is on the notice of registration you received.

Page 1, third box, left side: Print the names of Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in this box. Use the same names as listed on the notice of registration you received.

Page 1, first box, top of form, right side: Leave this box blank for the court's use.

Page 1, second box, right side: Print your case number in this box. This number is also shown on the notice of registration you received.

Instructions for Numbered Paragraphs

1. Leave this section blank. The court clerk will fill in the date, time, and location of the hearing.
2. Check this box if you do not want the support order to be registered. Then, check the box or boxes to tell the court the reasons why you do not want the support order to be registered.
 - a. Check this box if you are not the person named in the statement for registration you received.

**Information Sheet for Request for Hearing Regarding Registration
of California Support Order (continued)**

- b. Check this box if the support order attached to the statement for registration you received is not a valid order. You will need to explain to the court why you believe the order is not valid in item 3 of the form.
 - c. You should check this box if you disagree with the amount of arrears (back support) listed in the paperwork attached to the statement for registration. Tell the court the correct amount of arrears owed in the space provided (if known). If you attach any documents to support your position, check the applicable box. (**Note:** This is not a valid defense if the amount of arrears listed in the paperwork attached to the statement for registration was already determined by another court.)
 - d. Check this box if you have another reason to object to the registration of the support order and state your reason in the space provided.
3. Check this box if you want enforcement of the support order stayed (stopped) because you have appealed the order, you have furnished security for the support order, and the appeal is still pending or if the order has been stayed by another court to give you time to appeal the order.
4. You must fully explain all of the reasons that you checked in item 2 or 3 of this request. If you need more space, you may attach additional sheets. Check the box labeled "Contained in the attached declaration" if you are attaching a declaration or additional pages explaining your reasons for this request.

You must date the form, print your name, and sign the form under penalty of perjury. When you sign the form, you are stating that the information you have provided is true and correct.

If you need assistance with this form, contact a lawyer or the family law facilitator in your county.

PARTY WITHOUT ATTORNEY OR ATTORNEY (<i>name, state bar number, and address</i>): NAME: _____ STATE BAR NO.: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (<i>name</i>): _____	FOR COURT USE ONLY <div style="font-size: 1.2em; font-weight: bold; margin-top: 20px;">Not approved by the Judicial Council</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER/PLAINTIFF: _____ RESPONDENT/DEFENDANT: _____ OTHER PARENT: _____	
REQUEST FOR HEARING REGARDING REGISTRATION OF OUT-OF-STATE SUPPORT ORDER	CASE NUMBER: _____

NOTICE OF HEARING

1. A hearing on this application will be held as follows (*see instructions on how to get a hearing date*):

a. Date:	Time:	Dept:	Div:	Room:
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b. The address of the court is ☐ same as noted above ☐ Other (*specify*): _____

2. I request that the registration of support order be vacated (canceled) because (*check all that apply*):

- a. ☐ the court or tribunal that issued the order did not have personal jurisdiction over me.
- b. ☐ the support order was obtained by fraud.
- c. ☐ the support order has been vacated, suspended, or modified by a later order. (*Attach a copy of the later order.*)
- d. ☐ the order has been stayed pending appeal.
- e. ☐ the amount of arrears (back support) listed in the letter for transmittal requesting registration or sworn statement is incorrect. The correct amount of arrears is (*specify amount*): \$ _____ ☐ Supporting documents attached.
 (NOTE: You can file this *Request* without stating what you believe is the correct amount of arrears.)
- f. ☐ some or all of the arrears are not enforceable.
- g. ☐ there is a defense under California law to the remedy sought.
- h. ☐ there is another support order that is the controlling (correct) order. (*Attach a copy of the other order.*)
- i. ☐ Other (*specify*): _____

3. Explain the facts in support of your request:

☐ Contained in the attached declaration.

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

Date: _____



(TYPE OR PRINT NAME)	(SIGNATURE OF DECLARANT)	Page 1 of 4
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PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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CLERK’S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the *Request for Hearing Regarding Registration of Out-of-State Support Order* was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed

at (*place*): _____, California,

on (*date*): _____

Date: _____ Clerk, by _____, Deputy

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INFORMATION SHEET FOR REQUEST FOR HEARING REGARDING REGISTRATION OF OUT-OF-STATE SUPPORT ORDER

(Do NOT deliver this Information Sheet to the court clerk.)

Please follow these instructions to complete the *Request for Hearing Regarding Registration of Out-of-State Support Order* (form FL-575) if you do not have a lawyer representing you. Your lawyer, if you have one, should complete this form. You can get free help with this form from the [family law facilitator](#) in your county.

This form should be used if you received a notice of registration telling you that an out-of-state support order is being registered in a California court but you do not want that support order registered. To request a hearing regarding the registration of an International Hague Convention support order, use [form FL-594](#). To request a hearing regarding the registration of a California support order, use [form FL-445](#).

You must file your completed request for hearing with the court clerk. You must also give the court clerk addressed envelopes with postage paid to mail copies of your request for hearing to the other parties. The address of the court clerk is the same as the one shown for the superior court on the notice of registration you received. You may have to pay a filing fee to request a hearing. If you cannot afford to pay the filing fee, you must file a *Request to Waive Court Fees* ([form FW-001](#)). You can get this form from the court clerk, the California Courts website at www.courts.ca.gov, or the [family law facilitator](#) in your county (who can also assist you with the application).

INSTRUCTIONS FOR COMPLETING THE REQUEST FOR HEARING REGARDING REGISTRATION OF OUT-OF-STATE SUPPORT ORDER (YOU CAN COMPLETE THE FORM ON A COMPUTER, BY TYPING, OR BY PRINTING IN INK):

Page 1, first box, top of form, left side: Print your name, address, phone number, and e-mail address in this box.

Page 1, second box, left side: Print the name of your county and the court's address in this box. Use the same address for the court that is on the notice of registration you received.

Page 1, third box, left side: Print the names of Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in this box. Use the same names as listed on the notice of registration you received.

Page 1, first box, top of form, right side: Leave this box blank for the court's use.

Page 1, second box, right side: Print your case number in this box. This number is also shown on the notice of registration you received.

1. Leave this section blank. The court clerk will fill in the date, time, and location of the hearing.
2. In this section you are telling the court why you do not want the support order to be registered. Check the box or boxes to tell the court the reasons why you do not want the support order to be registered.
 - a. You should check this box if the court that issued the support order did not have jurisdiction over you to issue the order. You may need legal advice to find out if this is a valid reason in your case.
 - b. Check this box if your support order was obtained by fraud. You may need legal advice to find out if this is a valid reason in your case.
 - c. You should check this box if a court has suspended or vacated your support order. You should also check this box if your support order was modified by a later order. **If the order was modified, you must attach a copy of your most recent support order to your request for hearing.**
 - d. Check this box if you have already filed an appeal to your support order and a court has stopped the order until the appeal is decided.
 - e. You should check this box if you disagree with the amount of arrears (back support) listed in the letter of transmittal requesting registration or sworn statement. Tell the court the correct amount of arrears owed in the space provided (if known). If you attach any documents to support your position, check the applicable box.

