



Judicial Council of California

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Subject Details (With Text)

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9/20/2022	1	Judicial Council	approved	Pass

Title

Rules and Forms | Juvenile Law: Short-Term Residential Therapeutic Program Placement (Action Required)

Summary

The Family and Juvenile Law Advisory Committee proposes amending three rules and adopting, approving, and revising 30 Judicial Council forms, effective January 1, 2023, to finalize the implementation of Assembly Bill 153. AB 153 implements part IV of the federal Family First Prevention Services Act of 2018, which requires participating states to create a process of judicial review for each placement of a foster youth in a congregate care placement. This is the second time the proposal circulated for public comment. The proposal initially circulated in spring 2021, before AB 153 was signed into law. Additional requirements created by AB 153 for status review hearings and not addressed in the previous proposal are incorporated into this proposal.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2023:

1. Amend rule 5.618 of the California Rules of Court to improve the efficiency and fairness of the procedure for juvenile courts to approve or disapprove a placement in a short-term residential therapeutic program or community treatment facility;
2. Amend rule 5.697 of the California Rules of Court regarding the disposition hearing for a nonminor to conform the rule to requirements related to Assembly Bill 153;
3. Amend rule 5.903 of the California Rules of Court regarding the nonminor dependent status review hearing to conform the rule to requirements related to AB 153 and eliminate statutory redundancy;
4. Adopt a new Judicial Council form, *Notice of Request for Approval of Short-Term Residential Therapeutic Program or Community Treatment Facility Without a Hearing* (form JV-240), to provide notice to parties of a request to review a short-term residential therapeutic program placement or community treatment facility without a hearing;
5. Approve a new Judicial Council form, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)), to address new required findings created by AB 153; and
6. Revise 28 Judicial Council forms to conform them to requirements related to AB 153 and the court's review of a placement in a short-term residential therapeutic program or community treatment facility and

to make other revisions to improve consistency and accuracy:

- *Placing Agency's Request for Review of Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-235)
- *Input on Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-236)
- *Proof of Service--Short-Term Residential Therapeutic Program or Community Treatment Facility Placement* (form JV-237)
- *Notice of Hearing on Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-238)
- *Order on Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-239)
- *Orders Under Welfare and Institutions Code Sections 366.24, 366.26, 727.3, 727.31* (form JV-320)
- *Findings and Orders After Detention Hearing* (form JV-410)
- *Dispositional Attachment: Removal From Custodial Parent--Placement With Nonparent* (form JV-421)
- *Findings and Orders After Six-Month Status Review Hearing* (form JV-430)
- *Six-Month Permanency Attachment: Reunification Services Continued* (form JV-432)
- *Six-Month Permanency Attachment: Reunification Services Terminated* (form JV-433)
- *Findings and Orders After 12-Month Permanency Hearing* (form JV-435)
- *Twelve-Month Permanency Attachment: Reunification Services Continued* (form JV-437)
- *Twelve-Month Permanency Attachment: Reunification Services Terminated* (form JV-438)
- *Findings and Orders After 18-Month Permanency Hearing* (form JV-440)
- *Eighteen-Month Permanency Attachment: Reunification Services Terminated* (form JV-442)
- *Eighteen-Month Permanency Attachment: Reunification Services Continued* (form JV-443)
- *Findings and Orders After Postpermanency Hearing--Parental Rights Terminated; Permanent Plan of Adoption* (form JV-445)
- *Findings and Orders After Postpermanency Hearing Permanent Plan Other Than Adoption* (form JV-446)
- *Findings and Orders After 24-Month Permanency Hearing* (form JV-455)
- *Twenty-Four-Month Permanency Attachment: Reunification Services Terminated* (form JV-457)
- *Dispositional Attachment: Nonminor Dependent* (form JV-461(A))
- *Findings and Orders After Nonminor Dependent Status Review Hearing* (form JV-462)
- *Initial Appearance Hearing--Juvenile Delinquency* (form JV-642)
- *Custodial and Out-of-Home Placement Disposition Attachment* (form JV-667)
- *Findings and Orders After Six-Month Prepermanency Hearing--Delinquency* (form JV-672)
- *Findings and Orders After Permanency Hearing--Delinquency* (form JV-674)
- *Findings and Orders After Postpermanency Hearing--Delinquency* (form JV-678)