



Judicial Council of California

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Subject Details (With Text)

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File #: 15-387 **Version:** 1
Type: Other Proposal **Status:** Passed
File created: 9/24/2015 **In control:** Judicial Council
On agenda: 10/27/2015 **Final action:** 10/27/2015
Title: Juvenile Law: Extended Foster Care (Action Required)
Sponsors:
Indexes:
Code sections:
Attachments: 1. 20151027itemA24

Date	Ver.	Action By	Action	Result
10/27/2015	1	Judicial Council	approved	Pass

Title Juvenile Law: Extended Foster Care (Action Required)

Summary

The Family and Juvenile Law Advisory Committee proposes amending four of the California Rules of Court and revising five Judicial Council forms to (1) implement the provisions of Assembly Bill 2454 (Quirk-Silva; Stats. 2014, ch. 769) allowing specified youth to petition the court to assume jurisdiction over them as nonminor dependents, and to (2) provide further guidance on the implementation of prior legislation authorizing extended foster care to age 21. The rules and forms that currently allow youth to petition for reentry would be modified to accommodate these new petitioners. In addition, this proposal would clarify the requirements for other extended foster care processes to address concerns raised by courts as implementation has proceeded.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2016:

1. Amend rule 5.555 of the California Rules of Court on termination of jurisdiction to make specific provisions for termination of juvenile court jurisdiction over a nonminor dependent who has attained age 21;
2. Amend rules 5.707 and 5.812 to include disposition hearings in the class of hearings subject to the rule which governs hearings that are the last court hearing before a child in juvenile court attains age 18;
3. Amend rule 5.906, which sets forth the procedures for the court to follow when considering a petition for a nonminor to reenter juvenile court jurisdiction as a nonminor dependent, to include petitioners made eligible by recently enacted legislation;
4. Revise *Findings and Orders After Hearing to Consider Termination of Juvenile Court Jurisdiction Over a Nonminor* (form JV-367) to clarify that jurisdiction must be terminated at age 21 and that the attorney for the nonminor is relieved 60 days from the order;
5. Revise *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-464-INFO) to include information on petitioners made eligible for reentry in recent legislation;
6. Revise *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466) to allow newly

eligible petitioners to petition the court to enter foster care as nonminors and correct a previous drafting error;

7. Revise *Findings and Orders Regarding Prima Facie Showing on Nonminor's Request to Reenter Foster Care* (form JV-470) to allow the court to document its findings and orders for newly eligible petitioners seeking to reenter foster care as nonminors; and
8. Revise *Findings and Orders After Hearing to Consider Nonminor's Request to Reenter Foster Care* (JV-472) to allow the court to document its findings and orders after a hearing on a petition filed by a newly eligible petitioner for reentry to foster care as a nonminor.