**Information Sheet for Request for Hearing Regarding Registration
of Out-of-State Support Order (continued)**

2.
 - f. Check this box only if your support order was made by a court outside California and cannot be enforced due to the statute of limitations in that jurisdiction.
 - g. Check this box if there is a defense under California law to the remedy sought.
 - h. Check this box if there is another support order involving the parties and children that is the controlling (correct) order. (*Attach a copy of the other order.*)
 - i. Check this box if you have another reason to object to the registration of the support order and then specify the other reason.
3. You must fully explain all of the reasons that you checked in item 2 of this request. If you need more space, you may attach additional sheets. Check the box labeled "Contained in the attached declaration" if you are attaching a declaration or additional pages explaining your reasons for this request.

You must date the form, print your name, and sign the form under penalty of perjury. When you sign the form, you are stating that the information you have provided is true and correct.

Page 2, box on left side: Print the names of Petitioner/Plaintiff, Respondent/Defendant, and Other Parent in this box. Use the same names as on the front page.

Page 2, box on right side: Print your case number in this box. Use the same number as on the front page.

The court clerk will sign and date the request for hearing form before mailing it to the Petitioner/Plaintiff, Respondent/Defendant, Other Parent, and the local child support agency if that office is providing services in the case.

You must print the name and address in the brackets of the Petitioner/Plaintiff, Respondent/Defendant, Other Parent, and the local child support agency if that office is providing services in the case. The names are the same as those at the top of the page. You must also provide the court clerk with stamped envelopes addressed to each of the parties listed in the brackets.

If you need assistance with this form, contact a lawyer or the [family law facilitator](#) in your county.

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NUMBER: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY Not approved by the Judicial Council			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____				
CASE NAME: _____				
NOTICE OF CHILD CUSTODY PROCEEDING FOR INDIAN CHILD <i>(check all that apply):</i> <input type="checkbox"/> JUVENILE <input type="checkbox"/> Dependency <input type="checkbox"/> Delinquency <input type="checkbox"/> ADOPTION <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> CUSTODY (Fam. Code, § 3041) <input type="checkbox"/> DECLARATION OF FREEDOM FROM CONTROL OF PARENT <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> TERMINATION OF PARENTAL RIGHTS <input type="checkbox"/> VOLUNTARY RELINQUISHMENT OF CHILD BY PARENT		CASE NUMBER: _____ <table style="width: 100%;"> <tr> <td style="width: 60%;">HEARING DATE: _____</td> <td style="width: 40%;">DEPT.: _____</td> </tr> </table>	HEARING DATE: _____	DEPT.: _____
HEARING DATE: _____	DEPT.: _____			

NOTICE TO *(check all that apply):*
☐ **Parents or Legal Guardians** ☐ **Tribes** ☐ **Indian Custodians** ☐ **Sacramento Area Director, BIA**

1. NOTICE is given that based on the petition, a copy of which is attached to this notice, a child custody proceeding under the Indian Child Welfare Act (25 U.S.C. § 1901 et seq.) has been initiated for the following child *(a separate notice must be filed for each child):*

NameDate of BirthPlace of Birth

2. HEARING INFORMATION

a. Date:	Time:	Dept.:	Room:
Type of hearing:			

- b. Address and telephone number of court ☐ same as noted above ☐ is (specify):

3. The child is or may be eligible for membership in the following Indian tribes *(list each):*

***Use this form in a conservatorship only if the proposed conservatee is a formerly married minor.**

NOTICE OF CHILD CUSTODY PROCEEDING FOR INDIAN CHILD
(Indian Child Welfare Act)

CASE NAME:	CASE NUMBER:
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4. Under the Indian Child Welfare Act (ICWA) and California law:

- The child's parents, Indian custodian, and the child's tribe have the right to be present at all hearings.
- The child's Indian custodian and the child's tribe have the right to intervene in the proceedings when ICWA applies.
- The child's parent, Indian custodian, or tribe may petition the court to transfer the case to the tribal court of the Indian child's tribe. The child's parent or tribe also have the right to refuse to have the case transferred to the tribal court.
- With the limited exceptions of the detention hearing in juvenile cases and the jurisdiction and disposition hearings in delinquency cases as identified in rule 5.482, the court will give up to 20 additional days from the time of the scheduled hearing if the child's parent, Indian custodian, or tribe request such time to prepare for the hearing.
- The proceedings could lead to the removal of the child from the custody of the parent or Indian custodian and possible termination of parental rights and adoption of the child.
- If the child's parents or Indian custodian have a right to be represented by a lawyer and if they cannot afford to hire one, a lawyer will be appointed for them.
- The information contained in this notice and all attachments is confidential. Any tribal representative or agent or any other person or entity receiving this information must maintain the confidentiality of this information and not reveal it to anyone who does not need the information in order to exercise the tribe's rights under the Indian Child Welfare Act (25 U.S.C. § 1901 et seq.).
- An Indian custodian is any Indian person who has legal custody of the child under tribal law or custom or state law, or to whom temporary physical custody, care, and control of the child has been transferred by a parent.

5. INFORMATION ON THE CHILD NAMED IN 1

- A copy of the petition initiating this case is attached.
- The child's birth certificate is ☐ attached ☐ unavailable.
- A copy of the tribal registration card of ☐ the child ☐ the parent is attached.
- Biological relative information is listed below. *(Indicate if any of the information requested below is unknown or does not apply. Do not use the abbreviation "N/A".) (Required by Fam. Code, § 180; Prob. Code, § 1460.2; and Welf. & Inst. Code, § 224.3.)*
- ☐ If the chart does not represent the gender identities of the individuals in the child's family tree, please attach an appropriate equivalent.

Biological Mother	Biological Father
Name (include maiden, married, and former names or aliases):	Name (include former names or aliases):
Current address:	Current address:
Former address:	Former address:
Birthdate and place:	Birthdate and place:
Tribe or band, and location:	Tribe or band, and location:
Tribal membership or enrollment number, if known:	Tribal membership or enrollment number, if known:
If deceased, date and place of death:	If deceased, date and place of death:
Additional information:	Additional information:

CASE NAME:	CASE NUMBER:
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5. f. **INFORMATION ON THE CHILD NAMED IN 1**

(Indicate if any of the information requested below is unknown or does not apply; do not use the abbreviation "N/A".)

Mother's Biological Mother (Child's Maternal Grandmother)	Father's Biological Mother (Child's Paternal Grandmother)
Name (include maiden, married, and former names or aliases):	Name (include maiden, married, and former names or aliases):
Current address:	Current address:
Former address:	Former address:
Birthdate and place:	Birthdate and place:
Tribe or band, and location:	Tribe or band, and location:
Tribal membership or enrollment number, if known:	Tribal membership or enrollment number, if known:
If deceased, date and place of death:	If deceased, date and place of death:

Mother's Biological Father (Child's Maternal Grandfather)	Father's Biological Father (Child's Paternal Grandfather)
Name (include former names or aliases):	Name (include former names or aliases):
Current address:	Current address:
Former address:	Former address:
Birthdate and place:	Birthdate and place:
Tribe or band, and location:	Tribe or band, and location:
Tribal membership or enrollment number, if known:	Tribal membership or enrollment number, if known:
If deceased, date and place of death:	If deceased, date and place of death:

CASE NAME:	CASE NUMBER:
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5. g. **INFORMATION ON THE CHILD NAMED IN 1**

(Indicate if any of the information requested below is unknown or does not apply; do not use the abbreviation "N/A".)

