



Judicial Council of California

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Title

Juvenile Law: Presumptive Transfer of Specialty Mental Health Services (Action Required)

Summary

The Family and Juvenile Law Advisory Committee proposes the adoption of one statewide rule and four juvenile law (JV) forms, including an information sheet. The rule and forms implement a procedural framework and are intended to provide procedural clarity for a juvenile court review hearing created by recent legislation involving foster children's access to specialty mental health services under federal early and periodic screening, diagnosis and treatment services. The committee also recommends renumbering a JV form to keep the JV forms related to this proposal in sequential order with other JV forms related to mental health treatment for foster children, including the administration of a foster child's psychotropic medications.

Recommendation

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

1. Adopt the following rule and forms:
 - a. Rule 5.647 of the California Rules of Court;
 - b. Request for Hearing on Waiver of Presumptive Transfer (form JV-214);
 - c. Notice of and Order on Request for Hearing on Waiver of Presumptive Transfer (form JV-214 (A));
 - d. Instructions for Requesting a Hearing to Review Waiver of Presumptive Transfer of Specialty Mental Health Services (form JV-214-INFO); and
 - e. Order After Hearing on Waiver of Presumptive Transfer (form JV-215); and
2. Renumber Application to Review Decision by Social Worker Not to Commence Proceedings from JV-215 to JV-212.