



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 28, 2011

Title	Agenda Item Type
Juvenile Law: Juvenile Delinquency Forms —Proposed Revisions and New Forms	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Amend Cal. Rules of Court, rule 5.504; approve Judicial Council forms JV-618, JV-667, JV-672, JV-674, JV-678, JV-682, JV-690, and JV-692; revise forms JV-600, JV-615, JV-624, JV-625, JV-640, JV-642, JV-644, JV-665, JV-710, JV-732, JV-735, JV-740, JV-755, JV-760, and JV-794.	January 1, 2012
	Date of Report
	October 4, 2011
	Contact
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Recommended by	
Family and Juvenile Law Advisory Committee	
Hon. Kimberly J. Nystrom-Geist, Cochair	
Hon. Dean Stout, Cochair	

Executive Summary

The Family and Juvenile Law Advisory Committee recommends that rule 5.504 of the California Rules of Court be amended to grant courts an extra five years to produce modified versions of mandatory juvenile court order forms. The committee also recommends the creation of 8 new Judicial Council forms and the revision of 15 other forms for juvenile delinquency proceedings. Many of the recommendations are required because of changes in state law that have expanded the number of issues a court must consider when exercising its oversight of children and families under its jurisdiction. Other changes respond to suggestions that the Family and Juvenile Law Advisory Committee has received from the courts and their justice partners to make the forms easier to use and more comprehensive, as well as to serve the needs of courts that use electronic

versions of the forms. Finally, to relieve the financial burden on local courts, the committee recommends that all but one of the delinquency forms for court orders be revised to be optional rather than mandatory.

Recommendation

To help reduce the financial burden associated with changes to mandatory forms, ensure that changes in state law are included in Judicial Council forms and to respond to the requests of courts and their justice partners to improve or expand the existing forms, the Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2012:

1. Amend California Rules of Court, rule 5.504.
2. Approve the following new forms:
 - Form JV-618, *Waiver of Rights—Juvenile Delinquency*
 - Form JV-667, *Custodial and Out of Home Placement Disposition Attachment*
 - Form JV-672, *Findings and Orders After Six-Month Prepermanency Hearing—Delinquency*
 - Form JV-674, *Findings and Orders After Permanency Hearing—Delinquency*
 - Form JV-678, *Findings and Orders After Postpermanency Hearing—Delinquency*
 - Form JV-682, *Continuance—Juvenile Delinquency*
 - Form JV-690, *School Notification of Court Adjudication*
 - Form JV-692, *Notification to Sheriff of Juvenile Delinquency Felony Adjudication*
3. Revise the following current forms:
 - Form JV-600, *Juvenile Wardship Petition*
 - Form JV-615, *Deferred Entry of Judgment Notice of Noncompliance*
 - Form JV-624, *Terms and Conditions*
 - Form JV-625, *Notice of Hearing—Juvenile Delinquency Proceeding*
 - Form JV-640, *Juvenile Court Delinquency Proceeding*
 - Form JV-642, *Initial Appearance Hearing—Juvenile Delinquency*
 - Form JV-644, *Jurisdiction Hearing—Juvenile Delinquency*
 - Form JV-665, *Disposition—Juvenile Delinquency*
 - Form JV-710, *Juvenile Fitness Hearing Order*
 - Form JV-732, *Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice*
 - Form JV-735, *Notice of Hearing to Modify, Change, or Set Aside Previous Orders*
 - Form JV-740, *Petition to Modify Previous Orders—Change of Circumstances*
 - Form JV-755, *Deferred Entry of Judgment—Dismissal and Sealing of Juvenile Records*
 - Form JV-760, *Deferred Entry of Judgment Order*
 - Form JV-794, *Petition to Terminate Wardship and Order*

The proposed rule is attached at page 10.

The proposed forms are attached at pages 11–53.

Previous Council Action

In 2005, in response to requests from county agencies and court professionals, the Family and Juvenile Law Advisory Committee, with the help of a working group composed of delinquency court professionals, proposed and amended 30 forms for use in delinquency court. These forms were adopted by the Judicial Council and available for use effective January 1, 2006.

In 2006, after several courts expressed concern about how to incorporate the mandatory juvenile form orders given varying local practices and the pending implementation of the California Case Management System (CCMS), the Judicial Council approved amending California Rule of Court, rule 5.504(c)(2) to permit juvenile courts to generate modified versions of mandatory Judicial Council form orders. This portion of the rule was set to sunset on January 1, 2012, with the expectation that the CCMS would have been implemented by this date. This amendment was made effective January 1, 2007.

Rationale for Recommendation

In the years since the forms were adopted, the committee has received feedback both on their implementation and on how the forms could better meet the needs of the courts. Moreover, as more courts are producing electronic orders, the need for form revisions as well as the creation of additional forms has become apparent. A new working group comprising of judicial officers, attorneys, justice partners, and court professionals was created in 2010 to provide the committee with comprehensive guidance. The approval of new forms and revision of several existing forms are needed to include findings that are required by law but are not currently on the forms, improve the usability of the existing forms, and reflect new legal requirements. To respond to concerns expressed about costs associated with implementing Judicial Council forms, the committee proposes that all delinquency court order forms except the *Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice* (form JV-732) be made optional rather than mandatory.

Proposed Amended Rule

After the public comment period closed, the committee decided, on its own initiative, to recommend extending the sunset date in California Rules of Court, rule 5.504(c)(2), from January 1, 2012, to January 1, 2017. This amendment would ensure that local courts can continue to have the flexibility to use their preferred formatting for juvenile court orders and is necessitated by the financial challenges facing trial courts and the delays in CCMS implementation as a result of the state's fiscal crisis. The extension of the sunset date is unlikely to generate controversy. When the original version of rule 5.504 was circulated for comment in 2006, the committee did not recommend a sunset date. No commentators are on record as having requested a sunset. The committee inserted the sunset date after comment, however, in

anticipation that CCMS would be completed and online by January 1, 2012. Given the delay in CCMS implementation, the extension of the sunset provision is necessary and appropriate.

Proposed new forms

The following forms are proposed to be approved:

Rights waiver form. Most counties use a written document to record a youth's waiver of rights when he or she enters an admission. The optional *Waiver of Rights—Juvenile Delinquency* (form JV-618) was created in response to requests that the Judicial Council adopt a form that courts and their justice partners could use to meet this need. This form allows counties to employ standardized language and includes space for the declaration of an interpreter, if one is used, and the child's attorney.

Disposition attachment for children in placement. Feedback on the current *Disposition—Juvenile Delinquency* (form JV-665) has suggested that the form is too long and contains information that is not needed for most dispositions. Because it can be costly for courts to produce additional unused pages, courts have requested that the form be shortened. To address this need while still allowing for the mandated findings to be made for children who are removed from the home, *Disposition—Juvenile Delinquency* (form JV-665) is proposed to be split into two separate forms. The findings related to custodial and out-of-home placement dispositions have been removed from the *Disposition—Juvenile Delinquency* form and used to create the new optional *Custodial and Out of Home Placement Disposition Attachment* (form JV-667). After the comment period, it was discovered that an item for the court to indicate the date the child entered foster care was inadvertently left off of the form. Since this date is critical to determining when future review hearings need to be held, this item was added after the comment period had closed. Inclusion of this item is consistent with the other delinquency forms in this proposal that include findings and orders for children in placement. Information to help calculate the date was included in this item.

Review forms for children in placement. There are no Judicial Council forms that contain the specialized findings and orders required for delinquent children who are in placements that are eligible for funding through part IV-E of title 42 of the United States Code. Three new optional forms would be used in conjunction with the cover sheet, *Juvenile Court Delinquency Proceeding Findings and Orders* (JV-640). Each form contains the findings and orders specific to the stage of the proceeding that it is designed to address:

- *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)

Continuance form. Although continuance hearings are common, there are no Judicial Council forms to use for this purpose. Optional form *Continuance—Juvenile Delinquency* (form JV-682) allows the court to document the mandated findings for continuances in juvenile delinquency

cases, including whether notice requirements were met and the grounds for good cause for the continuance.

School notice form. Welfare and Institutions Code section 827(b) requires a court to notify the school district if a youth enrolled in the district is found to have committed any one of certain enumerated offenses. The new optional *School Notification of Court Adjudication* (form JV-690) has check boxes for many of the more common qualifying offenses and contains an admonition about the proper dissemination and handling of this confidential information.

Sheriff's notice form. Welfare and Institutions Code section 827.2 requires a court to provide written notice that a youth has been found to have committed a felony to the sheriff of the county in which the offense was committed and to the sheriff of the county in which the youth resides. The new optional form, *Notification to Sheriff of Juvenile Delinquency Felony Adjudication* (form JV-692), has boxes for the clerk to use to indicate the offenses committed and the child's disposition and contains a warning notice about the illegal dissemination of this confidential information.

Proposed form revisions

The following forms are proposed to be revised:

Juvenile Wardship Petition (form JV-600). The form currently in use contains a mandatory declaration by the filing party that he or she has made an Indian Child Welfare Act (ICWA) inquiry. However, while it is the probation department that has contact with the youth and makes the requisite ICWA inquiry, the *Juvenile Wardship Petition* (form JV-600) is usually filed by the district attorney's office. To address this issue, the proposed form removes the ICWA declaration and adds a check box to indicate that the *Indian Child Inquiry Attachment* (form ICWA-010(A)) has been completed and attached. Proposed revised form JV-600 also removes reference to the form being used for violations of probation because violations of probation require the filing of a notice rather than a petition (*In re D.J.* (2010) 185 Cal.App.4th 278).

Delinquency Court Proceeding Findings and Orders (form JV-640). The phrase "Findings and Orders" is added to the title of the form to clarify its purpose. Additional categories of hearing types are added to the caption to accommodate proposed new Judicial Council forms. Additional items to help gather information on parties present and warrants is added to make the form more comprehensive. This form is also revised to be optional rather than mandatory.

Initial Appearance Hearing—Juvenile Delinquency (form JV-642). The proposed revision consolidates items capturing information on the admission of allegations and offense specification into a single item. These changes reduce time-consuming repetitive entry of allegation information. Elements of the form that were incompatible with electronic usage have been changed. Additional items, such as findings for transferring cases, medical authorization, reunification services, keeping prior orders in effect, and orders for parties to be present, were added to the form. As required by Welfare and Institutions Code section 249, a space for a

superior court judge to countersign any removal orders made by a subordinate judicial officer was added. This form is also revised to be optional rather than mandatory.

Jurisdiction Hearing—Juvenile Delinquency (form JV-644). Changes consistent with *Initial Appearance Hearing* (form JV-642), including consolidating the items addressing the admission of allegations and offense specification into a single item, were made to this form. Additionally, the form was modified to allow the clerk to fill in information on witnesses and evidence received by the court so that the use of an attachment for this purpose remains an option, but is no longer required. This form is also revised to be optional rather than mandatory.

Disposition—Juvenile Delinquency (form JV-665). In addition to the length of this form being significantly reduced by moving the findings and orders related to children in placement to the new form JV-667, *Disposition—Juvenile Delinquency* (form JV-665) has also been modified to reduce repetitive entry of allegation information, allow for a disposition under Welfare and Institutions Code section 725(a), and allow for more than one next hearing date to be set. This form is also revised to be optional rather than mandatory.

Juvenile Notice of Violation of Probation (form JV-735). Because probation violations require a notice rather than a petition, this form is changed from an attachment to the *Juvenile Wardship Petition* (form JV-600) to a standalone notice form. The First Appellate District of the Court of Appeal has encouraged this change in a published opinion. (*In re D.J.* (2010) 185 Cal.App.4th 278, 288, fn. 8.)

Other miscellaneous changes. Miscellaneous revisions of the forms include:

- *Deferred Entry of Judgment Notice of Noncompliance* (form JV-615). Item 2 is reworded to be more concise. Items 3a and 3b are modified to indicate that an explanation should be included. Item 4d is added to allow the clerk to record “other orders.”
- *Terms and Conditions* (form JV-624). Item 12 is changed to clarify that the youth is immediately subject to drug and alcohol testing. The probation term in item 13 is changed to add “seizure by a probation or peace officer” to the current language granting the ability to search the youth, the youth’s place of residence, and the youth’s vehicle. Space has been added to allow the court to specify what can be searched for.
- *Notice of Hearing—Juvenile Delinquency Proceeding* (form JV-625). A check box is added to expand the functionality of the form to include violations of probation.
- *Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice* (form JV-732). The title and subsequent references are changed from “Division of Juvenile Justice” to “Division of Juvenile Facilities” to reflect the correct name of the division. Item 17 is added for the court to indicate if it is aware that the child has been in a foster placement. This information will help the Division of Juvenile Facilities comply with its requirement to notify former foster youth of their rights to assistance prior to their being released.

- *Petition to Modify, Change, or Set Aside Previous Orders—Change of Circumstances* (form JV-740). The title of the form is changed from *Petition to Modify Previous Orders—Change of Circumstances* to be more similar to the title of *Notice of Hearing to Modify, Change, or Set Aside Previous Orders* (form JV-745). The instructions for item 3 are changed to accommodate computer case management systems use and for clarity. Item 9 is added to allow the clerk to record “other orders.”
- *Petition to Terminate Wardship and Order* (form JV-794). An option is added to item 5 to allow the clerk to indicate that *Termination of Juvenile Court Jurisdiction—Child Attaining Age of Majority* (form JV-365) is being attached for a child who has been in a foster care placement. Item 12 is changed to remove reference to dismissing the wardship where the dependency petition has merely been filed. Dismissal of wardship before the child is declared a dependent can result in federal funding ineligibility for the child. Check boxes replace the “/” between “a.m.” and “p.m.” to make the form more compatible with electronic use.

Uncirculated forms to be made optional

Although promoting the uniformity and legal sufficiency of judicial findings and orders are key elements of the fair administration of justice, the extraordinary financial challenges facing the California courts have moved the committee to propose changing all but one of the current delinquency court order forms from mandatory to optional. Only three forms not circulated for comment would be affected by the change: *Juvenile Fitness Hearing Order* (form JV-710), *Deferred Entry of Judgment—Dismissal and Sealing of Juvenile Records* (form JV-755), and *Deferred Entry of Judgment Order* (form JV-760). The committee has not recommended any other changes to these forms. Only the order for *Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice* (form JV-732) would remain mandatory. Because form JV-732 was developed in conjunction with the Division of Juvenile Justice, and statewide uniformity of information is critical for that agency, the committee recommends keeping this form mandatory. This aspect of the proposal represents a minor substantive change that is unlikely to generate controversy. The trial courts seem likely to welcome the resulting flexibility to tailor the forms to local needs and resources. As discussed below, one commentator did request that the forms in the proposal be approved for optional rather than mandatory use.

Comments, Alternatives Considered, and Policy Implications

The invitation to comment was circulated from April 21 through June 20, 2011, to the standard mailing list for family and juvenile law proposals, as well as to the regular rules and forms mailing list. Included on the lists were judges, court administrators, attorneys, probation officers, and other juvenile law professionals.

Comments received and committee responses

Of a total of 19 commentators, 3 commentators agreed with the proposal as circulated, 7 agreed with the proposal if modified, and 7 did not indicate a specific position. None of the comments disagreed with this proposal.

Two commentators expressed concern about the rights waiver form (JV-618). These commentators felt that youths completing the form might have trouble reading and understanding it, and they proposed withdrawing the form so that focus groups could be convened to make the form more understandable to the typical youth before the juvenile court. The option of withdrawing the form was considered and rejected in favor of rewriting the form in simpler language and including more explanations and fewer terms of art. This practice was preferred since the form was created at the request of several trial courts who indicated that a Judicial Council form would help fill a business need. Moreover, since this is an optional form, courts or agencies that wish to create their own waiver form can use it as a basic template and make appropriate changes. In response to comments that an oral waiver is preferable to a written waiver, language was added to encourage judicial officers to speak with youths about their understanding of the rights that they are waiving and the consequences of their pleas.

Two other commentators urged the modification of new form language in *Initial Appearance Hearing – Juvenile Delinquency* (form JV-642) and *Jurisdiction Hearing – Juvenile Delinquency* (form JV-644) that added an order dismissing the petition and relieving counsel. The commentators requested that the two orders be separated into different items. This modification was made.