Mother's Biological Grandmother (Child's Maternal Great-grandmother)	Mother's Biological Grandmother (Child's Maternal Great-grandmother)
Name (include maiden, married, and former names or aliases):	Name (include maiden, married, and former names or aliases):
Current address:	Current address:
Former address:	Former address:
Birthdate and place:	Birthdate and place:
Tribe or band, and location:	Tribe or band, and location:
Tribal membership or enrollment number, if known:	Tribal membership or enrollment number, if known:
If deceased, date and place of death:	If deceased, date and place of death:

Mother's Biological Grandfather (Child's Maternal Great-grandfather)	Mother's Biological Grandfather (Child's Maternal Great-grandfather)
Name (include former names or aliases):	Name (include former names or aliases):
Current address:	Current address:
Former address:	Former address:
Birthdate and place:	Birthdate and place:
Tribe or band, and location:	Tribe or band, and location:
Tribal membership or enrollment number, if known:	Tribal membership or enrollment number, if known:
If deceased, date and place of death:	If deceased, date and place of death:

CASE NAME:	CASE NUMBER:
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5. h. **INFORMATION ON THE CHILD NAMED IN 1**

(Indicate if any of the information requested below is unknown or does not apply; do not use the abbreviation "N/A".)

Father's Biological Grandmother (Child's Paternal Great-grandmother)	Father's Biological Grandmother (Child's Paternal Great-grandmother)
Name (include maiden, married, and former names or aliases):	Name (include maiden, married, and former names or aliases):
Current address:	Current address:
Former address:	Former address:
Birthdate and place:	Birthdate and place:
Tribe or band, and location:	Tribe or band, and location:
Tribal membership or enrollment number, if known:	Tribal membership or enrollment number, if known:
If deceased, date and place of death:	If deceased, date and place of death:

Father's Biological Grandfather (Child's Paternal Great-grandfather)	Father's Biological Grandfather (Child's Paternal Great-grandfather)
Name (include former names or aliases):	Name (include former names or aliases):
Current address:	Current address:
Former address:	Former address:
Birthdate and place:	Birthdate and place:
Tribe or band, and location:	Tribe or band, and location:
Tribal membership or enrollment number, if known:	Tribal membership or enrollment number, if known:
If deceased, date and place of death:	If deceased, date and place of death:

CASE NAME:	CASE NUMBER:
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5. i. **INFORMATION ON THE CHILD NAMED IN 1**

(Indicate if any of the information requested below is unknown or does not apply; do not use the abbreviation "N/A")

Information on Indian Ancestry of Other Lineal Biological Ancestors	Information on Indian Ancestry of Other Lineal Biological Ancestors
Name (include maiden, married, and former names or aliases):	Name (include maiden, married, and former names or aliases):
Current address:	Current address:
Former address:	Former address:
Birthdate and place:	Birthdate and place:
Tribe or band, and location:	Tribe or band, and location:
Tribal membership or enrollment number, if known:	Tribal membership or enrollment number, if known:
If deceased, date and place of death:	If deceased, date and place of death:

☐ More information on lineal biological ancestors is attached on a separate sheet.
5. j. **INFORMATION ON THE CHILD NAMED IN 1**

(Indicate if any of the information requested below is unknown or does not apply; do not use the abbreviation "N/A".)

Indian Custodian Information	Indian Custodian Information
Name (include maiden, married, and former names or aliases):	Name (include maiden, married, and former names or aliases):
Current address:	Current address:
Former address:	Former address:
Birthdate and place:	Birthdate and place:
Tribe or band, and location:	Tribe or band, and location:
Tribal membership or enrollment number, if known:	Tribal membership or enrollment number, if known:

CASE NAME:	CASE NUMBER:
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6. ADDITIONAL INFORMATION ON THE CHILD NAMED IN 1*(Indicate if any of the information requested below is unknown.)*

- a. ☐ Biological father is named on birth certificate. ☐ Unknown
- b. ☐ Biological father has acknowledged parentage. ☐ Unknown
- c. ☐ There has been a judicial declaration of parentage. ☐ Unknown
- d. ☐ Other alleged father (name each):

☐ Unknown

The following optional questions may be helpful in tracing the ancestry of the child named in 1.

7. Has the child named in 1 or any members of the child's family ever (if "yes," provide the information requested below):

- a. Attended an Indian school? ☐ Yes ☐ No ☐ Unknown

Name/relationship to child	Type of school	Dates attended	Name and location of school

- b. Received medical treatment at an Indian health clinic or U.S. Public Health Service hospital?

☐ Yes ☐ No ☐ Unknown

Name/relationship to child	Type of treatment	Dates of treatment	Location where treatment given

- c. Lived on federal trust land, a reservation, rancheria, an allotment or in an Alaska Native village or other tribal trust land?

☐ Yes ☐ No ☐ Unknown

Name/relationship to child	Name/description of property and address	Dates of residence

- d. Other relative information (e.g., aunts, uncles, siblings, first and second cousins, stepparents, etc.)

Name/relationship to child	Current and former address	Birthdate and place	Tribe, band, and location

8. ☐ Tribal affiliation and location of child named in 1 (check all that apply):

- a. ☐ 1906 Final Roll Name of relative listed on roll:
 Relationship to child named in 1:
- b. ☐ Roll of 1924 Name of relative listed on roll:
 Relationship to child named in 1:
- c. ☐ California Judgment Roll. Name of relative listed on roll:
 Relationship to child named in 1:

CASE NAME:	CASE NUMBER:
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9. Additional party information *(list the name, mailing address, and telephone number of all parties notified)*:

Name

Mailing Address

Telephone Number

DECLARATION

(To be completed, dated, and signed in all cases by each petitioner named in companion petition.)

I am the petitioner or we are all of the petitioners in this proceeding. In response to items 5–9 of this form, I/we have given all information I/we have about the relatives and, if applicable, the Indian custodian, of the child named in item 1 of this form.

I/We declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE)

Date:

(TYPE OR PRINT NAME)



(SIGNATURE)

Date:

(TYPE OR PRINT NAME)



(SIGNATURE)

CASE NAME:	CASE NUMBER:
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CERTIFICATE OF MAILING—JUVENILE COURT PROCEEDINGS

(To be completed by social worker or probation officer.)

