



Judicial Council of California

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Subject Details (With Text)

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Title
Juvenile Law: Intercounty Transfer (Action Required)

Summary

The Family and Juvenile Law Advisory Committee recommends adopting one new rule and two new mandatory Judicial Council forms to implement the transfer provisions for nonminor dependents in Assembly Bill 1712. The committee further recommends amending the current intercounty transfer rules and revising a mandatory form to include provisions that have streamlined the transfer process for counties involved in two transfer protocol pilot programs. Lastly, the committee recommends amending two of the California Rules of Court to require mandatory use of the forms.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2017:

1. Adopt rule 5.613 of the California Rules of Court, which mandates transfer-out and transfer-in procedures for the transfer of nonminor dependent cases.
2. Adopt form JV-552, *Juvenile Court Transfer-Out Orders-Nonminor Dependent*, which serves to alert the receiving court of the new case and allows the sending court to set a transfer-in hearing in the receiving court.
3. Amend rules 5.610 and 5.612 of the California Rules of Court to require the transfer-out court to set a date certain for the transfer-in hearing and mandate use of form JV-548, *Motion for Transfer Out*.
4. Adopt form JV-548, *Motion for Transfer Out*, which provides the receiving court with a synopsis of the pertinent facts and procedural history of the case being transferred.
5. Revise form JV-550, *Juvenile Court Transfer-Out Orders*, to mandate inclusion of important case details that will insure the receiving court has the information it needs to conduct the transfer-in hearing and set appropriate future hearings.