One commentator expressed concern that implementing new forms would increase the court's costs and workload. This commentator requested that the forms be made optional for now. In light of the challenging fiscal times, the proposed forms are all recommended to be made optional. Moreover, all order forms generated by the courts, regardless of whether they were originally included for revision in this proposal, have now been revised to be optional. The only exception is *Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice* (form JV-732), for the reasons discussed in the previous section.

Most commentators had requests to change the wording or order of individual items or to include additional findings to address topics such as warrants, restitution, birth date, or sealing. As much as possible, these requests were accommodated.

Alternatives considered and policy implications

Although only one commentator expressed concern for the costs associated with changing the forms, a number of alternatives to this proposal were considered.

Option 1: Make no changes to the forms. Since the forms currently in use were adopted or approved by the Judicial Council, several courts and justice partners have informed the advisory committee and staff that the forms are not meeting all of their needs. In some instances, the

current forms lack entries for information required by changes to the law, are missing commonly made findings, or require time-consuming repetitive entry. In other instances, the trial courts have requested additional forms to help meet a business need. Because many of the current forms are mandatory, declining to act would require the trial courts to continue to use outdated forms. Also, in the case of the form that addresses violations of probation, the form is misleading and its use has caused at least one matter to be brought before the appellate court.

Option 2: Make changes to the forms and continue to keep the order forms mandatory. There are strong policy reasons for keeping the order forms mandatory. Mandatory forms promote the consistent administration of justice, ease the process when cases are transferred into different jurisdictions, and help ensure that court orders are legally sufficient. However, the unprecedented fiscal challenges facing the trial courts raise the concern that having mandatory order forms requires courts to allocate resources to update their software during a time when such expenses are overly burdensome.

Option 3: Make no changes to California Rule of Court, rule 5.504. The advisory committee considered not recommending this amendment. However, it is strongly anticipated that this cost-saving extension of the deadline would receive a positive reaction from trial courts. Moreover, taking no action would result in an additional financial burden falling to the trial courts.

Implementation Requirements, Costs, and Operational Impacts

Implementation of the new and revised forms will incur standard reproduction costs or costs of updating form software. These costs should be mitigated by the proposed change of making the mandatory order forms optional, thus enabling courts to integrate the optional forms into their local systems as appropriate. The proposal will save courts the costs of creating their own forms or of researching and updating existing forms.

Relevant Strategic Plan Goals and Operational Plan Objectives

Because this proposal will provide standardized forms that ensure compliance with state and federal legal requirements, it supports the integrity of court orders, objective A4 of Goal III: Modernization of Management and Administration.

Attachments

1. Proposed amended rule, at page 10.
2. Proposed new and revised forms, at pages 11–53.
3. Chart of Comments, at pages 54–79.

California Rules of Court, rule 5.504 is amended effective January 1, 2012, to read as:

1 **Rule 5.504. Judicial Council forms**

2
3 (a)-(b) ***

4
5 (c) **Implementation of new and revised mandatory forms**

6
7 To help implement mandatory Judicial Council juvenile forms:

8
9 (1) ***

10
11 (2) Until January 1, ~~2012~~2017, a court may produce court orders in any form or
12 format as long as:

13
14 (A) The document is substantively identical to the mandatory Judicial
15 Council form it is modifying;

16
17 (B) Any electronically generated form is identical in both language and
18 legally mandated elements, including all notices and advisements, to
19 the mandatory Judicial Council form it is modifying;

20
21 (C) The order is an otherwise legally sufficient court order, as provided in
22 rule 1.31(g), concerning orders not on Judicial Council mandatory
23 forms; and

24
25 (D) The court sends written notice of its election to change the form or
26 format of the mandatory form to the Family and Juvenile Law Advisory
27 Committee and submits additional informational reports as requested
28 by the committee.
29

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <hr/> <p style="text-align: center;">TELEPHONE NO.: _____ FAX NO. (Optional): _____</p> <p>E-MAIL ADDRESS (Optional): _____</p> <p>ATTORNEY FOR (Name): _____</p>	FOR COURT USE ONLY <h2 style="margin: 0;">DRAFT</h2> <h3 style="margin: 0;">Not approved by the Judicial Council</h3>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
JUVENILE WARDSHIP PETITION <input type="checkbox"/> § 601(a) <input type="checkbox"/> § 601(b) <input type="checkbox"/> § 602(a)	CASE NUMBER:

1. Petitioner on information and belief alleges the following:

a. <input type="checkbox"/> The child named below comes within the jurisdiction of the juvenile court under the following sections of the Welfare and Institutions Code (check applicable boxes; see attachments for concise statements of facts): <input type="checkbox"/> 601(a) <input type="checkbox"/> 601(b) <input type="checkbox"/> 602(a) Violation (specify code section):			
b. <input type="checkbox"/> Under a previous order of this court, dated _____, the child was declared a ward under Welfare and Institutions Code section <input type="checkbox"/> 601(a) <input type="checkbox"/> 601(b) <input type="checkbox"/> 602(a).			
c. Child's name and address:	d. Age:	e. Date of birth:	f. Sex:
g. Name: _____ Address: _____ <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	h. Name: _____ Address: _____ <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged		
i. Name: _____ Address: _____ <input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	j. Other (state name, address, and relationship to child): <input type="checkbox"/> No known parent or guardian resides within this state. This adult relative lives in this county or is closest to this court.		
k. Attorney for child (if known): Address: _____ Phone number: _____	l. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained. Date and time of detention (custody): _____ Current place of detention (address): _____		

(See important notice on page 2.)

CHILD'S NAME: _____	CASE NUMBER:
------------------------	--------------

2. Petitioner requests that the court find these allegations to be true.

3. Petitioner requests a hearing to determine whether the child is a fit and proper subject under juvenile court law under Welfare and Institutions Code section 707(a)(1) 707(a)(2) 707(c).

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

(TYPE OR PRINT NAME)

 _____
(SIGNATURE OF PETITIONER)

Indian Child Inquiry Attachment (form ICWA-010(A)) is completed and attached.

Number of pages attached: _____

TO PARENTS OR OTHERS LEGALLY RESPONSIBLE FOR THE SUPPORT OF THE CHILD

You and the estate of your child may be jointly and severally liable for the cost of the care, support, and maintenance of your child in any placement or detention facility, the cost of legal services for your child or you by a public defender or other attorney, the cost of supervision of your child by order of the juvenile court, and the cost of any restitution owed to the victim.

CASE NAME: _____	CASE NUMBER: _____
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DEFERRED ENTRY OF JUDGMENT NOTICE OF NONCOMPLIANCE

1. The youth was granted a deferred entry of judgment on *(date)*:
Relevant conditions of probation were *(briefly describe as (a), (b), etc.)*:

2. Petitioner Probation Officer Deputy District Attorney requests that the court exercise its discretion to set a hearing within 15 court days because the youth committed one or more misdemeanors on a single occasion *(state date and offenses)*: See Attachment 2.

3. Petitioner Probation Officer Deputy District Attorney requests that the mandatory hearing be set within 10 court days because
a. The youth is not performing satisfactorily in the assigned program or complying with the terms of probation in that *(explain)*:
 See Attachment 3a.

b. The youth is not benefiting from education, treatment, or rehabilitation in that *(explain)*:
 See Attachment 3b.

c. The youth committed a felony offense on *(state date and offense)*:

d. The youth committed two or more misdemeanors on separate occasions *(state dates and offenses)*:

4. THE COURT ORDERS

a. No hearing is set; all prior orders to continue.

b. A hearing is set for Date: _____ Time: _____ Dept.: _____

c. Other orders: _____

Date: _____ JUDICIAL OFFICER _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): _____ TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CHILD'S NAME: _____	HEARING DATE AND TIME: _____
WAIVER OF RIGHTS—JUVENILE DELINQUENCY	CASE NUMBER: _____
Read this form carefully. The judge will ask you if you understand each right, and if you want to give up that right.	

1. I am the youth in this case. My attorney's name is _____
2. I have talked with my attorney about what happened in my case and why I am being charged in this case. I have been told what the District Attorney would have to prove at a trial and the possible ways to fight my case. I want to:
 - a. admit the charge(s), which means that I am agreeing that I did with what the petition says
 - b. plead no contest, which means that I do not want to fight my case at a trial, but I'm not agreeing that I did what the petition says I did. I am letting the judge decide whether the charges are true and know that the judge will probably find them true.
 - c. The charge(s) I am admitting or pleading no contest to are _____

For the items below, write your initials on each line that applies to your case. If you have a question about an item, ask your attorney or the judge before you initial that item.

- | | |
|--|----------------|
| | <i>Initial</i> |
| a. If I plead no contest or submit the petition on the report, the court will probably find that the petition is true. | _____ |
| b. The most that I can be punished for my admitting to these charges is a commitment (be locked up) at the Division of Juvenile Justice or a local confinement facility like juvenile hall or ranch for _____ | _____ |
| c. If I am not a United States citizen, my admission or no contest plea may mean that I will have to leave the country (be deported), and never allowed to return (exclusion) and/or never be allowed to become a United States citizen. | _____ |
| d. If I am declared a ward of the court, a violation of _____ will prohibit me from owning, possessing or having in my custody or control any gun or firearm until I am thirty (30) years old. (Penal Code § 12021(e).) | _____ |
| e. The court may order that my driver's license be restricted, delayed or suspended. | _____ |
| f. I may be required to register pursuant to: | _____ |
| <input type="checkbox"/> 186.30 (gang) | _____ |
| <input type="checkbox"/> 290 (sex offender) | _____ |
| g. My parents or legal guardians and I may have to pay for the things I did that hurt others and caused them to lose money, including paying for things I took, broke or damaged. We may also have to pay fines or fees. | _____ |
|
 | |
| 4. Waiver of Rights. I understand that I have all of the rights below and that by admitting the charge(s) in the petition, or pleading no contest, I will not have a trial or hearing and I will give up all of these rights: | <i>Initial</i> |
| a. The right to a speedy court trial or hearing where the judge would listen to all the evidence and decide if the district attorney has enough evidence to prove that I did what the petition says I did. | _____ |
| b. The right to see, hear and have my attorney question, witnesses, including the officer who wrote the report, and any of the people who provided information that is written in the report. | _____ |
| c. The right to testify or speak up for myself in court. | _____ |
| d. The right to be silent and not say anything that might hurt myself or my case. | _____ |
| e. The right to have witnesses come to court, even if they don't want to, and talk to the judge about my case. | _____ |
| f. The right to appeal, or ask another court to look at, decisions by the judge that I disagree with. | _____ |

CHILD'S NAME: _____	CASE NUMBER: _____
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5. My attorney has explained that when I admit to _____, listed as Count(s) _____, I will have crime(s) on my record that are "Strike" offenses under the Three Strikes Law. I have talked with my attorney what this could mean in my future and how I may have to spend much more time in jail or prison if I get in trouble again because I am admitting to these offenses today. _____ *Initial*
6. I have talked to my lawyer about the charge(s) in the petition, the facts of what happened, and any possible defenses. We have talked about what could happen if I admit, including what could happen if I break the rules of probation. _____

I declare under penalty of perjury, which means that I am guilty of a crime if I am lying, that my attorney has gone over this form with me, explained what it means, and answered my questions. I understand the rights I am giving up, I know what could happen because of my admission, and I am admitting to doing what the petition says because I want to and not because someone is forcing me to do this.

Date:

_____ (SIGNATURE OF YOUTH)	▶	_____ (TYPE OR PRINT NAME)
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DECLARATION OF INTERPRETER

The primary language of the child is

- Spanish.
 other (*specify*):

I certify that I interpreted this form for the parent or legal guardian in that person's primary language to the best of my ability.

Date:

_____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF INTERPRETER)
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DECLARATION OF ATTORNEY

I am the attorney for the child. I have explained and discussed with my client the above rights, the facts of his or her case, possible defenses, and the consequences of his or her decision to enter an admission. Based upon my conversation with the minor I am satisfied that his/her admission to the petition is knowingly, intelligently and voluntarily made and I consent to the admission.

Date:

_____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF ATTORNEY)
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ORDER AND FINDING

I have spoken with the child, reviewed the waiver form, and find that the child has been fully informed of the constitutional rights and the consequences of the admission in this case, and understands them. I further find that the child has knowingly, intelligently, and voluntarily waived his/her rights and that there is a factual basis for the minor's admission.

IT IS ORDERED that the minor's admission be accepted and entered in the minutes of this court. This executed waiver of rights form is filed in the records of this court and incorporated in the above-numbered case by reference.

Date:

_____ JUDICIAL OFFICER	▶
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CHILD'S NAME: _____	CASE NUMBER: _____
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TERMS AND CONDITIONS

- Home Supervision/Electronic Monitoring Program
- Informal Probation
- Deferred Entry of Judgment
- Probation
- Wardship

The parent or legal guardian must participate in a program of counseling or education as directed by the probation officer.
The child must

1. Report to the probation officer as directed by the probation officer.
2. Obey all city, county, state, and federal laws and ordinances.
3. Obey his or her parents, legal guardian, or caregiver.
4. Keep the probation officer informed of any changes in address, phone number, family, school, or employment status.
5. Attend school regularly, obey school rules and regulations, and not leave the school campus during school hours without permission of school officials or the probation officer.
6. Seek and maintain employment as directed by the probation officer.
7. Not use, possess, or be under the influence of any alcoholic beverage or illegal or intoxicating substance, or possess any associated paraphernalia.
8. Not use, possess, or be under the influence of the following (*specify*):
9. Not possess, own, or handle any firearm, knife, weapon, fireworks, explosives, or chemicals that can produce explosives.
10. Not contact or associate with:
11. Participate in individual, group, or family counseling, as directed by the probation officer:
 - a. Alcohol and other drug counseling
 - b. Anger management counseling
 - c. Sex offender program
 - d.
 - e.
12. Immediately submit to chemical testing in the form of, but not limited to, blood, breath, urine, or saliva on the direction of the probation officer or a peace officer.
13. Be subject to search and/or seizure of his or her person, vehicle, or place of residence, or any place under his or her control, at any time, day or night, without a search warrant and without probable or reasonable cause, on the direction of the probation officer or a peace officer, for detection of the possession of (*specify*): _____
14. Submit a DNA sample to the probation officer or juvenile hall staff within 30 days.
15. Perform _____ hours of community service, to be arranged
 - a. by the child with the approval of the probation officer.
 - b. through the probation officer and provide proof of completion by (*date*): _____
16. Be at his or her place of residence between the hours of _____ p.m. and _____ a.m. unless with a parent or legal guardian or with prior permission of the probation officer. Other exceptions to the curfew are as follows:
17. Not be on the campus or grounds of any school unless enrolled, accompanied by a parent or guardian or responsible adult, or authorized by the prior permission of school authorities.
18. Comply with these terms regarding graffiti:
 - a. Not possess any graffiti materials, or graffiti-related paraphernalia, including but not limited to spray paint, paint or ink markers, metal scribes, aerosol nozzles, or other material used to deface property.
 - b. Perform _____ hours of community service work in a graffiti-abatement program as directed by the probation officer.

CHILD'S NAME: 	CASE NUMBER:
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- c. Not associate with anyone engaged in graffiti or related activities.
- 19. Comply with these terms regarding victims:
 - a. Write a letter of apology, to be submitted to the probation officer for approval, by *(date)*:
 - b. Have no contact in person, in writing, by telephonic or electronic means, or directed through a third party with

any person known to the child to be a victim of the child's offense, or those identified in Attachment 19b, *Victim Identification Form*.
 - c. Remain at least _____ yards from the following addresses *(residence, place of employment, etc)*:

 unless accompanied by a parent or guardian.
 - d. Comply with terms and conditions of juvenile restraining order.
 Attached.
- 20. Comply with these terms regarding vehicles. The child must
 - a. Participate in and successfully complete
 - b. Only drive to and from school, work, and/or counseling programs.
 - c. Surrender license to court probation officer.
- 21. Child's driver license:
 - suspended or
 - revoked or
 - delayed for
 period of: months years.
 until 18 years of age.
- 22. Comply with these terms regarding gangs:
 - a. Not be a member of, or associate with, any person the child knows, or should reasonably know, to be a member of or
 - b. Not wear or display items or emblems reasonably known to be associated with or symbolic of gang membership.
 - c. Not acquire any new tattoos or gang-related piercings and have any existing tattoos or piercings photographed as directed by the probation officer.
- 23.
- 24.
- 25.
- 26.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
NOTICE OF HEARING—JUVENILE DELINQUENCY PROCEEDING Welfare and Institutions Code, §§ <input type="checkbox"/> 601 <input type="checkbox"/> 602 <input checked="" type="checkbox"/> 725 <input type="checkbox"/> 777(a)	CASE NUMBER:

NOTICE TO (name and address):

- **A hearing has been set for the date and time below. The child and the parent or legal guardian or noticed adult relative are entitled to be represented by an attorney.**
- **The court will appoint an attorney for the child if the child cannot afford an attorney.**

See important notice on page 2.