I certify that a copy of the *Notice of Child Custody Proceeding for Indian Child*, with a copy of the petition identified on page 1 of this form, was mailed as follows. Each copy was enclosed in an envelope with postage for registered or certified mail, return receipt requested, fully prepaid. The envelopes were addressed to each person, tribe, or agency as indicated below. (Except that the telephone numbers shown below were not placed on the envelopes. They are shown below because they must be disclosed in the *Notice* under Family Code section 180, Probate Code section 1460.2, and Welfare and Institutions Code section 224.3.) Each envelope was sealed and deposited with the United States Postal Service at *(place)*:

on *(date)*:

Date:	Title:	Department:
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 45%; border-top: 1px solid black; text-align: center;">(TYPE OR PRINT NAME)</div> <div style="width: 5%; text-align: center;">▶</div> <div style="width: 50%; border-top: 1px solid black; text-align: center;">(SIGNATURE)</div> </div>		

DECLARATION OF MAILING—ADOPTION, FAMILY LAW, AND PROBATE PROCEEDINGS

(To be completed by the attorney for Petitioner if Petitioner is represented.)

- ☐ I am an attorney at law, admitted to practice in the courts of the State of California, and attorney for Petitioner in this matter.
- ☐ I declare that a copy of the *Notice of Child Custody Proceeding for Indian Child*, with a copy of the petition identified on page 1 of this form, was mailed as follows. Each copy was enclosed in an envelope with postage for registered or certified mail, return receipt requested, fully prepaid. The envelopes were addressed to each person, tribe, or agency as indicated below. (Except that the telephone numbers shown below were not placed on the envelopes. They are shown below because they must be disclosed in the *Notice* under Family Code section 180, Probate Code section 1460.2, and Welfare and Institutions Code section 224.3.) Each envelope was sealed and deposited with the United States Postal Service at *(place)*:
on *(date)*:

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

Date:		
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 45%; border-top: 1px solid black; text-align: center;">(TYPE OR PRINT NAME)</div> <div style="width: 5%; text-align: center;">▶</div> <div style="width: 50%; border-top: 1px solid black; text-align: center;">(SIGNATURE)</div> </div>		

CERTIFICATE OF MAILING—PROBATE PROCEEDINGS

(To be completed by the clerk of the court if Petitioner is unrepresented.)

I certify that a copy of the *Notice of Child Custody Proceeding for Indian Child*, with a copy of the petition, was mailed as follows. Each copy was enclosed in an envelope with postage for registered or certified mail, return receipt requested, fully prepaid. The envelopes were addressed to each person, tribe, or agency as indicated below. (Except that the telephone numbers shown below were not placed on the envelopes. They are shown below because they must be disclosed in the *Notice* under Family Code section 180, Probate Code section 1460.2, and Welfare and Institutions Code section 224.3.) Each envelope was sealed and deposited with the United States Postal Service at *(place)*:
on *(date)*:

Date:	Title:	Department:
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 45%; border-top: 1px solid black; text-align: center;">(TYPE OR PRINT NAME)</div> <div style="width: 5%; text-align: center;">▶</div> <div style="width: 50%; border-top: 1px solid black; text-align: center;">(SIGNATURE)</div> </div>		

This form and all return receipts must be filed with the court.

CASE NAME:	CASE NUMBER:
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**NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ALL PERSONS,
TRIBES, OR AGENCIES TO WHOM NOTICE WAS MAILED**

1. <input type="checkbox"/> Parent (<i>Name</i>): Street address: Mailing address: City, state, and zip code: Telephone number:	2. <input type="checkbox"/> Parent (<i>Name</i>): Street address: Mailing address: City, state, and zip code: Telephone number:
3. <input type="checkbox"/> Guardian (<i>Name</i>): Street address: Mailing address: City, state, and zip code: Telephone number:	4. <input type="checkbox"/> Guardian (<i>Name</i>): Street address: Mailing address: City, state, and zip code: Telephone number:
5. <input type="checkbox"/> Indian Custodian (<i>Name</i>): Street address: Mailing address: City, state, and zip code: Telephone number:	6. <input type="checkbox"/> Indian Custodian (<i>Name</i>): Street address: Mailing address: City, state, and zip code: Telephone number:
7. <input type="checkbox"/> Sacramento Regional Director Bureau of Indian Affairs, Federal Office Building Street address: 2800 Cottage Way City, state, and zip code: Sacramento, CA 95825 Telephone number:	8. <input type="checkbox"/> Tribe (<i>Name</i>): Addressee (<i>Name</i>): Title: Street address: Mailing address: City, state, and zip code: Telephone number:
9. <input type="checkbox"/> Tribe (<i>Name</i>): Addressee (<i>Name</i>): Title: Street address: Mailing address: City, state, and zip code: Telephone number:	10. <input type="checkbox"/> Tribe (<i>Name</i>): Addressee (<i>Name</i>): Title: Street address: Mailing address: City, state, and zip code: Telephone number:
11. <input type="checkbox"/> Tribe (<i>Name</i>): Addressee (<i>Name</i>): Title: Street address: Mailing address: City, state, and zip code: Telephone number:	12. <input type="checkbox"/> Tribe (<i>Name</i>): Addressee (<i>Name</i>): Title: Street address: Mailing address: City, state, and zip code: Telephone number:

Note: Notice to the tribe must be sent to the tribal chairperson or designated authorized agent for service.

☐ Additional tribes served listed on attached form ICWA-030(A)

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NUMBER: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CHILD'S NAME: _____	
ORDER AFTER HEARING ON EX PARTE REQUEST TO RETURN PHYSICAL CUSTODY OF AN INDIAN CHILD	CASE NUMBER: _____

1. Child's name: _____ Date of birth: _____
2. a. Date of hearing: _____ Time: _____ Dept.: _____ Room: _____
- b. Persons present:
- | | | |
|--|--|--|
| <input type="checkbox"/> Child | <input type="checkbox"/> Parent (name): _____ | <input type="checkbox"/> Parent's attorney |
| <input type="checkbox"/> Child's attorney | <input type="checkbox"/> Parent (name): _____ | <input type="checkbox"/> Parent's attorney |
| <input type="checkbox"/> Probation officer/social worker | <input type="checkbox"/> Guardian | <input type="checkbox"/> Indian custodian |
| <input type="checkbox"/> CASA | <input type="checkbox"/> County counsel | <input type="checkbox"/> District attorney |
| <input type="checkbox"/> Tribal representative: | <input type="checkbox"/> other (<i>specify</i>): _____ | |
3. Having read and considered the request to return physical custody of an Indian child and the evidence submitted therewith and the evidence and submissions at the hearing, the court finds and orders:
- a. ☐ The child's emergency removal or detention and placement continues to be necessary to prevent imminent physical damage or harm to the child.
- b. ☐ New information establishes that the child's emergency removal or detention and placement is no longer necessary to prevent imminent physical damage or harm to the child, and the child is ordered returned to the physical custody of: _____

