



Judicial Council of California

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Subject Details (With Text)

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Title Family Law: Special Immigrant Juvenile Findings (Action Required)

Summary

The Family and Juvenile Law Advisory Committee recommended adopting one new rule of court and one new family law form and revising two existing family law forms to guide litigants and courts in filing and adjudicating requests for Special Immigrant Juvenile findings in family law custody proceedings. The rule and forms are needed for effective implementation of section 155 of the Code of Civil Procedure (Sen. Bill 873; Stats. 2014, ch. 685, § 1). The rule also responds to specific requests from the courts and the public relating to a previous invitation to comment.

Recommendation

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

1. Adopt rule 5.130 to establish a procedural framework for requesting, responding to a request, and adjudicating a request for Special Immigrant Juvenile (SIJ) findings and to implement the confidentiality requirements of section 155(c) of the Code of Civil Procedure in the context of family law custody proceedings.
2. Revise *Request for Special Immigrant Juvenile Findings-Family Law* (form FL-356) to clarify that it is confidential, to require it to be filed as a standalone form, and to clarify the requirements for requesting SIJ findings;
3. Revise *Special Immigrant Juvenile Findings* (form FL-357) to indicate that it should be kept in a confidential part of the case file;
4. Adopt *Confidential Response to Request for Special Immigrant Juvenile Findings* (form FL-358) to provide a confidential vehicle for attorneys and self-represented litigants to respond to requests for SIJ findings.