1. A hearing will be held

on (date): _____ at (time): _____ in Dept.: _____ Room: _____

located at court address above other (specify address):

2. The hearing is for the purpose of

- a. detention hearing.
- b. formal reading of petition, advisement of rights, and plea.
- c. jurisdiction hearing.
- d. disposition hearing.
- e. review.
- f. permanency hearing.
- g. other (specify):

3. TO THE CHILD:

You have the right to be at the hearing and to present evidence. You have the right to be represented by an attorney. The court will appoint an attorney for you if you cannot afford to pay for one. An attorney can be appointed to speak with you before the court date.

You are ordered to be present at the hearing.

4. TO THE PARENT, LEGAL GUARDIAN, OR ADULT RELATIVE:

You have the right to be present at the hearing. You have the right to have an attorney present to represent you at the hearing.

Date:

_____ ▶

(TYPE OR PRINT NAME) (SIGNATURE)

— TO PARENT OR LEGAL GUARDIAN —

1. If your child is ordered to make restitution to the victim, you will be liable to the extent of your ability to pay.
2. You will be liable to the extent of your ability to pay for the following:
 - Fees for an attorney who is appointed to represent your child.
 - Fines and penalty assessments ordered against your child.
3. You may be liable for the costs of support of your child in a county placement or institution.

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
DELINQUENCY COURT PROCEEDING FINDINGS AND ORDERS	CASE NUMBER:

- Initial Hearing
 Detention
 Jurisdiction
 Disposition
 Transfer In/Out
 Prepermanency Hearing
 Permanency Hearing
 Postpermanency Hearing
 Other (*specify*):

Date of Hearing: _____ Time: _____ Location: _____

Judicial Officer:	Court Clerk:	Court Reporter:
Bailiff:	Other Court Personnel:	Probation Officer:
Interpreter:	Language:	Child's Date of Birth:
a. Child's Name:	b. Child's Address:	
c. Child's Custody Status:		
d. Parent's Name and Address:	<input type="checkbox"/> Mother <input type="checkbox"/> Father	e. Parent's Name and Address:
	<input type="checkbox"/> Mother <input type="checkbox"/> Father	

1. a. The child is present.
- b. The child is not present. The child's presence is waived is not waived.
 A warrant is: issued cleared remains active issued and held until:

2. Other persons present:
- b. Parent (*name*): Mother Father
- c. Parent (*name*): Mother Father
- d. Relative (*name and relationship to child*):
- e. Relative (*name and relationship to child*):
- f. Legal guardian (*name*):
- g. Others with consent of child or approval of the court (*name and relationship to child*):

3. Attorneys present:
- a. For child (*name*):
- b. Prosecutor (*name*):
- c. For parent (*name*):
- d. Other (*names and indication of party represented*):

CHILD'S NAME: 	CASE NUMBER:
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INITIAL APPEARANCE HEARING—JUVENILE DELINQUENCY

Out-of-Custody Appearance In-Custody Appearance and Detention

THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:

1. Notice has been given as required by law.
2. The child's date of birth is *(specify)*: _____
3. The child to remain out of custody pending next hearing.
4. The child was taken into custody at _____ a.m. p.m. on _____
5. The petition or notice of probation violation was filed at _____ a.m. p.m. on _____
6. Counsel is appointed for the child as follows: _____
Counsel is to represent the child until relieved by the court in accordance with California Rule of Court, rule 5.663.
7. The information on the face of the petition was confirmed corrected as follows: _____
8. a. The court inquired of the mother others *(names and relationships)*: _____
_____ as to the identities and addresses of all presumed or alleged fathers.
- b. The court finds (name): _____ to be the legal biological
 presumed alleged father.
9. The mother father legal guardian other *(specify)*: _____
_____ were provided with a *Parental Notification of Indian Status* (form ICWA-020) and ordered to complete the form and submit it to the court before leaving the courthouse today.
10. a. The child is may be an Indian child, and the county agency must provide, as required by law, notice of the proceeding and of the tribe's right to intervene. Proof of such notice must be filed with the court.
- b. There is reason to believe that the child may be of Indian ancestry, and the county agency must provide notice of the proceedings to the Bureau of Indian Affairs as required by law. Proof of such notice must be filed with this court.
11. The court advised the child and parent/legal guardian of *(check all that apply)*:
 - a. the contents of the petition.
 - b. the nature and possible consequences of juvenile court proceedings.
 - c. the purpose and scope of the initial hearing.
 - d. the hearing rights described in rule:
 - e. the reason the child was taken into custody.
 - f. the parent or legal guardian's financial obligation and right to be represented by counsel.
 - g. other: _____
12. Reading of the petition and advice of rights were waived by the child the child's counsel.
13. The prosecutor has requested that a hearing be set to determine whether the child is a fit and proper subject under Welfare and Institutions Code section 707(a) or (c).
14. The child through counsel _____
 - a. denied the allegations of the petition dated: _____
 - b. asked the court to take no action on the petition at this time.
15. For the reasons stated on the record, the petition is dismissed in the interests of justice because the child does not need treatment or rehabilitation.
16. The child _____
 - a. admitted the petition as filed as amended *(date)*: _____
 - b. pleaded no contest to the petition as filed as amended *(date)*: _____

CHILD'S NAME: 	CASE NUMBER:
-----------------------	----------------------

17. The following allegations are dismissed
 Count Number: _____ Statutory violation: _____

18. The court has questioned the child and finds that the child understands the nature of the allegations and the direct consequences of admitting or pleading no contest to the allegations of the petition, and understands and waives the hearing rights that were explained (*check all that apply*):

- a. The right to have a hearing.
- b. The right to cross examine and confront witnesses.
- c. The right to subpoena witnesses and present a defense.
- d. The right to remain silent.
- e. The child's counsel consents to the admission or plea of no contest.
- f. The admission or plea of no contest is freely and voluntarily made.
- g. There is a factual basis for the admission or plea of no contest.
- h. The court finds that the child was under 14 years old at the time of the offense but the child knew the wrongfulness of his or her conduct at the time the offense was committed

i. The following allegations are admitted and found to be true:

Count number:	Statutory violation:	Misdemeanor	Felony	To be specified at disposition	Enhancement (if applicable)
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

j. The court has considered whether the above offense(s) should be felonies or misdemeanors.

19. The child is described by section 601 602 of the Welfare and Institutions Code.

20. The maximum confinement time is _____

21. The child's residence is in: _____ County

22. The matter is transferred to: _____ County for disposition and further proceedings.
Juvenile Court Transfer Orders (form JV-550) will be completed and transmitted immediately.

23. The child waives his or her right under *People v. Arbuckle* to have the disposition heard by this judicial officer.

CHILD IN CUSTODY

24. The court has considered the detention report prepared by probation takes judicial notice of the entire court file

and the following documents (*specify*):

and the testimony of (*name*):

and the examination of (*name*):

by the court

25. The child is released from custody to the home of (*name, address, and relationship to child*):

26. A prima facie showing has been made that the child's disposition is by section 601 or 602.

27. The child is detained on home supervision electronic monitor in the home of (*name, address, and relationship to child*):

the terms of which are set forth in the attached *Terms and Conditions (form JV-624)*.

CHILD'S NAME: _____	CASE NUMBER: _____
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28. Based on the facts stated on the record, the child is detained in secure custody on the following grounds (*check all that apply*):
- a. The child has violated an order of the court.
 - b. The child has escaped from a court commitment.
 - c. The child is likely to flee the jurisdiction of the court.
 - d. It is a matter of immediate and urgent necessity for the protection of the child.
 - e. It is reasonably necessary for the protection of the person or property of another.

29. Based on the facts stated on the record, continuance in the child's home is contrary to the child's welfare.

30. Based on the facts stated on the record, there are no available services that would prevent the need for further detention.

31. Temporary placement and care is the responsibility of the probation officer.

32. Reasonable efforts to prevent or eliminate the need for detention of the child have have not been made.

33. Probation is ordered to provide services that will assist the child and the family to be reunified.

34. Probation is granted the authority to authorize medical, surgical or dental care pursuant to Welfare and Institutions Code section 739.

35. The child and the parent/legal guardian have been advised that if the child cannot be returned home within the statutory timelines, a proceeding may be scheduled to determine an alternative permanent home, including an adoptive home after parental rights are terminated.

36. The mother father legal guardian are ordered to supply the names and contact information of adult relatives to probation so probation can notify them of the removal and of their options to be included in the child's life.

37. The probation officer must file a case plan within 60 days.

38. Probation is authorized to release the minor at its discretion under the following circumstances:

39. The court accepts transfer from the County of: _____

40. Other orders:

41. Child Counsel waives time for (*check all that apply*):
 jurisdiction hearing. disposition hearing. other: _____

42. **The next hearings will be:** _____

Date:	Time:	Dept:	Type of hearing:
Date:	Time:	Dept:	Type of hearing:

43. The child _____
- a. is ordered to return to court on the above date and time.
 - b. remains detained _____

44. All prior orders not in conflict, including any terms and conditions of probation, remain in full force and effect.

45. All appointed counsel are relieved.

Date: _____
 JUDGE JUDGE PRO TEMPORE COMMISSIONER REFEREE

Countersignature for detention orders (*if necessary*): _____

Date: _____

 JUDICIAL OFFICER

CHILD'S NAME: 	CASE NUMBER:
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JURISDICTION HEARING—JUVENILE DELINQUENCY

THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:

1. Notice was provided as required by law.
2. The child's date of birth is *(specify)*: _____
3. Reading and explanation of the petition and advisement of rights
 - a. Provided by court.
 - b. Waived by child counsel for the child.

ADMISSION OR NO CONTEST PLEA *(If items 4, 5 and 6 completed, go to item 15)*

4. The child
 - a. admitted the petition as filed as amended *(date)*:
 - b. pleaded no contest to the petition as filed as amended *(date)*:

5. The following allegations are dismissed:

Count number: _____

Statutory violation: _____

6. The court has questioned the child and finds that the child understands the nature of the allegations and the direct consequences of admitting or pleading no contest to the allegations of the petition, and the child understands and waives the hearing rights that were explained.

- a. The right to have a hearing.
- b. The right to cross examine and confront witnesses.
- c. The right to subpoena witnesses and present a defense.
- d. The right to remain silent.
- e. The child's counsel consents to the admission or plea of no contest.
- f. The admission or plea of no contest is freely and voluntarily made.
- g. There is a factual basis for the admission or plea of no contest.
- h. The court finds that the child was under 14 years old at the time of the offense but the child knew the wrongfulness of his or her conduct at the time the offense was committed
- i. The following allegations are admitted and found to be true:

Count number	Statutory violation:	Misdemeanor	Felony	To be specified at disposition	Enhancement <i>(if applicable)</i>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

- j. The court has considered whether the above offense(s) should be felonies or misdemeanors.

CONTESTED HEARING

7. The child denied the allegations of the petition and the court held a contested hearing.
8. Motion to exclude witnesses is granted denied.
9. The names of the witnesses who testified and the evidence admitted are on an attachment as follows:

Witnesses: _____

Evidence: _____

CHILD'S NAME: _____	CASE NUMBER: _____
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- 10. The child was not represented by counsel and objections that could have been made are deemed made.
- 11. The petition has not been proved beyond a reasonable doubt and is dismissed and all prior orders regarding the petition are terminated.
- 12. The allegations of the petition are found to be true beyond a reasonable doubt.
- 13. Counts _____ as alleged in the petition are found to be true beyond a reasonable doubt.
- 14. Counts _____ as alleged in the petition have not been proved beyond a reasonable doubt and are dismissed.
- 15. Counts _____ as amended are found to be true beyond a reasonable doubt.

AFTER PETITION IS SUSTAINED

- 16. The child is described by section 602 of the Welfare and Institutions Code.
- 17. The child's residence is in _____ County.
- 18. The matter is transferred to _____ County for disposition and further proceedings. *Juvenile Court Transfer Orders* (form JV-550) will be completed and transmitted immediately.
- 19. The child may remain at home is released.
- 20. Pending the disposition hearing, the child is detained on home supervision electronic monitoring program in the home of (*name, address, and relationship to child*): _____

the terms of which are set forth in the attach *Terms and Conditions*.

- 21. Based on the facts stated on the record, the child is detained in secure custody pending the disposition hearing.
- 22. Based on the facts stated on the record, continuance in the child's home is contrary to the child's welfare.
- 23. Based on the facts stated on the record, there are no available services that would prevent the need for further detention.
- 24. Temporary placement and care is the responsibility of the probation officer.
- 25. Reasonable efforts to prevent or eliminate the need for detention of the child have have not been made.
- 26. The probation officer is ordered to provide services that will assist the child and the family to be reunified.
- 27. Probation is granted the authority to authorize medical, surgical, or dental care pursuant to Welfare and Institutions Code section 739.
- 28. The child waives his or her right under *People v. Arbuckle* to have the disposition heard by this judicial officer.
- 29. Other orders (*specify*): _____

30. **The next hearing will be:**

Date:	Time:	Dept:	Type of hearing:
Date:	Time:	Dept:	Type of hearing:

- 31. The child is ordered to return to court on the above date(s) and time(s).
- 32. Child continued as ward.
- 33. All prior orders not in conflict, including any terms and conditions of probation, remain in full force and effect.
- 34. **For the reasons stated on the record, the petition is dismissed** in the interests of justice because the child does not need treatment or rehabilitation.
- 35. All appointed counsel are relieved.

Date: _____ JUDICIAL OFFICER

Attachments:

- Terms and Conditions* form
- Rights Waiver and Admission*,
- Witness and Evidence List
- Other (*specify*): _____

CHILD'S NAME: _____	CASE NUMBER: _____
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DISPOSITION—JUVENILE DELINQUENCY

- The court has read and considered the social study prepared by the probation officer and any other relevant evidence.
- The child has been detained and is at risk of entering foster care. The probation officer believes the child will be able to return home, and the social study includes a case plan as described in Welfare and Institutions Code section 636.
- The probation officer has recommended initial or continuing placement in foster care, and the social study includes a case plan as described in Welfare and Institutions Code section 706.6.

THE COURT FINDS AND ORDERS

- 1. Notice has been given as required by law.
- 2. The court takes judicial notice of all prior findings, orders, and judgments in this proceeding.
- 3. The court previously sustained the following counts. Any charges which may be considered a misdemeanor or a felony for which the court has not previously specified the level of offense are now determined to be as follows:

Misdemeanor	Felony	Enhancement (if applicable)	Count	Statutory violation:
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			

- 4. The child resides in (specify): _____ County.
- 5. The case is transferred to (specify): _____ County for disposition. *Juvenile Court Transfer Orders (form JV-550)* will be completed and transmitted.
- 6. For the reasons stated on the record, the petition is dismissed in the interests of justice because the child does not need treatment or rehabilitation.
- 7. The child is placed on probation for up to six months under Welfare and Institutions Code section 725(a) under conditions described in an attachment to this form.
- 8. Deferred entry of judgment is granted denied.
- 9. The child is declared continued as a ward of the court.
- 10. The recommended findings and orders contained in the probation report dated _____ at pages _____ are adopted as modified _____ by the Court as its own, a copy of which is attached and incorporated herein.
- 11. The child is to reside in the custody of
 - a. parent (name): _____ mother father
 - b. parent (name): _____ mother father
 - c. legal guardian (name): _____
 - d. without probation supervision.
 - e. under the supervision of the probation officer for out-of-home placement. Form JV-667, *Custodial or Out of Home Placement Disposition Attachment* is completed and attached.
 - f. under terms and conditions described in the attached form

12. The child and legal parent are to pay a restitution fine of \$ _____ as specified on the attached form.

13. The child, with his or her parent, is to pay restitution as described on the attached restitution order. to each victim (name each):

- a. _____ c. _____
- b. _____ d. _____

in the amount of \$ _____ in the amount and manner determined by the probation officer, with the opportunity for review by the court if disputed by the child or the parents.

