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Subject Details (With Text)

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Title

Juvenile Law: Title IV-E Findings and Orders (Action Required)

Summary

The Family and Juvenile Law Advisory Committee proposes amending three rules of court and revising 18 juvenile law forms designed to assist the courts in documenting required findings and orders in out-of-home placement cases. The proposed changes are designed to bring these rules and forms into compliance with recent legislation.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2018:

1. Revise forms JV-320 (item 16a), JV-432 (item 8), JV-433 (item 13), JV-438 (item 10), JV-442 (item 9), JV-446 (item 28), JV-457 (item 8), JV-674 (item 15), and JV-678 (item 14) to include the newly implemented permanent plan options.
2. Revise forms JV-433 (item 14), JV-438 (item 11), JV-442 (item 10), JV-446 (item 29), JV-457 (item 9), JV-674 (item 17), and JV-678 (item 17) to include the new findings related to children 16 and older.
3. Revise form JV-672 (item 14) to reflect new plan options.
4. Amend the reference to Welfare and Institutions Code section 366.21(e) in rule 5.710 to refer to the correct code sections, which are sections 366.22(e) and (g).
5. Amend the reference to Welfare and Institutions Code section 366.21(f) in rule 5.715 to refer to the correct code sections, which are sections 366.22(f) and (g).
6. Revise forms JV-433 (item 9), JV-445 (item 14a), JV-674 (item 14b(4)), and JV-678 (item 10) to include the relative search finding.
7. Revise forms JV-440 (item 11), JV-445 (item 13), JV-446 (item 17), JV-455 (item 11), JV-674 (item 10a), and JV-678 (item 11a) to include an ongoing and intensive efforts finding for children 16 years of age and older.
8. Revise form JV-443 (item 6a(3)) to require the court to consider barriers to reunification faced by minor and nonminor dependent parents.
9. Revise forms JV-320 (item 20), JV-421 (item 32), JV-430 (item 20), JV-435 (item 20), JV-440 (item 21),

- JV-445 (item 20), JV-446 (item 26), and JV-455 (item 21) to change references to “independence” and “independent living” to “successful adulthood.”
10. Revise form JV-678 to include the new permanent plan options and associated findings.
 11. Revise forms JV-445 (item 24) and JV-446 (item 23) to include a check box that indicates whether a postadoption sibling contact agreement has been developed and, if not, specifies that the court inquired about the development of a voluntary postadoption contact agreement for the siblings.
 12. Revise forms JV-674 (item 14) and JV-678 (item 5) to clarify when services are continued or terminated.
 13. Revise forms JV-421 (item 29), JV-430 (item 17), JV-435 (item 17), JV-440 (item 18), JV-445 (item 17), JV-446 (item 27), JV-672 (item 21), JV-674 (item 24), and JV-678 (item 23) to include a check box that indicates whether or not the child has a psychotropic medication order and documents the date of the next hearing on that order.
 14. Revise form JV-443 (item 6c) to include a finding that allows the court to continue the 18-month review hearing if it finds that reasonable services have not been provided.
 15. Revise forms JV-415, JV-430, JV-435, JV-440, and JV-455 to include a notice section that informs parents they will not be advised of their appellate rights if they fail to appear at a future hearing.
 16. Amend rule 5.810(c)(2)(A) to clarify that the new findings and orders set forth in Welfare and Institutions Code section 727.3(a)(5) should also be made at postpermanency hearings.