



Judicial Council of California

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Title: Juvenile Dependency Petition § 300(b) Allegations for Commercially Sexually Exploited Children (CSEC) (Action Required)

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4/15/2016	1	Judicial Council	approved	Pass

Title

Juvenile Dependency Petition Section 300(b) Allegations for Commercially Sexually Exploited Children (CSEC) (Action Required)

Summary

The Family and Juvenile Law Advisory Committee recommended revising two forms, form JV- 121, *Failure to Protect*, and form JV-101(A), *Additional Children Attachment*, to implement Senate Bill 855 (Stats. 2014, ch 29). SB 855 added section 300(b)(2) to the Welfare and Institutions Code, to facilitate bringing commercially sexually exploited children into the juvenile dependency system.

Recommendation

The Family and Juvenile Law Advisory Committee recommended that the Judicial Council revise, effective July 1, 2016, form JV-121, *Failure to Protect*, to comply with new legislation (SB 855) adding section 300(b)(2) to the Welfare and Institutions Code, to facilitate bringing commercially sexually exploited children into the juvenile dependency system; and also recommends that the Judicial Council approve technical changes responding to the new section 300(b)(2) to form JV-101(A), *Additional Children Attachment*, which was inadvertently left out of the technical change cycle approved by the Judicial Council on October 27, 2015.

The Child Welfare Services/Case Management System, pending final revision of the form, temporarily added a box to JV-121 under the section 300(b)(1) allegations allowing an allegation for general neglect “as a result of the failure or inability of the parent or guardian to protect the child from commercial sexual exploitation.” The committee considered adding this addition to the form for Judicial Council approval, but concluded that the two sections needed to be separately set forth to adequately cover their separate allegations, including the allegations that constitute commercial sexual exploitation.

There were five comments submitted in response to the Invitation to Comment. One commenter found the committee's proposal "cumbersome and unnecessarily complicated." The other four commenters agreed with the committee's proposal without modification. The committee considered the proposal again in light of the one response, but continues to recommend separating the allegations on form JV-121 to correspond to the new subdivisions (a) and (b) of section 300.