CHILD'S NAME: 	CASE NUMBER:
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14. The child, with his or her parents, is to pay a fine in the amount of \$ _____, plus a penalty assessment in the amount of \$ _____, for a total of \$ _____.
15. Terms regarding vehicles. The child must
- a. participate in and successfully complete (*specify*):
 - b. only drive to and from school, work, and/or counseling programs.
 - c. surrender license to court probation officer.
16. The child's driver's license is
- suspended.
 - revoked.
 - delayed
 - for a period of _____ months _____ years.
 - until 18 years of age.
17. Court will notify the Department of Motor Vehicles of the judgment. The DMV has independent authority to suspend, revoke or delay driving privileges.
18. The child is ordered to register pursuant to Penal Code section 290
19. The child is ordered to submit to DNA collection pursuant to Penal Code section 296.
20. Other (*specify*):

21. **The next hearing will be:**

Date:	Time:	Dept:
Date:	Time:	Dept:

22. The child is ordered to return to court on the above date and time
23. Child is advised of his or her right to appeal.
24. Child is advised that his or her appointed attorney has a continuing obligation to represent the child on this case, until counsel is relieved by the court pursuant to California Rules of Court, rule 5.663.
25. All prior orders not in conflict, including any terms and conditions of probation, remain in full force and effect.

Date: _____ _____ JUDICIAL OFFICER

The following attachments are incorporated by reference as findings and orders:

- Custodial and Out Of Home Placement Disposition Attachment* (form JV-667)
- Terms and Conditions* (form JV)
- Juvenile Court Transfer Orders* (form JV-550)
- Restraining Order—Juvenile* (form JV-250)
- Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice* (form JV-732)
- Order for Restitution and Abstract of Judgment* (JV-790)
- Application and Order for Authorization to Administer Psychotropic Medication—Juvenile* (JV-220)
- Order Limiting Parent's Right to Make Educational Decisions for the Child and Appointing Responsible Adult as Educational Representative—Juvenile* (JV-535)
- Parentage—Findings and Judgment* (JV-501)

Additional attachments:

- Indian Child Welfare Act
 - Notices and Proofs of Service* (form JV-135)
 - Responses from tribes or BIA
- Victim Identification Form
- Probation officer's case plan approved by the court
 - As submitted
 - As amended and stated on the record
- Other (*specify*):

CHILD'S NAME: _____	CASE NUMBER: _____
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CUSTODIAL AND OUT OF HOME PLACEMENT DISPOSITION ATTACHMENT

THE COURT FINDS AND ORDERS

1. The maximum time the child may be confined
 - a. in secure custody for the offenses sustained in the petition before the court is (*specify*):
 - b. in the petition before the court, with the terms of all previously sustained petitions known to the court aggregated, is (*specify*):
2. The child is committed to (*specify*): days months in juvenile hall on electronic monitoring
 - a. and is remanded forthwith.
 - b. and is to report to (*name*): _____ by a.m. p.m. on (*date*): _____
 - c. with credit for (*specify*): _____ days served.
3. The welfare of the child requires that physical custody be removed from the parent or guardian. (*Check only if applicable*):
 - a. The child's parent or guardian has failed or neglected to provide, or is incapable of providing, proper maintenance, training, and education for the child.
 - b. The child has been on probation in the custody of the parent or guardian and has failed to reform.
4. Probation is granted the authority to authorize medical, surgical or dental care pursuant to Welfare & Institution Code §739.
5. Reasonable efforts to prevent or eliminate the need for removal
 - a. have been made.
 - b. have not been made.
6. a. The probation officer will ensure provision of reunification services, and the following are ordered to participate in the reunification services specified in the case plan:

Mother Biological father Legal guardian Presumed father
 Alleged father Indian custodian Other (*specify*): _____
- b. Reunification services do not need to be provided to (*name*): _____ as the court finds by clear and convincing evidence that (*check one*):
 - (1) reunification services were previously terminated for that parent or not offered under section 300 et seq. of the Welfare and Institutions Code.
 - (2) that parent has been convicted of murder of another child of the parent voluntary manslaughter of another child of the parent aiding, abetting, attempting, conspiring, or soliciting to commit murder or manslaughter of another child of the parent felony assault resulting in serious bodily injury to the child or another child of the parent.
 - (3) the parental rights of that parent regarding a sibling of the child have been terminated involuntarily.
- c. The child is ordered to continued in _____ the care, custody, and control of the probation officer for placement in a suitable relative's home or in a foster or group home.
- d. The following are ordered to meet with the probation officer on a monthly basis:

Mother Biological father Legal guardian Presumed father
 Alleged father Indian custodian Other (*specify*): _____
- e. The child is ordered to obey all reasonable directives of placement staff and probation. The child is not to leave placement without the permission of probation or placement staff.

CHILD'S NAME: 	CASE NUMBER:
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6. f. The child is to be placed out of state at the following (*name and address*):
- (1) In-state facilities are unavailable or inadequate to meet the needs of the child.
 - (2) The state Department of Social Services or its designee has performed initial and continuing inspection of the facility and has certified that it meets all California licensure standards, or has granted a waiver based on a finding that there is no adverse impact to health and safety.
 - (3) The requirements of section 7911.1 of the Family Code are met.
- g. Pending placement, the child is
- (1) detained in juvenile hall. If being housed in another county, please specify county:
 - (2) detained on home supervision in the home of
 - (a) parent (*name*): mother father
 - (b) parent (*name*): mother father
 - (c) legal guardian (*name*):
 - (d) other (*name and address*):
 - (e) and is subject to electronic monitoring.
- h. The parent or legal guardian must cooperate in the completion and signing of necessary documents to qualify the child for any medical or financial benefits to which the child may be entitled.
- i. The county is authorized to pay for care, maintenance, clothing, and incidentals at the approved rate.
- j. The likely date by which the child may be returned to and safely maintained in the home or another permanent plan selected is (*specify*): _____
- k. The right of the parent/guardian to make educational decisions for the child is specifically limited. *Order Limiting Parent's Right to Make Educational Decisions for the Child and Appointing Responsible Adult as Educational Representative—Juvenile* (form JV-535) will be completed and transmitted.
7. The child has been ordered into a placement described by title IV-E of the Social Security Act.
- a. The date the child entered foster care is _____, which is 60 days after the day the child was removed from his or her home.
 - b. An exception applies to the standard calculation of the date the child entered foster care because:
 - (1) The child has been detained for more than 60 days. Therefore, the date the child entered foster care is today's date of _____.
 - (2) The child has been in a ranch, camp, or other institution for more than 60 days and is now being ordered into an eligible placement. The date the child enters foster care will be the date he or she is moved into the eligible placement facility, which is anticipated to be _____.
 - (3) At the time the wardship petition was filed, the child was a dependent of the juvenile court and in an out-of-home placement. Thus, the date entered foster care is unchanged from the date the child entered foster care in dependency court. That date is _____.
8. The child is committed to the care, custody, and control of the probation office for placement in the county juvenile ranch, camp, forestry camp, or _____
- a. for _____ months _____ days
 - b. until the requirements of the program have been satisfactorily completed.
 - c. If being housed in another county, please specify:
9. The child is committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, and *Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities* (form JV-732) will be completed and transmitted.

Date: _____

JUDICIAL OFFICER

CHILD'S NAME: _____	CASE NUMBER: _____
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FINDINGS AND ORDERS AFTER SIX-MONTH PREPERMANENCY HEARING—DELINQUENCY

1. The court has read and considered and admits into evidence:

- a. Report of probation dated:
- b. Other (*specify*):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS

- 2. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child who is not present:** The child received proper notice of his or her right to attend the hearing and voluntarily gave up that right to attend this hearing.
- 3. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.

Child returned home

- 4. The return of the child to his or her parent or legal guardian would not create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. Out-of-home placement is no longer necessary or appropriate. The agency has complied with the case plan by making reasonable efforts to return the child safely home and to complete whatever steps are necessary to finalize the permanent placement of the child.

Child remaining in out-of-home placement

- 5. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
- 6. The child's out-of-home placement is necessary.
- 7. a. The child's out-of-home placement is appropriate.
- b. The child's current placement is not appropriate. This hearing is continued for a report by the agency on the progress made to locate an appropriate placement.
- 8. The child has run away from placement. Out-of-home placement continues to be necessary. The placement was appropriate. Probation has made reasonable efforts to locate the child. Probation has complied with the case plan by making reasonable efforts to return the child to a safe home and to complete whatever steps are necessary to finalize the permanent plan.
- 9. The child is placed outside the state of California and that out-of-state placement:
 - a. continues to be the most appropriate placement and is in the child's best interest. There are no available and adequate in-state facilities to meet the child's needs. All licensure requirements have been met or a waiver granted. The placement complies with the requirements of Family Code section 7911.1.
 - b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued for a report by the county agency on the progress made toward finding an appropriate placement for the child.
- 10. Probation has has not complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child, and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent plan.
- 11. **The child is an Indian child**, and by clear and convincing evidence active efforts were were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.
- 12. **The child has no known Indian heritage.**

CHILD'S NAME: 	CASE NUMBER:
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12. The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:
- | | None | Minimal | Adequate | Substantial | Excellent |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Child | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. <input type="checkbox"/> Mother | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. <input type="checkbox"/> Father | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

13. The likely date by which the child may be returned to and safely maintained in the home or placed for adoption, appointed a legal guardian, placed permanently with a relative, or placed in an identified placement with a specific goal is (date):

Case planning and visitation

14. **The child is 16 years or older.** The services set forth in the case plan include those needed to assist the child in making the transition from foster care to independence and adulthood.
15. a. The following were actively involved in the case plan development, including the plan for permanent placement:
 child mother father legal guardian tribal representative other:
- b. The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is ordered to actively involve them and submit an updated case plan within 30 days from today.
 child mother father legal guardian tribal representative other:
- c. The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is not required to involve them because they are unable, unavailable, or unwilling to participate.
 child mother father legal guardian tribal representative other:
16. The court finds that the child's:
- | | |
|--|--|
| a. developmental needs <input type="checkbox"/> are <input type="checkbox"/> are not being met | c. physical needs <input type="checkbox"/> are <input type="checkbox"/> are not being met |
| b. mental health needs <input type="checkbox"/> are <input type="checkbox"/> are not being met | d. education needs <input type="checkbox"/> are <input type="checkbox"/> are not being met |
17. The additional services, assessments, and/or evaluations the child requires and the person(s) or agency ordered to take the steps necessary for the child to receive these services, assessments, and/or evaluations are:
- a. set forth on the record.
- b. as follows:
18. a. The following are ordered by the court to participate with the child in a counseling or education program as directed by probation: Mother Father Legal guardian Other (specify):
- b. The participation by the following is deemed by the court to be inappropriate or potentially detrimental to the child and their participation with the child in a counseling or education program is NOT ordered:
 Mother Father Legal guardian Other (specify):
19. The child has siblings under the court's jurisdiction and all of the siblings are NOT placed together in the same home.
- a. Visitation between the child and child's siblings who are not placed together is appropriate and ordered.
- b. The court finds by clear and convincing evidence that visitation between the siblings who are not placed together would be detrimental to at least one of the children. No visitation is ordered.
20. Visitation with the child is ordered:
- a. As set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
- b. As follows (specify):

CHILD'S NAME: _____	CASE NUMBER: _____
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Health and education

21. The parent(s) legal guardian(s) are unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welfare & Institution Code section 739 and vested with the probation department.
22. A limitation on the parents legal guardians to make educational decisions for the child
- a. is NOT necessary. The parents or legal guardians hold educational rights and responsibilities, including those listed in California Rules of Court, rule 5.650(e) and (f).
- b. is necessary. Those rights are limited as ordered and as set forth in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535).
23. The child's school placement has changed since the dispositional hearing.
- a. The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days.
- b. The child is enrolled in attending school.

Parentage

24. a. The court inquired of the mother others (*names and relationships*):
- as to the identity and address of all presumed or alleged fathers. All alleged fathers present during the hearing who had not previously submitted a *Statement Regarding Paternity (Juvenile)* (form JV-505) were provided with and ordered to complete the form and submit it to the court.
- b. The court clerk probation department shall provide the notice required by Welfare and Institutions Code section 726.4 to:
- (1) alleged father (*name*):
- (2) alleged father (*name*):

Advisement

25. The court informed all parties present at the time of the hearing and further advises all parties that if the child is not returned to the home at the permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred under Welfare and Institutions Code section 727.31 to a selection and implementation hearing **that could result in the termination of parental rights and the adoption of the child.**
26. **All prior orders not in conflict with this order remain in full force and effect.**
27. Other findings and orders:
- a. See attached.
- b. (*Specify*):
28. The date the child entered foster care is (*specify*):
29. **The next hearings will be:**

Date:	Time:	Dept:	Type of hearing:
Date:	Time:	Dept:	Type of hearing:

30. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved.
31. The sealing process has been explained to the youth, and the youth has received any materials relevant to the sealing process, and the name of his or her attorney who can assist with sealing records.
32. Number of pages attached: _____

Date: _____

JUDICIAL OFFICER

CHILD'S NAME: —	CASE NUMBER:
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FINDINGS AND ORDERS AFTER PERMANENCY HEARING—DELINQUENCY

12 MONTH 18 MONTH (only if reunification services extended at 12 months)

1. The court has read and considered and admits into evidence:

- a. Report of probation dated:
- b. Other (specify):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS

- 2. a. Notice of the date, time, and location of the hearing was given as required by law.
- b. **For child who is not present:** The child received proper notice of his or her right to attend the hearing and voluntarily gave up that right to attend this hearing.
- 3. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.

Child returned home

- 4. The return of the child to his or her parent or legal guardian would not create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. Out-of-home placement is no longer necessary or appropriate. The agency has complied with the case plan by making reasonable efforts to return the child safely home and to complete whatever steps are necessary to finalize the permanent placement of the child.

Child remaining in out-of-home placement:

- 5. By a preponderance of the evidence, the return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.
- 6. The child's out-of-home placement is necessary.
- 7. a. The child's out-of-home placement is appropriate.
- b. The child's current placement is not appropriate. This hearing is continued for a report by the agency on the progress made to locate an appropriate placement.
- 8. The child has run away from placement. Out-of-home placement continues to be necessary. The placement was appropriate. Probation has made reasonable efforts to locate the child. Probation has complied with the case plan by making reasonable efforts to return the child to a safe home and to complete whatever steps are necessary to finalize the permanent plan.
- 9. The child is placed outside the state of California and that out-of-state placement:
 - a. continues to be the most appropriate placement and is in the child's best interest. There are no available and adequate in-state facilities to meet the child's needs. All licensure requirements have been met or a waiver granted. The placement complies with the requirements of Family Code section 7911.1.
 - b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued for a report by the county agency on the progress made toward finding an appropriate placement for the child.
- 10. The agency has has not complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child, and by making reasonable efforts to complete whatever steps are necessary to finalize the permanent plan.
- 11. **The child is an Indian child**, and, by clear and convincing evidence, active efforts were were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.
- 12. **The child has no known Indian heritage.**

CHILD'S NAME: _____	CASE NUMBER: _____
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13. The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:

	None	Minimal	Adequate	Substantial	Excellent
a. <input type="checkbox"/> Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. <input type="checkbox"/> Mother	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. <input type="checkbox"/> Father	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. <input type="checkbox"/> Legal guardian	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. <input type="checkbox"/> Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. <input type="checkbox"/> Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. Reunification services are continued terminated.

