



Judicial Council of California

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January 19, 2024

Subject Text

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File #: 20-179, Version: 1

Title

Rules and Forms | Juvenile Law: Nonminor Disposition Hearing-Dependency (Action Required)

Summary

To implement recent legislation creating a new disposition hearing for nonminors, the Family and Juvenile Law Advisory Committee recommends adopting a new rule and amending two rules of the California Rules of Court and adopting three new Judicial Council forms. The statutory amendments created a disposition hearing for a class of youth who were within the jurisdiction of the juvenile court because of abuse or neglect as a child but had reached the age of majority before a disposition hearing could be held and thus ensure their eligibility for extended foster care. This proposal would create a uniform procedure for these nonminor disposition hearings through a new rule of court, two forms for the court's findings and orders, and a form for the youth to provide the required informed consent to proceed with the nonminor disposition hearing.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2021:

1. Adopt rule 5.697, Disposition Hearing for a Nonminor, to implement the requirements of section Welfare and Institutions Code section 358(d);
2. Amend rules 5.682 and 5.684 on uncontested and contested jurisdiction hearings, respectively, to clarify that the setting of a nonminor disposition hearing is required when the child will turn 18 before the holding of the disposition hearing; and
3. Adopt *Findings and Orders After Nonminor Disposition Hearing* (form JV-461), *Dispositional Attachment: Nonminor Dependent* (form JV-461(A)), and *Nonminor's Informed Consent to Hold Disposition Hearing* (form JV-463).