Date: _____

 JUDICIAL OFFICER

CHILD'S NAME:	CASE NUMBER:
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4. Petitioner on information and belief alleges the following:

a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code <i>(check applicable boxes; see attachment 3a for concise statements of facts)</i> : <input type="checkbox"/> (a) <input type="checkbox"/> (b)(1) <input type="checkbox"/> (b)(2) <input type="checkbox"/> (c) <input type="checkbox"/> (d) <input type="checkbox"/> (e) <input type="checkbox"/> (f) <input type="checkbox"/> (g) <input type="checkbox"/> (h) <input type="checkbox"/> (i) <input type="checkbox"/> (j)			
b. Child's name:		c. Age:	d. Date of birth:
e. Gender: 			
<input type="checkbox"/> Information is the same as that given for the child in item 1. <i>(If not the same, provide different information below.)</i>			
f. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown If mother or father <i>(check all that apply)</i> : <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	g. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown If mother or father <i>(check all that apply)</i> : <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged		
h. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown If mother or father <i>(check all that apply)</i> : <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	i. Other <i>(state name, address, and relationship to child)</i> : <input type="checkbox"/> No known parent or guardian resides within this state. This adult relative lives in this county or is closest to this court.		
j. Prior to intervention, child resided with <input type="checkbox"/> parent <i>(name)</i> : <input type="checkbox"/> parent <i>(name)</i> : <input type="checkbox"/> guardian <i>(name)</i> : <input type="checkbox"/> Indian custodian <i>(name)</i> : <input type="checkbox"/> other <i>(state name, address, and relationship to child)</i> :	k. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained Date and time of detention: Current place of detention <i>(address)</i> : <input type="checkbox"/> Relative <input type="checkbox"/> Shelter/foster care <input type="checkbox"/> Other		

5. a. The child named below comes within the jurisdiction of the juvenile court under the following subdivisions of section 300 of the Welfare and Institutions Code <i>(check applicable boxes; see attachment 3a for concise statements of facts)</i> : <input type="checkbox"/> (a) <input type="checkbox"/> (b)(1) <input type="checkbox"/> (b)(2) <input type="checkbox"/> (c) <input type="checkbox"/> (d) <input type="checkbox"/> (e) <input type="checkbox"/> (f) <input type="checkbox"/> (g) <input type="checkbox"/> (h) <input type="checkbox"/> (i) <input type="checkbox"/> (j)			
b. Child's name:		c. Age:	d. Date of birth:
e. Gender: 			
<input type="checkbox"/> Information is the same as that given for the child in item 1. <i>(If not the same, provide different information below.)</i>			
f. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown If mother or father <i>(check all that apply)</i> : <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	g. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown If mother or father <i>(check all that apply)</i> : <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged		
h. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown If mother or father <i>(check all that apply)</i> : <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	i. Other <i>(state name, address, and relationship to child)</i> : <input type="checkbox"/> No known parent or guardian resides within this state. This adult relative lives in this county or is closest to this court.		
j. Prior to intervention, child resided with <input type="checkbox"/> parent <i>(name)</i> : <input type="checkbox"/> parent <i>(name)</i> : <input type="checkbox"/> guardian <i>(name)</i> : <input type="checkbox"/> Indian custodian <i>(name)</i> : <input type="checkbox"/> other <i>(state name, address, and relationship to child)</i> :	k. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained Date and time of detention: Current place of detention <i>(address)</i> : <input type="checkbox"/> Relative <input type="checkbox"/> Shelter/foster care <input type="checkbox"/> Other		

CHILD'S NAME:	CASE NUMBER:
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6. Indian Child Welfare Act Inquiry (*check one*):

- a. ☐ I have asked as to whether the child is or may be a member of an Indian tribe or eligible for membership and the biological child of a member, and the *Indian Child Inquiry Attachment* (form ICWA-010(A)) is attached.
- b. ☐ On information and belief, I am aware that inquiry has been completed by (*insert name*):
- b. ☐ Inquiry about whether the child is or may be a member of an Indian tribe or eligible for membership and the biological child of a member has not yet been completed for the reasons set out below. I am aware of the ongoing duty to complete this inquiry and will complete the *Indian Child Inquiry Attachment* (form ICWA-010(A)), and submit it to the court as soon as possible.

CHILD'S NAME:	CASE NUMBER:
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2. Indian Child Welfare Act Inquiry *(check one)*:

- a. ☐ I have asked whether the child is or may be a member of an Indian tribe or eligible for membership and the biological child of a member, and the *Indian Child Inquiry Attachment* (form ICWA-010(A)) is attached.
- b. ☐ On information and belief, I am aware that inquiry has been completed by *(insert name)*: and the *Indian Child Inquiry Attachment* (form ICWA-010(A)) is attached.
- c. ☐ Inquiry about whether the child is or may be a member of an Indian tribe or eligible for membership, and the biological child of a member has not yet been completed for the reasons set out below. I am aware of the ongoing obligation to complete this inquiry and will complete the *Indian Child Inquiry Attachment* (form ICWA-010(A)), and submit it to the court as soon as possible.

3. Petitioner requests that the court find these allegations to be true.

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

Date: _____



(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

Address and telephone number *(if different person signing than listed in caption above)*:

☐ Number of pages attached: _____

— NOTICE —

TO PARENT

Your parental rights may be permanently terminated. To protect your rights, you must appear in court and answer this petition.

**TO PARENTS OR OTHERS LEGALLY RESPONSIBLE
FOR THE SUPPORT OF THE CHILD**

You and the estate of your child may be jointly and severally liable for the cost of the care, support, and maintenance of your child in any placement or detention facility, the cost of legal services for you or your child by a public defender or other attorney, and the cost of supervision of your child by order of the juvenile court.

Read form JV-217-INFO, *Guide to Psychotropic Medication Forms*, for more information about the required forms and the application process.

- ① ☐ The following parents/legal guardians of the child were notified of the physician's request to begin and/or to continue administering psychotropic medication, of the name of each medication, and that an application is pending before the court. They were also provided with form JV-217-INFO, *Guide to Psychotropic Medication Forms*, a blank copy of form JV-219, *Statement About Medicine Prescribed* and a blank copy of form JV-222, *Input on Application for Psychotropic Medication*.

a. Name: _____ Date notified: _____
 Relationship to child: _____
 Manner: ☐ In person ☐ By phone at (specify): _____
☐ By depositing the required information in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____

b. Name: _____ Date notified: _____
 Relationship to child: _____
 Manner: ☐ In person ☐ By phone at (specify): _____
☐ By depositing the required information in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____

c. Name: _____ Date notified: _____ Relationship to child: _____
 Manner: ☐ In person ☐ By phone at (specify): _____
☐ By depositing the required information in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____

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

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

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

- ⑤ ☐ The child's current caregiver was notified that a physician is asking to treat the child with psychotropic medication and that an application is pending before the court. The caregiver was provided form JV-217-INFO, *Guide to Psychotropic Medication Forms* and a blank copy of form JV-219, *Statement About Medicine Prescribed*, or information on how to obtain a copy of the form as follows:

Clerk stamps date here when form is filed.

**Not approved by
the Judicial Council**

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's Name:

Date of Birth:

Court fills in case number when form is filed.

Case Number:

Case Number:

Child's name:

Caregiver's name:

Date notified:

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

☐ By depositing the required information in a sealed envelope in the United States mail, with first-class postage prepaid, to the following address

(specify):

At the time of service I was at least 18 years of age and not a party to this matter. I am a resident of or employed in the county where the mailing occurred. My residence or business mailing address is:

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

Date:

Type or print name

Sign your name

☐ Signature follows on page 4.