15. The following is appropriate and ordered as the permanent plan (choose only one plan):

- a. Return the child home immediately.
- b. Return the child to the physical custody of the mother father legal guardian after an additional 6 months of reunification services. The minor and the parent or guardian have demonstrated the capacity and ability to complete the objectives of the case plan. **There is a substantial probability that the child will be returned to and safely maintained in the home within 18 months of the initial removal date.** The court advises all parents that if the child is not returned to the custody of a parent within the next six months, a hearing under Welfare & Institution Code section 727.31 may be held which could result in the termination of their parental rights and the child's adoption. The case is continued for a subsequent permanency planning hearing.
- c. Adoption. The court finds by clear and convincing evidence that reasonable services have been provided or offered to the parents. A hearing is set under the procedures described in Welfare and Institutions Code section 727.31 and an adoption assessment report ordered.
The likely date by which the child will be placed for adoption is (specify):
- d. Legal guardianship. A hearing is set under Welfare and Institutions Code section 728(c).
The likely date by which the child will be placed for guardianship is (specify):
- e. Placement on a permanent basis with (name): _____, a fit and willing relative.
The likely date by which the child will be placed for adoption or guardianship is (specify):
 The relative is authorized to provide consent for the child's medical, surgical, and dental care as provided in *Order Granting Authority to Consent to Medical, Surgical, and Dental Care* (form JV-448).
- f. By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welfare and Institutions Code section 727.31 is not in the best interest of the child based on evidence that (specify all that apply):
 - Adoption is not in the child's best interest and not an appropriate permanency goal.
 - No grounds exist to file for termination of parental rights.
 - The probation department did not make reasonable efforts to reunify the minor with the family.
 - The child is an unaccompanied refugee minor or foreign policy reasons preclude terminating parental rights.

The permanent plan is placement with (name or indicate placement is confidential):
with a specific goal of

- (1) returning home.
- (2) adoption.
- (3) legal guardianship.
- (4) permanent placement with a fit and willing relative.
- (5) a less restrictive foster care setting.
- (6) independent living with identification of a caring adult to serve as a lifelong connection for the youth.

The likely date by which the child's specific goal will be achieved is (specify date):

CHILD'S NAME: _____	CASE NUMBER: _____
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Case planning and visitation

16. **The child is 16 years or older.** The services set forth in the case plan include those needed to assist the child in making the transition from foster care to independence and adulthood.
17. a. The following were actively involved in the case plan development, including the plan for permanent placement:
 child mother father legal guardian tribal representative other:
- b. The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is ordered to actively involve them and submit an updated case plan within 30 days from today.
 child mother father legal guardian tribal representative other:
- c. The following were NOT actively involved in the case plan development, including the plan for permanent placement. The probation officer is not required to involve them because they are unable, unavailable or unwilling to participate.
 child mother father legal guardian tribal representative other:
18. The court finds that the child's:
- a. developmental needs are are not being met c. physical needs are are not being met
b. mental health needs are are not being met d. education needs are are not being met
19. The additional services, assessments, and evaluations the child requires and the person or agency ordered to take the steps necessary for the child to receive these services, assessments, and evaluations are:
- a. set forth on the record.
b. as follows:
20. a. The following are ordered by the court to participate with the child in a counseling or education program as directed by probation: Mother Father Legal guardian Other (*specify*):
- b. The participation by the following is deemed by the court to be inappropriate or potentially detrimental to the child and their participation with the child in a counseling or education program is NOT ordered:
 Mother Father Legal guardian Other (*specify*):
21. The child has siblings under the court's jurisdiction and all of the siblings are NOT placed together in the same home.
- a. Visitation between the child and child's siblings who are not placed together is appropriate and ordered.
b. The court finds by clear and convincing evidence that visitation between the siblings who are not placed together would be detrimental to at least one of the children. No visitation is ordered.
22. Visitation with the child is ordered:
- a. As set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400) and attached.
b. As follows (*specify*):

Health and education

23. The parent legal guardian are unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welfare and Institutions Code section 739 and vested with the probation department.
24. A limitation on the parent legal guardian to make educational decisions for the child
- a. is NOT necessary. The parents or legal guardian hold educational rights and responsibilities, including those listed in California Rules of Court, rule 5.650(e) and (f).
b. is necessary. Those rights are limited as ordered and as set forth in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535).
25. The child's school placement has changed since the last hearing.
- a. The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days since the placement change.
b. The child is enrolled in attending (*specify school*):

CHILD'S NAME: _____	CASE NUMBER: _____
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Parentage

26. a. The court inquired of the mother others (*names and relationships*):

as to the identities and addresses of all presumed or alleged fathers. All alleged fathers present during the hearing who had not previously submitted a *Statement Regarding Paternity (Juvenile)* (form JV-505) were provided with and ordered to complete and submit the form to the court.

b. The court clerk probation department shall provide the notice required by Welfare and Institutions Code section 726.4 to:

- (1) alleged father (*name*):
- (2) alleged father (*name*):

Advisement

27. The court informed all parties present at the time of the hearing and further advises all parties that if the child is not returned to the home at the permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred under Welfare and Institutions Code section 727.31 to a selection and implementation hearing **that could result in the termination of parental rights and the adoption of the child.**

28. **All prior orders not in conflict with this order remain in full force and effect.**

29. Other findings and orders:

- a. See attached.
- b. (*Specify*):

30. The date the child entered foster care is (*specify*):

31. **The next hearings will be:**

Date:	Time:	Dept:	Type of hearing:
Date:	Time:	Dept:	Type of hearing:

32. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved.

33. The sealing process has been explained to the youth, and the youth has received any materials relevant to the sealing process and the name of his or her attorney who can assist with sealing records.

34. Number of pages attached: _____

Date: _____
JUDICIAL OFFICER

CHILD'S NAME: _____	CASE NUMBER: _____
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FINDINGS AND ORDERS AFTER POSTPERMANENCY HEARING—DELINQUENCY**1. The court has read and considered and admits into evidence:**

- a. Report of probation dated:
b. Other (*specify*):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS

2. a. Notice of the date, time, and location of the hearing was given as required by law.
b. **For child who is not present:** The child received proper notice of his or her right to attend the hearing and voluntarily gave up that right to attend this hearing.
3. a. The child is may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
b. There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.

Child returned home

4. The return of the child to his or her parent or legal guardian would not create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. Out-of-home placement is no longer necessary or appropriate. The agency has complied with the case plan by making reasonable efforts to return the child safely home and to complete whatever steps are necessary to finalize the permanent placement of the child.

Child remaining in out-of-home placement

5. Continued out of home care is in the best interest of the child.
6. The child's out-of-home placement is necessary.
7. a. The child's out-of-home placement is appropriate.
b. The child's current placement is not appropriate. This hearing is continued for a report by the agency on the progress made to locate an appropriate placement.
8. The child has run away from placement. Out-of-home placement continues to be necessary. The placement was appropriate. Probation has made reasonable efforts to locate the child. Probation has complied with the case plan by making reasonable efforts to complete whatever steps are necessary to finalize the permanent plan
9. The child is placed outside the state of California and that out-of-state placement:
a. continues to be the most appropriate placement and is in the child's best interest. There are no available and adequate in-state facilities to meet the child's needs. All licensure requirements have been met or a waiver granted. The placement complies with the requirements of Family Code section 7911.1.
b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued for a report by the county agency on the progress made toward finding an appropriate placement for the child.
10. The agency has has not complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent placement of the child.
11. **The child is an Indian child**, and by clear and convincing evidence, active efforts were were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.
12. **The child has no known Indian heritage.**
13. The following is appropriate and ordered as the permanent plan (*choose only one plan*):
a. Return the child home immediately.
b. Adoption. The court finds by clear and convincing evidence that reasonable services have been provided or offered to the parents. A hearing is set under the procedures described in Welfare & Institution Code section 727.31 and an adoption assessment report ordered.
The likely date by which the child will be placed for adoption is (*specify*):
c. Legal guardianship. A hearing is set under Welfare and Institutions Code section 728(c).
The likely date by which the child will be placed for guardianship is (*specify*):

CHILD'S NAME: _____	CASE NUMBER: _____
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13. *continued*

d. Placement on a permanent basis with (*name*): _____, a fit and willing relative.

The likely date by which the child will be placed for adoption or guardianship is (*specify*):

The relative is authorized to provide consent for the child's medical, surgical, and dental care as provided in *Order Granting Authority to Consent to Medical, Surgical, and Dental Care* (form JV-448).

e. By clear and convincing evidence there is a compelling reason for determining that a hearing under Welfare and Institutions Code section 727.31 is not in the best interest of the child based on evidence that (*specify all that apply*):

- Adoption is not in the minor's best interest and not an appropriate permanency goal.
- No grounds exists to file for termination of parental rights.
- The probation department did not make reasonable efforts to reunify the minor with the family.
- The child is an unaccompanied refugee minor or foreign policy reasons preclude terminating parental rights.

The permanent plan is placement with (*name or indicate placement is confidential*): _____ with a specific goal of:

- (1) returning home.
- (2) adoption.
- (3) legal guardianship.
- (4) permanent placement with a fit and willing relative.
- (5) a less restrictive foster care setting.
- (6) independent living with identification of a caring adult to serve as a lifelong connection for the youth.

The likely date by which the child's specific goal will be achieved is (*date*): _____

Case planning and visitation

14. **The child is 16 years or older.** The services set forth in the case plan include those needed to assist the child in making the transition from foster care to independence and adulthood.

15. a. The child was actively involved in the development of his or her case plan, including the plan for permanent placement.

b. The child was NOT actively involved in the development of his or her case plan, including the plan for permanent placement.

- 1. Probation is ordered to involve the child and submit an updated case plan within 30 days.
- 2. Probation is NOT required to involve the child because the child is unable, unavailable, or unwilling to participate.

16. The court finds that the child's:

- a. developmental needs are are not being met
- b. mental health needs are are not being met
- c. physical needs are are not being met
- d. education needs are are not being met

17. The additional services, assessments, and/or evaluations the child requires and the person(s) or agency ordered to take the steps necessary for the child to receive these services, assessments, and/or evaluations are:

- a. set forth on the record.
- b. as follows:

18. The child has siblings under the court's jurisdiction and all of the siblings are NOT placed together in the same home.

- a. Visitation between the child and child's siblings who are not placed together is appropriate and ordered.
- b. The court finds by clear and convincing evidence that visitation between the siblings who are not placed together would be detrimental to at least one of the children. No visitation is ordered.

19. Visitation with the child is ordered:

- a. As set forth in *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
- b. As follows (*specify*): _____

CHILD'S NAME: 	CASE NUMBER:
-----------------------	----------------------

Health and education

20. The parent legal guardians are unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welfare and Institutions Code section 739 and vested with the probation department.
21. A limitation on the parents legal guardians to make educational decisions for the child
- a. is NOT necessary. The parents or legal guardians hold educational rights and responsibilities, including those listed in rule 5.650(e) and (f) of the California Rules of Court.
- b. is necessary. Those rights are limited as ordered and as set forth in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535).
22. The child's school placement has changed since the last review hearing.
- a. The child's educational records, including any evaluation regarding a disability, were transferred to the new school placement within two business days of the change in placement.
- b. The child is enrolled in attending school.

Parentage

23. a. The court inquired of the mother others (*names and relationships*):
- as to the identities and addresses of all presumed or alleged fathers. All alleged fathers present during the hearing who had not previously submitted a *Statement Regarding Paternity (Juvenile)* (form JV-505) were provided with and ordered to complete and submit the form to the court.
- b. The court clerk probation department shall provide the notice required by Welfare and Institutions Code, section 726.4 to:
- (1) alleged father (*name*):

Advisement (2) alleged father (*name*):

24. The court informed all parties present at the time of the hearing and further advises all parties that if the child is not returned to the home at the permanency hearing, the case may be referred under Welfare and Institutions Code section 727.31 to a selection and implementation hearing **that could result in the termination of parental rights and the adoption of the child.**

25. **All prior orders not in conflict with this order remain in full force and effect.**

26. Other findings and orders:
- a. See attached.
- b. (*Specify*):

27. The date the child entered foster care is (*specify*):

28. **The next hearings will be:**

Date:	Time:	Dept:	Type of hearing:
Date:	Time:	Dept:	Type of hearing:

29. **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved.

30. The sealing process has been explained to the youth, and the youth has received any materials relevant to the sealing process and the name of his or her attorney who can assist with sealing records.

31. Number of pages attached: _____

Date: _____
JUDICIAL OFFICER

CHILD'S NAME: _____	CASE NUMBER: _____
----------------------------	---------------------------

CONTINUANCE—JUVENILE DELINQUENCY

THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS

1. **Detention hearing**

The child came before the court for a detention hearing.

- a. The child, the child's parent, or the child's guardian has requested a continuance pursuant to Welfare & Institution Code section 638. The detention hearing is continued to the next judicial calendar date.
- b. The child prosecution probation officer parent/guardian other (specify):
made a motion for continuance by:
 written notice timely filed.
 oral motion, and good cause was shown for permitting an oral motion.
- c. Good cause exists to grant the continuance in that (specify):

_____ . The motion for the continuance is granted.
- d. The court has considered the information contained the report of the probation officer dated:
and, based on this information, finds that continuance in the home is contrary to the child's welfare pending a further hearing on the matter

2. **Jurisdiction, disposition or other delinquency hearing**

- a. A motion to continue the (specify) _____ hearing pursuant to Welfare and Institutions Code section was made by the child prosecution probation parent or guardian other (specify):
- b. The petitioner provided timely written notice to all parties of the continuance request.
- c. The petitioner did not comply with noticing requirements. Good cause for failing to comply is found.
- d. The order is granted. Good cause for granting the continuance does exist in that
 notice of the date, time, and location of the hearing was not given to (name):
 new counsel is being appointed.
 a determination needs to be made on whether the parent, guardian or adult relative can afford counsel.
 the petitioner needs time to subpoena witnesses for the jurisdiction hearing because the child
 made an extrajudicial admission and now denies it.
 previously indicated an intent to admit the allegations to the court or petitioner but now denies the allegations.
 the court is ordering the child and the parent or guardian to participate with the child in a program of counseling or education under Welfare and Institutions Code section 654.
 other (specify):

3. **Other findings and orders:**

- a. See attached.
- b. (specify):

4. This is the (number): _____ continuance of this hearing.

5. **All parties are ordered to return for the continued hearing:**

Hearing date:	Time:	Dept:	Room:
---------------	-------	-------	-------

5. **All prior orders not in conflict with this order remain in full force and effect.**

6. Number of pages attached: _____

Date:

<input type="checkbox"/> JUDGE	<input type="checkbox"/> JUDGE PRO TEMPORE	<input type="checkbox"/> COMMISSIONER	<input type="checkbox"/> REFEREE
--------------------------------	---	---------------------------------------	----------------------------------

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

**SCHOOL NOTIFICATION OF COURT ADJUDICATION
(Welfare & Institutions Code Section 827(b))**

TO SUPERINTENDENT:

SCHOOL DISTRICT:

MAILING ADDRESS:

CITY, STATE, ZIP CODE:

ATTENTION, SCHOOL SUPERINTENDENT:

Pursuant to Welfare & Institutions Code section 827(b), you are hereby notified that

CHILD'S NAME:

CHILD'S DATE OF BIRTH :

is enrolled in your school and was found by a court of competent jurisdiction to have committed the following offenses:

- | | |
|--|---|
| <input type="checkbox"/> Assault (Pen. Code, § 240) | <input type="checkbox"/> Possession of concealable firearm by a minor (Pen. Code, § 120101) |
| <input type="checkbox"/> Assault with a deadly weapon (Pen. Code, § 245(a)) | <input type="checkbox"/> Possession of a controlled substance (Heath & Safety Code, § 11357) |
| <input type="checkbox"/> Battery (Pen. Code, § 242) | <input type="checkbox"/> Possession of a controlled substance for sale (Heath & Safety Code, 11359) |
| <input type="checkbox"/> Burglary (Pen. Code, § 459) | <input type="checkbox"/> Possession of tobacco products (Pen. Code, § 308(b)) |
| <input type="checkbox"/> Consumption of alcohol by a minor (Bus. & Prof. Code, § 25658(b)) | <input type="checkbox"/> Possession of weapon on school grounds (Pen. Code, § 626.10) |
| <input type="checkbox"/> Driving under the influence (Veh. Code, § 23152) | <input type="checkbox"/> Possession of unlawful weapon (Pen. Code, § 12020) |
| <input type="checkbox"/> Gambling (Pen. Code, § 337a) | <input type="checkbox"/> Robbery (Pen. Code, § 211) |
| <input type="checkbox"/> Graffiti on government property (Pen. Code, § 640.5) | <input type="checkbox"/> Rape (Pen. Code, § 261) |
| <input type="checkbox"/> Grand theft (Pen. Code, § 487) | <input type="checkbox"/> Unlawful Sexual Intercourse (Pen. Code, § 261.5) |
| <input type="checkbox"/> Lewd act on a child (Pen. Code, § 288) | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Petty theft (Pen. Code, § 488) | |
| <input type="checkbox"/> Possession of alcohol (Bus & Prof. Code, § 25662) | |

THE COURT-ORDERED DISPOSITION of the child's case is:

- | | |
|---|---|
| <input type="checkbox"/> Wardship probation | <input type="checkbox"/> Non-wardship probation |
| <input type="checkbox"/> Department of Juvenile Facilities Commitment | <input type="checkbox"/> Other: |

Date: _____ Clerk of the Superior Court: _____

WARNING: UNLAWFUL DISSEMINATION OF THIS INFORMATION IS A MISDEMEANOR

Any information received from this court is to be kept in a separate confidential file at the school of attendance. This record must be destroyed upon the child graduating from high school, reaching the age of 18 or being released from court jurisdiction, whichever occurs first.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

**NOTIFICATION TO SHERIFF OF
JUVENILE DELINQUENCY
FELONY ADJUDICATION
(Welfare & Institutions Code Section 827.2)**

TO THE SHERIFF OF THE COUNTY OF:

MAILING ADDRESS:

CITY, STATE ZIP CODE:

ATTENTION, COUNTY SHERIFF:

Pursuant to Welfare & Institutions Code section 827.2, you are hereby notified that

CHILD'S NAME:

CHILD'S DATE OF BIRTH :

was found by a court of competent jurisdiction to have committed at least one offense which would have been a felony if committed by an adult. The child was found to have committed the following felony offenses:

(List statutory violations)

YOU ARE BEING NOTIFIED BECAUSE *(Check all that apply)*:

- The offenses occurred in your county
- The child is a resident of your county.
- The child's disposition has been modified.

