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9/19/2023	1	Judicial Council	approved	Pass

Title
Rules and Forms | Juvenile Law: Family Finding and Engagement (Action Required)

Summary

The Family and Juvenile Law Advisory Committee recommends amending four rules to conform to recent statutory changes clarifying the due diligence that must be used by a social services agency or probation department in performing its family finding obligation when a child is removed from the home. Senate Bill 384 (Stats. 2022, ch. 811) expands the obligation of the placing agency to engage in family finding in dependency and delinquency cases. In addition to the existing duty to ask the child in an age-appropriate manner about parents and adult relatives, due diligence now also requires a social worker or probation officer to use a computer-based search engine to identify relatives and kin to provide family support and possible placement for the child. In the case of an Indian child, the legislation clarifies that the placing agency must contact the child's tribe to help identify relatives and kin. The committee also recommends revising one form to include an item setting forth the court's findings as to whether the probation department exercised due diligence in family finding as required by provisions in Family Code section 7950.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2024:

1. Amend California Rules of Court, rules 5.637, 5.695, 5.790, and 5.810 to conform to recent legislation amending Welfare and Institutions Code sections 309 and 628, and to conform to ongoing family finding duties imposed by Family Code section 7950.
2. Revise *Findings and Orders After Six-Month Prepermanency Hearing--Delinquency* (form JV-672) to include an item for the court to make a finding regarding whether the probation department has evaluated every relative who has come forward requesting placement of the child during the juvenile court proceedings.