- 6 ☐ The child's attorney and the child's CAPTA guardian ad litem, if that person is someone other than the child's attorney, were provided with completed form JV-220, *Application for Psychotropic Medication*; completed JV-220(A), *Physician's Statement—Attachment* or completed form JV-220(B), *Physician's Request to Continue Medication—Attachment*; a copy of form JV-217-INFO, *Guide to Psychotropic Medication Forms*; a blank form JV-218, *Child's Opinion About the Medication*; and a blank copy of form JV-222, *Input on Application for Psychotropic Medication*, as follows:

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

- 7 ☐ The application could result in the child being prescribed three or more concurrent psychotropic medications for 90 days or more. The child's attorney and the child's CAPTA guardian ad litem, if that person is someone other than the child's attorney, were provided with blank copies of *Position on Release of Information to Medical Board of California* (form JV-228), *Background on Release of Information to Medical Board of California* (form JV-228-INFO), and *Withdrawal of Release of Information to Medical Board of California* (form JV-229), as follows:

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

Child's name: _____

- 8 ☐ The following attorneys were notified of the physician's request to begin and/or continue administering psychotropic medication, of the name of each medication, and that an application is pending before the court. They were also provided with a copy of form JV-217-INFO, *Guide to Psychotropic Medication Forms*, a blank copy of form JV-219, *Statement About Medicine Prescribed*; and a blank copy of form JV-222, *Input on Application for Psychotropic Medication*, or with information on how to obtain a copy of each form as follows:

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

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

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

At the time of service I was at least 18 years of age and not a party to this matter. I am a resident of or employed in the county where the mailing occurred. My residence or business mailing address is:

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

Date:

Type or print name

 _____
Sign your name ☐ Signature follows on page 4.

- 9 ☐ The child's CASA volunteer was notified of the physician's request to begin and/or continue administering psychotropic medication, of the name of each medication, and that an application is pending before the court. The CASA volunteer was provided with form JV-217-INFO, *Guide to Psychotropic Medication Forms*; a blank copy of form JV-218, *Child's Opinion About the Medicine*; and a blank copy of form JV-219, *Statement About Medicine Prescribed*, as follows:

CASA volunteer (name): _____ Date notified: _____
Manner: ☐ In person ☐ By phone at (specify): _____
☐ By depositing the required information in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____

Case Number:

Child's name: _____

- ⑩ ☐ The Indian child's tribe was notified of the physician's request to begin and/or continue administering psychotropic medication, of the name of each medication, and that an application is pending before the court. The tribe was also provided with form JV-217-INFO, *Guide to Psychotropic Medication Forms*, a blank copy of form JV-219, *Statement About Medicine Prescribed*, and a blank copy of form JV-222, *Input on Application for Psychotropic Medication*.

Indian Tribe (name): _____ Date notified: _____

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

- ☐ By depositing the required information in a sealed envelope in the United States mail, with first-class postage prepaid, to the last known address (specify): _____

At the time of service I was at least 18 years of age and not a party to this matter. I am a resident of or employed in the county where the mailing occurred. My residence or business mailing address is: _____

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

Date: _____

Type or print name



Sign your name

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NUMBER: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CHILD'S NAME: _____	
FINDINGS AND ORDERS AFTER DETENTION HEARING (Welf. & Inst. Code, § 319)	CASE NUMBER: _____

1. This matter came before the court on the
☐ original petition ☐ subsequent petition ☐ supplemental petition ☐ other (*specify*):
 filed on (*date*): _____

2. **Detention**

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

- | <u>h. Party (<i>name</i>):</u> | Present | <u>Attorney (<i>name</i>):</u> | Present | Appointed today |
|----------------------------------|--------------------------|--------------------------------|--------------------------|--------------------------|
| (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 (<i>specify</i>): | <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*): _____

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

- a. ☐ Report of social worker dated: _____
 b. ☐ Report of CASA volunteer dated: _____
 c. ☐ Other (*specify*): _____
 d. ☐ Other (*specify*): _____

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

4. 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:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her right to attend the hearing, 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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5. ☐ The attorney appointed to represent the child as the child's attorney of record is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
6. ☐ a. The child will not benefit from representation by an attorney and, for the reasons stated on the record, the court finds:
- (1) the child understands the nature of the proceedings;
 - (2) the child is able to communicate and advocate effectively with the court, other counsel, other parties, including social workers, and other professionals involved in the case; and
 - (3) under the circumstances of the case, the child would not gain any benefit from being represented by counsel.
- b. A Court Appointed Special Advocate is appointed for the child, and that person is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
7. ☐ A Court Appointed Special Advocate is appointed for the child.

8. 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*):

9. ICWA Inquiry

On the record, the court has:

- a. ☐ Asked each participant present at the hearing:
- Whether the participant is aware of any information indicating that the child is a member or citizen or eligible for membership or citizenship in an Indian tribe or Alaska Native village and if yes, the name of the tribe or village;
 - Whether the residence or domicile of the child, either of the child's parents, or Indian custodian is on a reservation or in an Alaska Native village and if yes, the name of the tribe or village;
 - Whether the child is or was ever a ward of a tribal court, and if yes, the name of the tribe or village; and
 - If the child, either of the child's parents, or the child's Indian custodian possesses an identification card indicating membership or citizenship in a tribe or Alaska Native village, and if so, the name of the tribe or village.
- b. ☐ Instructed the participants to inform the court if they receive any information indicating that the child is a member or citizen or eligible for membership or citizenship in a tribe or Alaska Native village.

10. ICWA Status

- a. ☐ The court finds there is no reason to believe or reason to know the child is an Indian child and ICWA does not apply; or
- b. ☐ The court finds there is reason to believe the child is an Indian child; and
- (1) ☐ The agency has completed further inquiry as required by Welf. & Inst. Code, § 224.2(e), and there is no reason to know that the child is an Indian child. ICWA does not apply; or
 - (2) ☐ The agency is ordered to complete further inquiry as required by Welf. & Inst. Code, § 224.2(e) and file with the court evidence of this inquiry, including all contacts with extended family members, tribes that the child may be affiliated with, the Bureau of Indian Affairs, the California Department of Social Services, and/or others.
- c. ☐ The court finds that there is reason to know that the child is an Indian child, and
- (1) ☐ The agency has presented evidence in the record that it has exercised due diligence to identify and work with all of the tribes where the child may be a member or eligible for membership to verify the child's status; or
 - (2) ☐ The agency is required to exercise due diligence to identify and work with all of the tribes where the child may be a member or eligible for membership to verify the child's status and provide notice in accordance with Welf. & Inst. Code, § 224.3 and file proof of due diligence and notice with the court; and
 - (3) ☐ Notice has been provided as required by law; and
 - (4) ☐ The court will treat the child as an Indian child until it is determined on the record that the child is not an Indian child.