THE COURT-ORDERED DISPOSITION of the child's case is:

- | | |
|---|---|
| <input type="checkbox"/> Wardship probation | <input type="checkbox"/> Non-wardship probation |
| <input type="checkbox"/> Department of Juvenile Facilities Commitment | <input type="checkbox"/> Other: |

Date: _____ Clerk of the Superior Court: _____

WARNING: UNLAWFUL DISSEMINATION OF THIS INFORMATION IS A MISDEMEANOR

Any information received from this court is to be received in confidence for the limited law enforcement purpose for which it was provided and shall not be further disseminated except as provided by the provisions of Welfare and Institutions Code section 827.2. An intentional violation of the confidentiality provisions of this section is a misdemeanor.

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):</p> <p>TELEPHONE NO. (Optional): _____ FAX NO. (Optional): _____</p> <p>E-MAIL ADDRESS (Optional): _____</p> <p>ATTORNEY FOR (Name): _____</p>	<p>FOR COURT USE ONLY</p> <p>DRAFT Not approved by the Judicial Council</p>		
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> <p>STREET ADDRESS: _____</p> <p>MAILING ADDRESS: _____</p> <p>CITY AND ZIP CODE: _____</p> <p>BRANCH NAME: _____</p>			
<p>CASE NAME: _____</p>			
<table border="1" style="width: 100%;"> <tr> <td style="width: 60%; text-align: center;"> <p>JUVENILE FITNESS HEARING ORDER</p> <p><input type="checkbox"/> Section 707(a)(1) <input type="checkbox"/> Section 707(c) <input type="checkbox"/> Section 707(a)(2)</p> <p>(Welfare and Institutions Code, § 707)</p> </td> <td style="width: 40%; vertical-align: top;"> <p>CASE NUMBER: _____</p> </td> </tr> </table>		<p>JUVENILE FITNESS HEARING ORDER</p> <p><input type="checkbox"/> Section 707(a)(1) <input type="checkbox"/> Section 707(c) <input type="checkbox"/> Section 707(a)(2)</p> <p>(Welfare and Institutions Code, § 707)</p>	<p>CASE NUMBER: _____</p>
<p>JUVENILE FITNESS HEARING ORDER</p> <p><input type="checkbox"/> Section 707(a)(1) <input type="checkbox"/> Section 707(c) <input type="checkbox"/> Section 707(a)(2)</p> <p>(Welfare and Institutions Code, § 707)</p>	<p>CASE NUMBER: _____</p>		

1. a. Date of hearing: _____ Dept.: _____ Room: _____
- b. Judicial officer (name): _____
- c. Persons present: Youth Youth's attorney (name): _____
 Deputy District Attorney (name): _____
 Other: _____
2. The court has read and considered: The petition and report of the probation officer.
 Other relevant evidence.
3. The court has considered each of the following criteria and has determined that the youth
- a. is is not amenable to the care, treatment, and training program through the juvenile court based on the degree of criminal sophistication of the youth for the reasons stated on the record.
 - b. is is not amenable to the care, treatment, and training program through the juvenile court based on whether the youth can be rehabilitated prior to the expiration of jurisdiction for the reasons stated on the record.
 - c. is is not amenable to the care, treatment, and training program through the juvenile court based on the youth's previous delinquent history for the reasons stated on the record.
 - d. is is not amenable to the care, treatment, and training program through the juvenile court based on the results of previous attempts by the court to rehabilitate the youth for the reasons stated on the record.
 - e. is is not amenable to the care, treatment, and training program through the juvenile court based on the circumstances and gravity of the offense for the reasons stated on the record.

CASE NAME: 	CASE NUMBER:
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4. **THE COURT FINDS AND ORDERS** (check one):

- a. **Welfare and Institutions Code section 707(a)(1)**
 The youth was at least 16 years old at the time of the alleged offense.

The court may find the youth fit if the court finds the youth amenable to treatment under one or more of the criteria under item 3. Conversely, the court may find the youth unfit if the court finds the youth is not amenable under one or more of the criteria under item 3 above.

- b. **Welfare and Institutions Code section 707(a)(2)**
 (1) The youth was at least 16 years old at the time of the alleged offense.
 (2) The current alleged offense is a felony.
 (3) The youth was a ward at the time of the current alleged offense.
 (4) The youth is alleged to have previously committed two or more felony offenses when he or she was 14 years of age or older.

If the court finds all four facts true, the youth must be found unfit unless the court has found the youth amenable under all five criteria under item 3 above.

- c. **Welfare and Institutions Code section 707(c)**
 (1) The youth was at least 14 years old at the time of the alleged offense.
 (2) The current alleged offense is an offense listed in Welfare and Institutions Code section 707(b).

If the court finds both facts true, the youth must be found unfit unless the court has found the youth amenable under all five criteria under item 3 above.

5. **THE COURT ALSO FINDS AND ORDERS**

- a. The youth **is a fit** and proper subject to be dealt with under juvenile court law.
 The next hearing is on (date): _____ at (time): _____
 for (specify): _____

- b. The youth **is not a fit** and proper subject to be dealt with under juvenile court law.
 (1) The matter is referred to the District Attorney for prosecution under the general law.
 (2) The petition filed on (date): _____ is dismissed.
 (3) The youth is to be detained in juvenile hall county jail (section 207.1).
 (4) Bail is set in the amount of: \$ _____
 (5) The youth is released on own recognizance.
 to the custody of: _____

Date: _____

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO. (Optional): _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
YOUTH'S NAME: PARENT'S NAME:	
COMMITMENT TO THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, DIVISION OF JUVENILE FACILITIES	CASE NUMBER: JUVENILE:

1. a. Youth's name:
 b. Youth's date of birth:
2. a. Date of hearing: _____ Dept.: _____ Room: _____
 b. Judicial officer (name): _____
 c. Persons present:
 Youth Youth's attorney Mother Father Guardian Deputy district attorney
 Others as reflected on the attached minute order

THE COURT FINDS AND ORDERS:

3. The youth was under the age of 18 years at the time of the commission of the offense for which the youth is being committed to the Division of Juvenile Facilities.
 4. The mental and physical condition and qualifications of this youth render it probable that the youth will benefit from the reformatory discipline or other treatment provided by the Division of Juvenile Facilities.
 5. a. The youth is committed to the Division of Juvenile Facilities for a 90-day period of observation and diagnosis.
 b. The youth is committed to the Division of Juvenile Facilities for acceptance.
 c. The youth is a ward of the Division of Juvenile Facilities under a prior commitment and
 is recommitted to the Division of Juvenile Facilities.
 is returned to the Division of Juvenile Facilities with the following recommendation.
 the status of being discharged to supervision should be revoked.
 the status of being discharged to supervision should not be revoked.
 the discharge status of the youth should be determined by the Division of Juvenile Facilities.
 6. The youth has been declared a ward of the court and is committed based on the following sustained petitions:
- | <u>Sustained</u> | <u>Petition Date</u> | <u>Offense</u> | <u>Code</u> | <u>Degree</u> | <u>707(b)</u> | <u>Enhancement</u> | <u>Term</u> |
|------------------|----------------------|----------------|-------------|---------------|---------------|--------------------|-------------|
| a. | | | | | | | |
| b. | | | | | | | |

YOUTH'S NAME: 	CASE NUMBER: JUVENILE:
-----------------------	-------------------------------

6. c. Sustained
Petition Date Offense Code Degree 707(b) Enhancement Term

d.

e.

Continued in attachment 6.

7. The youth has credit for (state number): _____ days in secure custody.

8. Confinement period:

a. The maximum period of confinement is (state years and months):

b. The court has considered the individual facts and circumstances of the case in determining the maximum period of confinement.

9. The youth is ordered to pay a restitution fine of \$ _____

10. The youth is ordered to pay victim restitution as stated in attachment 10.

11. Exceptional needs:

a. The youth is an individual with exceptional needs.

b. The youth has an individualized education program.:

included as attachment 11b.

to be furnished to the Division of Juvenile Facilities when obtained.

c. The youth is not an individual with exceptional needs.

d. It does not appear that a determination has been made regarding any exceptional needs the youth may have.

12. The court requests that the youth be considered for programming related to _____

13. The court requests that a copy of the Clinical Summary Report be sent to the youth's attorney (name and address of attorney): _____

14. The probation officer is directed to forward a copy of the youth's medical records to the Division of Juvenile Facilities before delivery.

YOUTH'S NAME: 	CASE NUMBER: JUVENILE:
-----------------------	-------------------------------

15. Youth has has not been prescribed psychotropic medication.
Type and dosage of medication (*specify*):

Additional documentation provided in attachment 15.

16. Such psychotropic medication, if still necessary based on an evaluation by a Division of Juvenile Facilities physician, may be continued for a period not to exceed 60 days from the date of delivery to the Division of Juvenile Facilities reception center and clinic.

17. The child is ordered to submit to AIDS testing under Welfare and Institutions Code section 1768.9.

18. The court has determined that the youth has been in at least one foster care or other Title 42, U.S. Code, Part IV-E-eligible placement during the course of a dependency or delinquency case.

19. Other findings and orders:

a. See attached.

b. (*Specify*):

Date:

JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): _____ _____ _____ TELEPHONE NO.: _____ FAX NO. (Optional) _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CASE NAME: _____	
JUVENILE NOTICE OF VIOLATION OF PROBATION <input type="checkbox"/> § 725 <input type="checkbox"/> § 777(a)	CASE NUMBER: _____

1. Petitioner on information and belief alleges the following:

a. <input type="checkbox"/> Under a previous order of this court, dated _____, the child was declared a ward under Welfare and Institutions Code section <input type="checkbox"/> 601(a) <input type="checkbox"/> 601(b) <input type="checkbox"/> 602(a).			
b. <input type="checkbox"/> Under a previous order of this court, dated _____, the child was NOT declared a ward and was placed on summary probation under Welfare and Institutions Code section 725(a).			
c. Child's name and address: _____	d. Age: _____	e. Date of birth: _____	f. Sex: _____
g. Name: _____ Address: _____ If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	<input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown	h. Name: _____ Address: _____ If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	<input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown
i. Name: _____ Address: _____ If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	<input type="checkbox"/> mother <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown	j. Other (state name, address, and relationship to child): <input type="checkbox"/> No known parent or guardian resides within this state. This adult relative lives in this county or is closest to this court.	
k Attorney for child (if known): Address: _____ Phone number: _____	l. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained. Date and time of detention (custody): _____ Current place of detention (address): _____		

(See important notice on page 2.)

CHILD'S NAME: _____	CASE NUMBER:
------------------------	--------------

2. The child is a probationer or ward of the court under Welfare and Institutions Code section 601 602 725(a) and the child has violated a condition of probation or order of the court. (State supporting facts concisely, and number them 1, 2, etc.)
 See Attachment 2.

3. The recommended modification consequence is:
a. Removal from the custody of a parent guardian relative friend
b. Placement in a foster home or relative's home
c. Commitment to a private institution
d. Commitment to a county institution
e. Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities
f. To be determined
g. Other (specify):

4. The child violated nonwardship probation. Petitioner requests a hearing be set under Welfare and Institutions Code section 725(a) to decide if the child should be a ward and determine the appropriate disposition.

5. Number of pages attached: _____

TO PARENTS OR OTHERS LEGALLY RESPONSIBLE FOR THE SUPPORT OF THE CHILD

You and the estate of your child may be jointly and severally liable for the cost of the care, support, and maintenance of your child in any placement or detention facility, the cost of legal services for your child or you by a public defender or other attorney, the cost of supervision of your child by order of the juvenile court, and the cost of any restitution owed to the victim.

CASE NAME: 	CASE NUMBER:
--------------------	----------------------

**PETITION TO MODIFY, CHANGE, OR SET ASIDE PREVIOUS ORDERS—
CHANGE OF CIRCUMSTANCES**

1. The child is a ward of the court under Welfare and Institutions Code section 601 602.
2. Petitioner is the
 - a. parent
 - b. legal guardian
 - c. probation officer
 - d. adult relative (*state relationship*):
 - e. attorney for the child
 - f. child
 - g. other interested person (*describe interest*):

3. Petitioner alleges the following changes of circumstances or new evidence regarding the child (*describe changes, numbering each change or new evidence*):

See Attachment 3 for further grounds.

4. Petitioner requests the following modifications of prior orders:

5. Petitioner requests that the court order a hearing to be held on (*date*): _____ at (*time*): _____
and cause notice to be given to persons prescribed by law.

THE COURT FINDS AND ORDERS

6. Petition to modify, change, or set aside previous order filed (*date*):
 - a. is denied.
 - b. states a change of circumstances or new evidence.
 - c. is agreed to by all parties and attorneys of record.
7. It appears that the best interest of the child may be promoted by the proposed modification.
8. The petition for modification is granted
 - a. as requested in item 4.
 - b. as follows (*state specific modifications*):

Continued in Attachment 8b.

9. Other orders:

10. **The matter is set for hearing**

on (<i>date</i>):	at (<i>time</i>):	in Dept.:	Room:
---------------------	---------------------	-----------	-------

Date: _____ JUDICIAL OFFICER



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civil Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center; font-size: 24pt; font-weight: bold;">DRAFT Not approved by the Judicial Council</p>
<p style="text-align: center;">SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<p>DEFERRED ENTRY OF JUDGMENT— DISMISSAL AND SEALING OF JUVENILE RECORDS</p>	CASE NUMBER:

1. Name of subject child: _____ Date of birth: _____
2. a. Date of hearing: _____ Dept.: _____ Room: _____
 b. Judicial officer (*name*): _____
3. The court has read and considered the report of the probation officer and any other evidence presented or information provided.

THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:

4. The child has complied satisfactorily with the conditions imposed.
5. The petition filed on (*date*): _____ is dismissed.
6. The child's juvenile records related to the arrest on (*date*): _____ regarding an alleged violation of (*specify offense*): _____ in the custody of this court and of the courts, agencies, and officials listed below are ordered sealed:

- District Attorney (*specify county*): _____
- Child's Attorney (*name*): _____
- Probation Dept. (*specify county*): _____
- California Dept. of Justice
- Other (*specify*): _____

Attachment

7. All *Deferred Entry of Judgment* records are to be destroyed according to Welfare and Institutions Code section 793(c), and the arrest is deemed never to have occurred except that the prosecuting attorney and the probation officer of any county can access these records for the limited purpose of determining eligibility for deferred entry of judgment.

