



Judicial Council of California

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Title

Juvenile Law: Psychotropic Medication (Action Required)

Summary

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council amend California Rules of Court, rule 5.640, relating to the administration of psychotropic medications to children who are dependents or wards of the court; adopt one form; and revise nine forms to address suggestions received from stakeholders who assisted with the implementation of recent statutory changes to the requirements for court authorization of psychotropic medication for foster children and others affected by this rule and these forms.

Recommendation

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

1. Amend rule 5.640(b) of the California Rules of Court to clarify when a juvenile court judicial officer is authorized to make orders regarding the administration of psychotropic medication;
2. Amend rule 5.640(c)(1) to clarify when proof of notice must be filed;
3. Amend rule 5.640(c)(6) to clarify the items that must be completed on *Application for Psychotropic Medication* (form JV-220);
4. Amend rule 5.640(c)(7) to clarify what forms may be used when a physician is requesting to continue psychotropic medication;
5. Amend rule 5.640(c)(9) to clarify that the court's order must be on *Order on Application for Psychotropic Medication* (form JV-223);
6. Amend rules 5.640(c)(10) and 5.640(h)(4) to include different potential placement types;
7. Further amend rule 5.640(c)(10) to clarify how notice should be provided;
8. Amend rule 5.640(e) to clarify the process for parental authorization of psychotropic medication;
9. Amend rule 5.640(h) to include the correct Judicial Council forms that must be provided to caregivers;
10. Approve *Order Delegating Judicial Authority Over Psychotropic Medication* (form JV-216) as an optional form to document the court's findings and order when the court orders that a parent is authorized to approve or deny the administration of psychotropic medication;
11. Revise *Guide to Psychotropic Medication Forms* (form JV-217-INFO) to make the instructions

- consistent with the changes in this report;
12. Revise *Application for Psychotropic Medication* (form JV-220) to use the correct terminology for a child's placement type;
 13. Further revise form JV-220 to clarify which items a physician, social worker, or probation officer must complete;
 14. Revise *Physician's Statement-Attachment* (form JV-220(A)) and *Physician's Request to Continue Medication-Attachment* (form JV-220(B)) to shorten the form and remove duplicative questions;
 15. Revise *Proof of Notice of Application* (form JV-221) to indicate when information on how to obtain copies of a form can be provided;
 16. Revise *Input on Application for Psychotropic Medication* (form JV-222) to clarify it is an optional form;
 17. Further revise form JV-222 so the identifying information about the person filling out the form mirrors the other forms in this proposal.
 18. Revise *Order on Application for Psychotropic Medication* (form JV-223) to increase the number of potential forms the court relied on as evidence; and
 19. Revise *County Report on Psychotropic Medication* (form JV-224) to remove references to public health nurses.