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. ICWA Jurisdiction

- a. It is known or there is reason to know that the child is an Indian child. The court finds (*select one*):
- (1) ☐ That it has jurisdiction over the proceeding because:
- (a) The court finds that the residence and domicile of the child are not on a reservation where the tribe exercises exclusive jurisdiction; and
- (b) The court finds that the child is not already under the jurisdiction of a tribal court; or
- (2) ☐ The court finds that it does not have jurisdiction because the child is under the exclusive jurisdiction of the tribal court; or
- (3) ☐ The court finds that the child is under the exclusive jurisdiction of the tribal court, but that there is a basis for emergency jurisdiction in accordance with 25 U.S.C. § 1922.

Advisements and waivers

12. The court has informed and advised the

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

of the following:

- a. 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.
- b. The right to be informed by the court of the following:
- the contents of the petition;
 - the nature of and possible consequences of juvenile court proceedings;
 - the reasons for the initial detention and the purpose and scope of the detention hearing if the child is detained;
 - the right to have a child who is detained immediately returned to the home of the parent, legal guardian, or Indian custodian if the petition is not sustained;
 - that if the petition is sustained and the child is removed from the care of the parent, legal guardian, or Indian custodian, the time for services will commence on the date the petition is sustained or 60 days from the date of the initial removal, whichever is earlier;
 - that the time for services will not exceed 12 months for a child aged three years or over at the time of the initial removal; and
 - that the time for services will not exceed 6 months for a child under the age of three years at the time of the initial removal or for the member of a sibling group that includes such a child if the parent, legal guardian, or Indian custodian fails to participate regularly and make substantive progress in any court-ordered treatment program.
- c. The right to a hearing by the court on the issues presented by the petition.
- d. The right to assert the privilege against self-incrimination; to confront and cross-examine the persons who prepared reports or documents submitted to the court by the petitioner and the witnesses called to testify against the parent, legal guardian, or Indian custodian; to subpoena witnesses; and to present evidence on his or her own behalf.

13. ☐ 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 one's own behalf.

CHILD'S NAME:

CASE NUMBER:

14. ☐ **CHILD NOT DETAINED**

- a. ☐ Services that would prevent the need for further detention, including those set forth in item 17, are available.
- b. ☐ The child is returned to the custody of
- ☐ mother ☐ biological father ☐ legal guardian ☐ other (*specify*):
☐ presumed father ☐ alleged father ☐ Indian custodian

15. ☐ **CHILD DETAINED**

- a. Services that would prevent the need for further detention are not available.
- b. A prima facie showing has been made that the child comes within Welf. & Inst. Code, § 300.
- c. Continuance in the parent's or legal guardian's home is contrary to the child's welfare AND (*select at least one*):
- (1) ☐ there is a substantial danger to the physical health of the child or the child is suffering severe emotional damage, and there are no reasonable means by which the child's physical or emotional health may be protected without removing the child from the physical custody of the parent or legal guardian.
 - (2) ☐ there is substantial evidence that a parent, legal guardian, or custodian of the child is likely to flee the jurisdiction of the court, and in the case of an Indian child, fleeing the jurisdiction will place the child at risk of imminent physical damage or harm.
 - (3) ☐ the child has left a placement in which he or she was placed by the juvenile court.
 - (4) ☐ the child has been physically abused by a person residing in the home and is unwilling to return home.
 - (5) ☐ the child has been sexually abused by a person residing in the home and is unwilling to return home.
- d. The child is detained, and temporary placement and care of the child is vested with the county child and family services agency pending the hearing under Welf. & Inst. Code, § 355 or further order of the court.
- e. The initial removal of the child from the home was necessary for the reasons stated on the record.
- f. The facts on which the court bases its decision to order the child detained are stated on the record.
- g. The child is placed in
- (1) ☐ the approved home of a relative.
 - (2) ☐ an emergency shelter.
 - (3) ☐ other suitable licensed place.
 - (4) ☐ a place exempt from licensure designated by the juvenile court.
 - (5) ☐ the approved home of a nonrelative extended family member as defined in Welf. & Inst. Code, § 362.7.
- h. Services, including those set forth in item 17, are to be provided to the family as soon as possible to reunify the child with his or her family.
- i. ☐ Reasonable efforts were made to prevent or eliminate the need for removal from the home.
- j. ☐ Reasonable efforts were not made to prevent or eliminate the need for removal from the home.
- k. ☐ There is a relative who is able, approved, and willing to care for the child.
- l. ☐ A relative who is able, approved, and willing to care for the child is not available. *This is a temporary finding and does not preclude later placement with a relative under Welf. & Inst. Code, § 361.3.*

16. ☐ **CHILD DETAINED AND THERE IS REASON TO KNOW CHILD IS AN INDIAN CHILD**

- a. ☐ The evidence includes all of the requirements of Welf. & Inst. Code, § 319(b).
- b. ☐ As detailed in the record, the agency has made active efforts to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and these efforts have proved ☐ successful
☐ unsuccessful; or
- ☐ The agency has not made active efforts to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family; and

The agency is ordered to initiate or continue active efforts.

CHILD'S NAME:	CASE NUMBER:
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16. c. ☐ For the reasons stated on the record, detention is necessary to prevent imminent physical damage or harm to the child.

d. ☐ The child's placement complies with the placement preferences set forth in Welf. & Inst. Code, § 361.31. The child is placed:

☐ With a member of the child's extended family;

☐ In a foster home licensed, approved, or specified by the child's tribe;

☐ In an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or

☐ 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

☐ For the reasons stated on the record, the court finds by clear and convincing evidence that there is good cause not to follow the placement preferences.

17. ☐ The services below will be provided pending further proceedings:

Service	Mother	Presumed father	Biological father	Legal guardian	Indian custodian	Other (specify):
a. <input type="checkbox"/> Alcohol and drug testing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. <input type="checkbox"/> Substance abuse treatment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. <input type="checkbox"/> Parenting education	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. <input type="checkbox"/> (Specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. <input type="checkbox"/> (Specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. <input type="checkbox"/> (Specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. ☐ **Contact with the child is ordered as stated in** (check appropriate boxes and attach indicated forms):

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).

19. ☐ The ☐ mother ☐ biological father ☐ legal guardian
☐ presumed father ☐ alleged father ☐ Indian custodian
☐ other (specify):

must disclose to the county agency social worker the names, residences, and any known identifying information of any maternal or paternal relatives of the child.

20. ☐ The ☐ mother ☐ biological father ☐ legal guardian
☐ presumed father ☐ alleged father ☐ Indian custodian
☐ other (specify):

must complete *Your Child's Health and Education* (form JV-225) or provide the necessary information for the county agency social worker to complete the form.

21. ☐ There is reason to know the child is an Indian child and the county agency must provide notice under Welf. & Inst. Code, § 224.3 for any hearings that may result in the removal or foster care placement of the child, termination of parental rights, preadoptive placement, or adoptive placement. Proof of such notice must be filed with this court.

22. ☐ **Other findings and orders:**

a. ☐ See attached.

b. ☐ (Specify):

23. ☐ The parents, legal guardians, and Indian custodians must keep the court, the agency, and their attorneys advised of their current addresses and telephone numbers and provide written notification of any changes to their mailing addresses. The parents, legal guardians, and Indian custodians present during the hearing who had not previously submitted a *Notification of Mailing Address* (form JV-140) or its equivalent were provided with and ordered to complete the form or its equivalent and to submit it to the court before leaving the courthouse today.