Date: _____

JUDICIAL OFFICER

CHILD'S NAME: _____	CASE NUMBER: _____
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DEFERRED ENTRY OF JUDGMENT ORDER

1. The court has considered the declaration of the prosecuting attorney regarding eligibility, the report and recommendations of the probation officer, and any other relevant evidence submitted by the child or other interested party.
2. The child is
 - a. eligible for deferred entry of judgment under Welfare and Institutions Code section 790.
 - b. suitable for deferred entry of judgment under Welfare and Institutions Code section 790.
3. The child has admitted violation of section

a.	_____ of the _____	Code.
b.	_____ of the _____	Code.
c.	_____ of the _____	Code.
d.	_____ of the _____	Code.
e.	_____ of the _____	Code.
4. The child has waived the right to a speedy disposition hearing.
5. The entry of judgment will be deferred under section 790 of the Welfare and Institutions Code.
6. Under the following terms and conditions the child must
 - a. Consent to the search of his or her person, vehicle, or place of residence, at any time, day or night, with or without a search warrant and without probable or reasonable cause, on the direction of the probation officer or a peace officer.
 - b. Submit to chemical testing in the form of, but not limited to, blood, breath, urine, or saliva on the direction of the probation officer or a peace officer.
 - c. Attend school regularly, obey school rules and regulations, and not leave the school campus during school hours without the permission of school officials or the probation officer.
 - d. Seek and maintain counseling or treatment as directed by the probation officer.
 - e. Be at his or her place of residence between the hours of _____ p.m. and _____ a.m. unless with a parent, legal guardian, or responsible adult, or with the prior permission of the probation officer.
 - f. Comply with additional terms and conditions as described in the attachment form, Terms and Conditions.
7. A review of the child's progress is set for (date): _____ . At least _____ days prior to the review hearing, the probation department is to submit to the court, the child, the child's parent or guardian, the child's attorney, and the prosecuting attorney a report on the child's progress and adherence to the terms and conditions.

Date: _____

JUDICIAL OFFICER

- Attachments:
- Terms and Conditions
- Other:

CHILD'S NAME: _____	CASE NUMBER: _____
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PETITION TO TERMINATE WARDSHIP AND ORDER

1. Wardship was declared on _____ based on a finding that the child violated the following sections:
- a. _____ of the _____ Code.
 - b. _____ of the _____ Code.
 - c. _____ of the _____ Code.
 - d. _____ of the _____ Code.
 - e. _____ of the _____ Code.
2. The child has adhered to the terms and conditions of probation.
3. The child has successfully completed all court-ordered programs.
4. The child has satisfactorily met the goals of rehabilitation.
5. The child has reached the age of majority. The child has been in a foster placement. A completed *Termination of Juvenile Court Jurisdiction—Child Attaining Age of Majority* (form JV-365), has been filed with this court.
6. The whereabouts of the child have been unknown since _____.
7. Continued wardship is not required for the rehabilitation or protection of the child.
8. Continued wardship is not required for the protection of the public.
9. The warrant issued on _____ is recalled.
10. A summary of the child's contacts with the probation department and law enforcement agencies is included as Attachment 10.
11. A summary of the child's school performance and other activities is included as Attachment 11.
12. The child is now a dependent of the juvenile court.
13. The sealing process has been explained to the child, and, where appropriate, the child has received any materials relevant to the sealing process and the name of his or her attorney who can assist with the sealing process.

Petitioner requests that the court terminate the child's wardship and release him or her from all orders of the juvenile delinquency court.

Date: _____

_____ (TYPE OR PRINT PETITIONER'S NAME) _____ (SIGNATURE OF PETITIONER)

ORDER

- Wardship and delinquency court jurisdiction are terminated. All other orders of the juvenile court that are not in conflict remain in full force and effect.
- The matter is set for hearing on (date): _____ at (time): a.m. p.m.
- The petition is denied.

Date: _____

_____ JUDICIAL OFFICER

TO THE CHILD: ADVICE REGARDING SEALING YOUR RECORD

At any time after you have reached the age of 18, or five years or more after the date this order is filed, you may petition the court to have your record sealed. In some cases you will not be entitled to have the record sealed, depending on the offenses you have been found to have committed, or if the court finds that satisfactory rehabilitation has not occurred. Contact your probation officer to obtain the proper form and follow the procedures as directed.

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	Commentator	Position	Comment	Committee Response
1.	Sue Burrell Staff Attorney Youth Law Center	N/I	JV-618 (Waiver of Rights-Juvenile Delinquency) The proposed form should not be approved. These comments are offered with the humble recognition that it is very difficult to develop a form that both provides the legally required advisements and is understandable to the child. The Language Used In The Proposed Form Is Too Complex Many, many youth in our court system are illiterate, are at a very low reading achievement level, or have disabilities. Research on youth in juvenile justice has found that, "While the average age of the adjudicated youth is 15 years (approximately 10th grade), the average reading level is 4th grade or lower . " (See, for example, I.S. Vacca, <i>Crime can be prevented if schools teach juvenile offenders to read</i> , 30 Children and Youth Services Review, 1055-1062 (2008).) Unfortunately, the proposed form gives the appearance of simplicity, but contains language that is not understandable to many youth coming before the juvenile court. A quick glance at the form reveals words and terms that most youth will not comprehend: conflict attorney, allegations, no contest, cross-examine, incriminate, testify, subpoena, local confinement facility, exclusion, naturalization, custody or control, register, Strike, consequences, and so on. In other jurisdictions that have attempted to develop juvenile waiver forms, experts are consulted to assure that the words used in the form are at a specified grade level. It does not	The committee shares the commentator’s concern that the form may elicit invalid waivers and has considered withdrawing the form to revise it. Because of the many requests by courts and their justice partners for the creation of a statewide rights waiver form, however, the committee ultimately concluded that it is important to move forward with this form. The committee has modified its recommendation to rewrite the form using simpler language, fewer legal terms of art, and clearer explanations of the rights waived. The committee also notes that the form is recommended as optional; local courts may further simplify it to meet their needs.

[†] As discussed in the Judicial Council Report, the committee also recommends amending rule 5.504, approving form JV-692, and revising forms JV-710, JV-755, and JV-760. These changes are based on considerations that arose following the comment period.

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	Commentator	Position	Comment	Committee Response
			<p>appear that this was done for JV-618.</p> <p>The Language Used In The Proposed Form Is Confusing Also, in some places, the form does not use the terminology used in court, and in other places it uses language that is probably not used at all. For example, the form refers to the right to a trial, but in court, the judge sets the case for adjudication. The form talks about confinement facilities, but is that term ever used in court, and will youth understand what it refers to? The form should be reviewed for consistency and possibly terms that are used as synonyms should be linked to one another (for example, trial, adjudication).</p> <p>The Proposed Elements To Be Individually Initialed Will Produce Inauthentic Waivers The form's inclusion of a long series of lines that have to be individually initialed is likely to produce compliance that is not reflective of actual comprehension. In the hubbub of most juvenile court calendars, those initials will be more akin to renting a car at the airport - where almost no one has any idea what they are agreeing to but you have to do it to get the keys. We recognize that the draft form represents an intention to make sure every issue is covered, but the only way this can truly work is if the court takes the time to carefully explain each element of the waiver, asks the youth to explain back to the court what that element means, and then the</p>	<p>The form was reworked using simpler language with an eye towards improving readability and consistency.</p> <p>The committee believes that initialing the individual lines is more likely to result in all of the items in the form being discussed with the youth than merely having a signature line at the end.</p>

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	Commentator	Position	Comment	Committee Response
			<p>youth initials that line. Otherwise, this is a set up for youth to be asked to fill out the form in the hallway, be rushed through an uninformed admission in court, and discover months later what they gave up.</p> <p>If the form is held back for further work, there should be discussion about ways to ensure that youth are actually advised of each element and there is a quality assurance process to make sure they understand each element.</p> <p>The Form Should Reference Additional Consequences of Admission The form also fails to address additional important direct and collateral consequences youth should be informed about at the time of admission. It does not discuss dismissed counts, aggregation of prior petitions, immigration consequences, possible confinement and probation conditions, financial responsibility for parents and other issues that should not wait until the time of disposition to be discussed. Perhaps these issues are covered in another form, but if that is not the case, they should be a part of the waiver process. Also, with respect to the Strike offenses, shouldn't it be the court rather than the child's attorney that advises the youth of the potential consequences?</p> <p>The Form Should Be Translated Into Spanish Because so many youth speak Spanish as their</p>	<p>Additional collateral consequences were added to the form in response to the comment.</p> <p>The committee intends to create a Spanish language version of the form when funds</p>

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	Commentator	Position	Comment	Committee Response
			<p>primary language, the form should be translated into Spanish. In sum, we have grave reservations about the use of this kind of form because it may provide false assurances that the youth understands what he or she is doing in entering an admission. However, if such a form is to be approved, it should be developed with the assistance of language experts, and tested on youth to make sure it will meet the goals of providing genuine waivers. We encourage Judicial Council to pull this form for now, and explore further whether this endeavor can produce a more meaningful product to protect the interests of the court and the young people coming before it.</p> <p>JV-624 - Terms And Conditions While we will not wordsmith JV-624, which covers terms and conditions of probation, we have similar concerns if that form is to be given to youth after the disposition hearing. While it is understandable that courts want to have the full field of possibilities in front of them on the form, it is way too confusing to give the youth a form with 26 items as their record of expectations. When the Washington State Public Defender's office tested youth who had just left court on the number of probation conditions they had received, most had difficulty remembering more than a few.</p> <p>It seems advisable to give youth and their</p>	<p>are available.</p> <p>JV-624 is an existing form and these comments suggest substantive changes to items already in effect. Recirculation for public comment would be required before this form could be revised. In addition, many courts find the statewide form useful because they can save time and money by using or adapting this form rather than creating their own.</p> <p>Because of the nature of paper forms, the</p>

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	Commentator	Position	Comment	Committee Response
			<p>families a simple straightforward list of what is expected on probation without making them wade through all 26 boxes to find out what applies to them. We urge Judicial Council to develop a separate, much shorter and more streamlined form to give to youth. This would also help to resolve the findings of the <i>Juvenile Delinquency Court Assessment 2008</i> (vol. I, p. 87), that "parents and youth reported leaving court with virtually no idea of what had happened and hoping that, once outside the courtroom, the youth's attorney or a probation officer would provide an explanation."</p> <p>Thank you for your consideration of these comments. We are grateful for the work that has already gone into the proposed forms, and feel sure that further consideration will produce a better product or result in considered decision not to go forward with particular forms. Please let us know if we can clarify anything in these comments or otherwise be of assistance in the rulemaking process.</p>	<p>ability to provide a short, streamlined form that only displays the terms and conditions applicable in a specific case is not possible. Moreover, because of the need for courtroom clerks to be able to complete the form quickly during the proceedings and not increase the amount of information that must be written by hand, the committee feels that a more complete list of disposition options should be available on the form. However, it is possible that courts using this form as the model for a local form will be able to generate only the terms and conditions that are applicable in each case.</p>
2.	<p>Center for Juvenile Law and Policy Maureen Pacheco, Clinical Director</p> <p><i>(Note: Ms. Pacheco is also commentator #10, commenting on behalf of the Pacific Juvenile Defender</i></p>	N/I	<p>Thank you for the opportunity to comment on the SPR11-47 Proposed Forms. We have carefully considered the Juvenile Waiver of Rights (form JV-618) and request that you consider the following:</p>	

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	Commentator	Position	Comment	Committee Response
	<i>Center)</i>		<p>The Language is too Complex: First, most juveniles are likely to misunderstand the complicated language and legalese on the form. Research of similar plea forms have shown that such vocabulary is well above the average reading level of youth in the juvenile justice system. For example, researchers in Massachusetts asked 98 juvenile defendants to define 36 words used to tender of plea forms. Barbara Kaban and Judith Quinlan, <i>Rethinking a “Knowing, Intelligent, and Voluntary Waiver” in Massachusetts Juvenile Courts</i>, 5 J. CTR. FAM., CHILD., & CTS. 35, 39 (2004). The 98 juveniles were divided into two groups; one group was given no instructions while the other group was given detailed instructions of the form. <i>Id.</i> Uninstructed juveniles defined only two of the thirty six words correctly, while the instructed group defined only five of the thirty six words correctly. <i>Id.</i> at 42. This indicates that juvenile defendants not only do not understand the form, but also are not retaining the excess of information presented by their attorneys.</p> <p>This result is likely to apply to juveniles throughout the country. As found in studies of other legal documents (such as Miranda Warnings), plea forms and waiver of rights forms far exceed the comprehensibility of juvenile defendants. Richard Rogers et al., <i>An Analysis of Miranda Warnings and Waivers: Comprehension</i></p>	<p>The committee shares the commentator’s concern that the form may elicit invalid waivers. In response, the committee has modified its recommendation to rewrite this form using simpler language, fewer legal terms of art, and more explanations of the rights waived. The committee also notes that the form is recommended as optional; local courts may further simplify it to meet their needs.</p>

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	Commentator	Position	Comment	Committee Response
			<p><i>and Coverage</i>, 31 LAW & HUM. BEHAV. 177 (2007). In preliminary research by New York researchers Redlich and Norris, the average reading level of statewide plea forms is that of a 10th grader. Allison Redlich, <i>Address at the Rutgers Law Review Symposium: Righting the Wronged: Causes, Effects, and Remedies of Juvenile Wrongful Conviction</i> (April 9, 2010). Coupled with the fact that 20%-70% of youth in juvenile detention settings suffer from learning disabilities, this high reading level will likely support the conclusion that juvenile defendants do not understand these forms. Malika Closson and Kenneth M. Rogers, <i>Educational Needs of Youth in the Juvenile Justice System</i>, in THE MENTAL HEALTH NEEDS OF YOUNG OFFENDERS FORGING PATHS TOWARD REINTEGRATION AND REHABILITATION. 229, 233-34 (2007).</p> <p>Youth Can Sign Off Without Understanding or Reading the Terms: Next, the form allows juveniles to simply initial next to the right they are waiving. This does not give the courts any insight into what the juvenile actually understands or any questions they might have. There is a possibility that defendants will not read the form at all, but blindly initial next to the rights they are waiving to be cooperative and to move the process along quickly. A more appropriate form for juveniles would be to allow</p>	<p>To encourage oral dialogues with the court, additional information was added to the judicial officer’s statement to indicate that the judicial officer has spoken with the child and has assessed that the child understands the waiver.</p>

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	Commentator	Position	Comment	Committee Response
			<p>the defendants space to rewrite what they have read and indicate that they are voluntarily waiving those rights. This way, the court/attorney knows whether the juvenile comprehends the information and can explain any misunderstandings the juvenile might have.</p> <p>Youth May Not Understand the Consequences of Waiver: Moreover, although the form lists the rights that are waived, there is no explanation of the consequence of waiving them. There is a considerable difference between a juvenile's knowledge of having such rights (comprehending the words on the page) and understanding the significance of such rights. This means that many juvenile defendants may not understand the function of these rights in the trial process and how they are aimed at protecting the defendant. Thomas Grisso, <i>Juveniles' Capacity to Waive Miranda Rights: An Empirical Analysis</i>, 68 CALIF. L. REV. 1134 (1980). Without such understanding, juveniles will be unlikely to make a knowing, voluntary, and intelligent waiver. Therefore, the form needs to provide a sufficient explanation of what waiving their rights means to the case, their sentence, and their future in the juvenile justice system.</p> <p>Importance of Plea Colloquies/ Oral Inquiries: The far better practice, as indicated in a survey of</p>	<p>Additional explanatory information concerning the consequences of waiver was added to the form.</p> <p>Additional information was added to the judicial officer's statement to encourage the court to have a meaningful, oral</p>

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	Commentator	Position	Comment	Committee Response
			<p>juvenile defenders, is for the court to conduct a thorough oral inquiry. These oral inquiries give the judge the opportunity to assess the youths understanding of the form, and give the youth the opportunity to ask any questions that were not answered when filling out the form initially. This colloquy would act as a safeguard to protect youths from misunderstandings and/or incompetent counsel and protect the integrity of the waiver process. Moreover, this would give the judge a final opportunity to make sure the guilty plea is not the result of coercion and is in fact a knowing, voluntary, and intelligent waiver.</p> <p>Conclusion and Recommendations: We would strongly recommend oral waivers that are thorough, comprehensive, in developmentally appropriate language that uses open ended questions to ensure the youth is comprehending the questions. A quick survey of California jurisdictions indicates that the majority of courts are conducting oral colloquies. If a written form must be used, we urge that the proposed Waiver of Rights form be amended to conform to the standards of all youth. This includes using appropriate language (i.e. removing words like “subpoena” and “cross-examine”), creating space for the juvenile to explain what they think the rights mean, as well as explanations about the significance of waiving these rights. Moreover, the proposed waiver of rights form should be</p>	<p>dialogue and inquiry with the youth. Because this form is optional, courts are still able to rely upon an oral inquiry and waiver.</p> <p>As noted above, because this is an optional form court may still receive oral waivers. The form has been reworked using simpler language to improve understandability.</p>