CHILD'S NAME:	CASE NUMBER:
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24. ☐ The next hearing is scheduled as follows:

Hearing date:	Time:	Dept.:	Room:
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- a. ☐ Jurisdictional hearing
- b. ☐ Dispositional hearing
- c. ☐ Settlement conference
- d. ☐ Mediation
- e. ☐ Other (*specify*):

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

26. Number of pages attached: _____

Date: _____

☐ JUDGE ☐ JUDGE PRO TEMPORE

Date: _____

☐ COMMISSIONER ☐ REFEREE

CHILD'S NAME:

CASE NUMBER:

**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 his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
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:

☐ mother

☐ biological father

☐ legal guardian

☐ presumed father

☐ Indian custodian

☐ other (specify): _____
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. ☐ **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*):

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-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

10. 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.
11. ☐ **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 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) ☐ 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*):

12. ☐ **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*):

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13. ☐ 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 his or her 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 Fam. 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*):

Important individuals

14. ☐ **Child 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 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

15. ☐ 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.

1. ☐ The rights of

a. **Name 1:**

☐ parent 1
☐ parent 2
☐ guardian
☐ Indian custodian

to make ☐ educational ☐ developmental-services decisions for the child or youth

Check one for each named educational right holder.

(1) ☐ are retained.
(2) ☐ are fully restored.
(3) ☐ are temporarily limited under Welf. & Inst. Code section 319(j).
(4) ☐ are limited under Welf. & Inst. Code section 361(a) or 726(b).
(5) ☐ have been terminated under Welf. & Inst. Code section 366.26 or 727.31.
(6) ☐ transferred to the youth on their 18th birthday.
☐ Other Educational Rights Holders—see attached.

b. **Name 2:**

☐ parent 1
☐ parent 2
☐ guardian
☐ Indian custodian

(1) ☐ are retained.
(2) ☐ are fully restored.
(3) ☐ are temporarily limited under Welf. & Inst. Code section 319(j).
(4) ☐ are limited under Welf. & Inst. Code section 361(a) or 726(b).
(5) ☐ have been terminated under Welf. & Inst. Code section 366.26 or 727.31.
(6) ☐ transferred to the youth on their 18th birthday.

2. ☐ The following adult(s) is/are designated as the educational rights holders, as defined in California Rules of Court, rule 5.502.

a. **Name 1:**

Address:

Telephone:

Email:

Relationship to child or youth:

☐ Confidential Name ☐ Confidential Address
☐ Other Educational Rights Holders—see attached.

b. **Name 2:**

Address:

Telephone:

Email:

Relationship to child or youth:

☐ Confidential Name ☐ Confidential Address

3. The adult(s) identified in item 2 ☐ Name 1 ☐ Name 2 is/are (check all that apply):

a. ☐ The *first* educational rights holder(s) identified by the court for this child or youth.
b. ☐ The *same* educational rights holder(s) as last identified by the court, with new contact information in item 2, above.
c. ☐ A *different* educational rights holder from the one last identified by the court.

☐ Provision of the information on this form—as well as on forms JV-535(A), JV-536, JV-537, JV-538, JV-539, JV-540, or any equivalent form—to the parent(s), guardian(s), or Indian custodian(s) named in 1 **will** create a safety risk (for example, because of the placement's confidentiality). The information **may not** be disclosed to the parent, guardian, or Indian custodian.

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3. d. ☐ The successor guardian or conservator and, as such, holds decisionmaking rights.
- e. ☐ The caregiver in a planned permanent living arrangement and holds ☐ educational ☐ developmental-services decisionmaking rights under **Welf. & Inst. Code** section 361(a)(1)(E). See item 6 for limitation of parental decisionmaking rights.

Having considered the evidence and made the findings required by law, THE COURT ORDERS that

4. ☐ The responsible adults identified in 2 are appointed the educational rights holders for the child or youth and are authorized to make ☐ educational ☐ developmental-services decisions for the child or youth to the extent permitted by law.
5. ☐ (Check only if 2, 3, and 4 do not apply.) The court cannot identify a parent, guardian, Indian custodian, or other responsible adult to act as the educational rights holder.
- a. ☐ The court hereby refers the child to the local educational agency for appointment of a surrogate parent under section 7579.5 of the Government Code.
- b. ☐ The court, with input from any interested person, will make ☐ educational ☐ developmental-services decisions.
- ☐ The appointment of a surrogate parent is not warranted.
- ☐ (Before the dispositional hearing) The child's attorney and the social worker or probation officer must make every effort to identify a responsible adult to make future educational or developmental-services decisions for the child.
6. ☐ The appointment of any previous educational rights holder or developmental-services decision maker is terminated.

Appointed Educational Rights Holder—Rights and Duties

7. The appointed educational rights holder is authorized to have access to the child's or youth's ☐ educational ☐ developmental-services records and information to the extent permitted by law.
8. The appointed educational rights holder may authorize the release of ☐ educational ☐ developmental-services records to the child's attorney or CASA volunteer to the extent permitted by law.
9. The appointed educational rights holder must comply with all applicable state and federal confidentiality laws, including **Welf. & Inst. Code** sections 362.5, 827, 4514, and 5328 and Government Code section 7579.5(f), and may share information only to the extent necessary to further the interests of the child or youth.
10. The appointed educational rights holder must meet with the child or youth; investigate the child's or youth's educational and developmental-services needs and whether those needs are being met; and, before each scheduled review hearing, provide information and recommendations to the social worker or probation officer **OR** make written recommendations to the court **OR** attend the review hearing and participate in any part of the hearing that concerns the child's education or development **OR** do all of these. The rights holder may submit written recommendations on *Educational Rights Holder Statement* (form JV-537) or in any other suitable format. To the greatest extent possible, the educational rights holder must consult and collaborate with the educational liaison or regional center service coordinator, as applicable, to gather information needed to meet the needs and protect the rights of the child or youth.

Service of Order

11. If this is the first form JV-535 completed in this case or it includes any information different from information on the previous JV-535, the clerk will provide a copy of this form, form JV-535(A), and any other attachments to: the child (if 10 years old or older) or youth; the attorney for the child or youth; the social worker or probation officer; the Indian child's tribe, if applicable; the local foster youth educational liaison; the county office of education foster youth services coordinator; the regional center service coordinator, if applicable; and the educational rights holder or surrogate parent in person or by first-class mail no later than five court days after the order is signed. The clerk may also make the form available to the parent or guardian (unless otherwise indicated on this form, or parental rights have been terminated, or the child has reached 18 years of age and reunification services have been terminated), to the CASA volunteer, and if requested, to any other person entitled to notice under **Welf. & Inst. Code** section 293.
12. The assigned social worker or probation officer must notify the educational rights holder of the date, time, and location of each court hearing.

This order applies to any local educational agency, school, school district, or regional center serving the child or youth in the State of California.

☐ Related findings and orders are attached on form JV-535(A) or its equivalent.

Date:

JUDICIAL OFFICER