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	Commentator	Position	Comment	Committee Response
			accompanied by a similarly appropriate colloquy that the judge can use to make sure the juvenile understands the consequences of their plea.	
3.	Roger Chan Executive Director East Bay Children’s Law Offices	AM	<p>JV-600/JV-740: Does the JV-740 (778 petition to modify prior court order) need a cover page? The old JV-600 used to have a check box for a 778 which made the forms very easy to use.</p> <p>JV-625: same concern about including 778 in the check boxes.</p> <p>JV-735: no changes request, but I am thrilled that you have created a notice for a 725 violation. I thought it was unclear if both #3 and #4 are used for a 725 violation. My thought is that only #4 would apply for a 725 violation because of a new social study would be required before a recommendation could be made under #3.</p>	<p>Revised JV-740 will still be used in conjunction with JV-600. No check boxes were removed from JV-600 for this proposal.</p> <p>No boxes were removed from the JV-625 for this proposal.</p> <p>No response required.</p>
4.	Lilly Donahoe, Court Services Supervisor, Juvenile Superior Court of California, County of Shasta	AM	<p>JV-640 Delinquency Court Proceeding Findings and Orders</p> <p>Suggest addition to item # 1.b. – warrant <input type="checkbox"/> Leave warrant active <input type="checkbox"/> Warrant cleared</p> <p>JV-642 Initial Appearance Hearing – Juvenile Delinquency Suggest addition at or near item #15. <input type="checkbox"/> Harvey waiver is taken as to victim restitution in counts _____.</p> <p>Suggest addition regarding Arbuckle waiver at or</p>	<p>Warrant items were added as suggested.</p> <p>Harvey Waivers are not appropriate in delinquency cases because the court can always take dismissed counts into consideration during disposition; therefore, no changes were made.</p> <p>Arbuckle waiver information was added to</p>

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	Commentator	Position	Comment	Committee Response
			<p>near item # 33. <input type="checkbox"/> The child waives his or her Arbuckle rights.</p> <p>JV-644 Jurisdiction Hearing-Juvenile Delinquency Suggest addition at item #4. <input type="checkbox"/> Harvey waiver is taken as to victim restitution in counts _____.</p> <p>Suggest addition regarding witness exclusion near item #7. <input type="checkbox"/> Motion to exclude witnesses in <input type="checkbox"/> granted <input type="checkbox"/> denied</p> <p>Suggest addition at or near item 27 and 28. <input type="checkbox"/> The child waives his or her Arbuckle rights.</p> <p>JV-665 Disposition Juvenile Delinquency Suggest addition of the following. <input type="checkbox"/> The Court orders that the recommended orders and findings contained in the Report of the Probation Officer filed on _____, at pages _____ are adopted <i>as modified</i>, by the Court as its own orders and findings; a copy of which is attached and incorporated herein.</p> <p>Suggest addition at or near item #7 – Deferred Entry of Judgment</p>	<p>item #16.</p> <p>Harvey waivers are not appropriate in delinquency cases because the court can take dismissed counts into consideration during disposition; therefore, no changes were made.</p> <p>Witness exclusion information was added as requested.</p> <p>Arbuckle waiver was added at item #27.</p> <p>The suggested language has been added to the JV-665.</p> <p>The suggested language has been added at item 8.</p>

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	Commentator	Position	Comment	Committee Response
			<p><input type="checkbox"/> Deferred entry of Judgment is <input type="checkbox"/> Granted <input type="checkbox"/> Denied</p> <p>Suggest modification of item #10 – Restitution fine</p> <p><input type="checkbox"/> The child and legal parent are to pay a restitution fine of \$_____ or <input type="checkbox"/> as specified on the attached form.</p> <p>JV-794 Petition to Terminate Wardship and Order</p> <p>This form is presented to our court by probation as a stand-alone document. If this is correct, then the form needs to have an area for a file stamp.</p>	<p>The suggested language has been added.</p> <p>JV-794 is not a stand-alone form; it is to be used in conjunction with JV-600. No changes required.</p>
5.	El Dorado County Probation Dept. Gary Hudgeons Assistant Chief Probation Officer	AM	<p>JV-794 is being revised to add additional checkbox for #5 stating "The child has been in foster placement. A completed Form JV-365, Termination of Juvenile Court Jurisdiction-Child Attaining Age of Majority, has been filed with the Court."</p> <p>This revision will also require that Form JV-365 be modified for use by the juvenile delinquency court and probation department. Currently the JV-365 is titled "Termination of Dependency Jurisdiction-Child Attaining Age of Majority." Currently the JV-365 pertains to dependency court children only and is completed by the social worker. It will need to be modified so that it will also apply to wards of the delinquency court and allow for it to be completed by the</p>	JV-365 was recently revised and can now be used for youth in the delinquency system. The revised version of JV-365 took effect July 1, 2011.

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	Commentator	Position	Comment	Committee Response
			probation officer.	
6.	First District Appellate Project. Appellate Defenders, Inc., California Appellate Project - San Francisco	N/I	Three of the revised delinquency forms include boxes to check that state “All appointed counsel are relieved.” (See JV-642 (Initial Appearance) Item 37; JV-644 (Jurisdiction Hearing) Item 32; JV-672 (Findings and Orders After Six-Month Prepermanency Hearing) Item 30; JV-674 (Findings and Orders After Permanency Hearing; Welf. & Inst. Code § 727.3) Item 32; JV-678 (Findings and Orders After Post-Permanency Hearing) Item 29.) We recommend deleting the statement, “All appointed counsel are relieved.” This is because the dismissal of a petition may not end the case, such as where the petition was a supplemental petition and the court still has jurisdiction over the minor. In that situation it is essential that the parties, counsel, and the court all understand that the minor remains represented by counsel. Further, in the event jurisdiction is terminated, counsel may also be necessary for sealing records (Welf. & Inst. Code § 781). (See rule 8.663(c), which provides: “A child is entitled to have the child’s interests represented by counsel at every stage of the proceedings, including postdispositional hearings...”)	The statement “All appointed counsel are relieved” on JV-642 and JV-644 has been listed as a separate item in response to the comment. This will allow the court to dismiss the petition without relieving counsel as appropriate. On forms JV-672, JV-674, and JV-678, however, the committee has not modified its recommendation. The dismissal of the petition at a postdispositional review hearing terminates the court’s jurisdiction. Relief of appointed counsel is appropriate in those circumstances.
7.	Orange County Bar Association	A	No comment	No response required.
8.	Pacific Juvenile Defender Center Maureen Pacheco <i>(Note: Ms. Pacheco is also commentator #3, commenting on behalf</i>	N/I	Two of the revised delinquency forms include boxes to check that state “The petition is dismissed. All appointed counsel are relieved.” (See JV-642 (Initial Appearance) Item 37; JV-644 (Jurisdiction Hearing) Item 32.) We	The statement “All appointed counsel are relieved” on JV-642 and JV-644 has been listed as a separate item in response to the comment. This will allow the court to dismiss the petition without relieving

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All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
	<i>of the Center for Juvenile Law and Policy at Loyola Law School)</i>		<p>recommend modifying that item, either to delete the statement, “All appointed counsel are relieved,” or to give it its own separate check box. This is because the dismissal of a petition may not end the case, such as where the petition was a supplemental petition and the court still has jurisdiction over the minor. In that situation is essential that the parties, counsel, and the court all understand that the minor remains represented by counsel.</p> <p>In contrast, where the dismissal terminates the court’s jurisdiction, it would be appropriate to relieve counsel. Accordingly, we do not recommend changes to the permanency hearing forms which state “The petition is dismissed. Jurisdiction of the court is terminated. All appointed counsel are relieved.” JV-672 (Findings and Orders After Six-Month Prepermanency Hearing) Item 30; JV-674 (Findings and Orders After Permanency Hearing; Welf. & Inst. Code § 727.3) Item 32; JV-678 (Findings and Orders After Post-Permanency Hearing) Item 29.”</p> <p>However, we would recommend adding a box that indicates that the sealing process has been explained to the youth, and that the youth has received materials and the name of his/her attorney who can assist him/her in sealing records, pursuant to Rule 5.663.</p>	<p>counsel as appropriate.</p> <p>No response required.</p> <p>JV-794 has been modified to add the requested language at new item 13.</p>

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	Commentator	Position	Comment	Committee Response
9.	Superior Court of Merced County Michelle Steele ,Supervisor Juvenile Delinquency Division	AM	<p>On the DJF Commitment form I would suggest adding a check-box allowing the court to order the minor to register pursuant to PC290 and the AIDS testing requirement that is mandated when we commit a minor with a sexual offense.</p> <p>At minimum I would recommend an "other orders" check-box as the current form does not allow for any of the above. This is always an issue and we are continually amending the commitment order to hand write in these types of orders.</p> <p>On the new proposed JV642 and JV644 I would recommend a check-box area for a PC 26 finding.</p>	<p>Registration pursuant to Penal Code section 290 was added to JV-665, <i>Disposition Attachment</i>. An option to order the child to submit to AIDS testing was added to JV-732.</p> <p>An item for “Other orders” was also added to the JV-732.</p> <p>A finding pursuant to Penal Code section 26 is contained in JV-642 at item 16h and in JV-644 at item 5h.</p>
10.	Superior Court of Monterey County Eva Mihu Operations Manager	AM	<p>JV 642 - Recommend item #5 be placed below item #16m.</p> <p>JV 644 - Recommend item #4 be placed after item #5; add an extra line to item #7 in order to separate witnesses from exhibits.</p> <p>On page 2 of 2, recommend an attachment page be created for numerous witnesses and exhibits</p>	<p>The committee believes that the attorney appointment information contained in item 5 needs to be near the beginning of the form and has, therefore, taken no action in response to the comment.</p> <p>The items were re-ordered as requested. An extra line was added and labeled.</p> <p>An option to indicate that an attachment is being used is in former item 7 (new item 8). Courts are given the flexibility to use their own forms or lists provided to them by counsel.</p>

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	Commentator	Position	Comment	Committee Response
11.	Superior Court of Riverside County Staff Michael Capelli	A	No specific comment.	No response required.
12.	Superior Court of Sacramento County Robert Turner, ASO II	N/I	No specific comment.	No response required.
13.	Superior Court of San Diego County Mike Roddy Executive Officer	AM	<p>Comments as to all forms: Our court would request that these forms be optional for now. We currently use our computer-generated minute order as the order that is served on the parties/attorneys. Use of the Judicial Council forms would be a significant increase in the court's workload. It would also increase mailing costs as it would require us to send significantly more pages. In addition, the forms do not cover all the potential orders of the court so the minute order would still have to be generated and mailed.</p> <p>The “Welfare and Institutions Code” is</p>	<p>The committee initially believed that because the proposed new court order forms capture the findings required by title IV-E and the failure to properly make these findings could result in tremendous financial losses to the State of California, it was important to require the use of these forms. However, because of the extraordinary financial challenges facing the California courts, the committee agrees to make these forms optional, as well as all of the delinquency forms for court orders except JV-732, <i>Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice</i>. Because this form was developed in conjunction with the Division of Juvenile Justice and uniformity of information is critical for this agency, the committee recommends keeping this form mandatory.</p> <p>Changes were made to the forms to correct</p>

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			<p>sometimes referred to in these forms as the “Welfare and Institution Code.” This needs to be fixed throughout.</p> <p>Our court recommends the following specific changes to the forms contained in this invitation to comment:</p> <p>1) Form JV-615: Items 4b and 4c could be combined to "A hearing is set on (date): at (time): "</p> <p>2) Form JV-618:</p> <ul style="list-style-type: none"> • There is no way to record an admission of less than all allegations. • CRC 5.778(f) requires the court to make findings that are not specifically stated on the form. <p>3) Form JV-624:</p> <ul style="list-style-type: none"> • Item 13: Delete ", for detection of the possession of (specify) " • Item 16: There should be space to 	<p>this error.</p> <p>1) The requested change combining the items was made.</p> <p>2) JV-618 has been modified to include this ability.</p> <p>The court would make the findings listed in California Rules of Court, rule 5.778(f) on the appropriate findings and orders form. The committee believes that including them on this optional rights waiver form could be confusing to the youth completing the form.</p> <p>3) The inclusion of this language allows for specificity and the committee believes that is important to allow this option in the order.</p> <p>Space is added to item 16 to allow for other curfew exceptions.</p>

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			<p>include other exceptions to curfew.</p> <ul style="list-style-type: none"> • Item 20b: Delete “driving to”. <p>4) Form JV-625: No changes</p> <p>5) Form JV-640: No changes</p> <p>6) Form JV-642:</p> <ul style="list-style-type: none"> • Add a finding that the child is not an Indian child <ul style="list-style-type: none"> • Add a finding as to the child's birth date <ul style="list-style-type: none"> • For a wobbler, the court is supposed to declare on the record that it has considered whether the offense should be a felony or a misdemeanor <ul style="list-style-type: none"> • By adding 16a-d, the rest of the subdivisions in 16 don't really make sense as part of 16 anymore 	<p>The requested change was made.</p> <p>4) No response required.</p> <p>5) No response required.</p> <p>6) Because a child may be determined to be an Indian child at later proceedings despite a contrary belief at earlier hearings, the committee feels that including a finding that the child is not an Indian child could be misleading or discourage the court from continued inquiry if new relatives are located.</p> <p>The requested finding was added.</p> <p>The statement is added as new item j.</p> <p>The subdivisions relate to the taking of the admission, so the committee feels that keeping them under the same item is logical.</p> <p>The order of items 15 and 16 has been</p>

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	Commentator	Position	Comment	Committee Response
			<ul style="list-style-type: none"> • Item 15 should be before Item 16 • Item 16j-m should be separated out as a different number as those orders do not go with 16a-i. • Item 37 should be after 16 and Item 37 should have reasons as is done in Form JV-665 at Item 6 <p>7) Form JV-644:</p> <ul style="list-style-type: none"> • Some of the same comments as for JV-642 (re: birth date, wobbler,item 5) • Item 26: Correct mistake in the spelling of the word “section.”. • Item 4 should be after Item 5 • Item 32 should be after 5 and Item 32 should have reasons as is done in JV-665 at Item 6 <p>8) Form JV-665: No changes</p> <p>9) Form JV-667: No changes</p> <p>10) Form JV-672: No changes</p> <p>11) Form JV-674: No changes</p>	<p>switched.</p> <p>The requested items have been separated out with different numbers.</p> <p>Item 37 is moved to be item 16 and the wording made consistent with form JV-665, item 6.</p> <p>Items consistent with birth date and wobbler language is added and is consistent with changes to the JV-642</p> <p>Correction made.</p> <p>The order of the items is reversed.</p> <p>The item remains in the same order, but it is changed to have language consistent with JV-665.</p> <p>8) No response required.</p> <p>9) No response required.</p> <p>10) No response required.</p> <p>11) No response required.</p>

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			<p>12) Form JV-678: Correct Item 9a by adding the word “and” to the first sentence.</p> <p>13) Form JV-682: Item 2d - Move "the child" up or add "the child" to the second box in the subpoena section</p> <p>14) Form JV-690: Need a field for the child’s address. That is information we currently provide the schools.</p> <p>15) Form JV-692: Need a field for the child’s address and arresting agency. That is information we are currently required to include.</p> <p>16) Form JV-732:</p> <ul style="list-style-type: none"> • It is still called the Division of Juvenile Justice 	<p>12) Requested correction made.</p> <p>13) The requested change was made by moving “the child” to the previous line.</p> <p>14) Welfare and Institutions Code section 827(b) does not discuss the issue of disclosing the child’s address. Without statutory or legislative authorization to list this information on the form, the committee believes it is best not to include an item encouraging courts to disclose the child’s address.</p> <p>15) Welfare and Institutions Code section 827.2 does not discuss the issue of disclosing the child’s address or arresting agency. Without statutory or legislative authorization to list this information on the form, the committee feels it is best not to include items encouraging courts to disclose this information.</p> <p>16) Government Code §§ 12838–12838.13 refer to this entity as the Division of Juvenile Facilities even though it is commonly known as the Division of Juvenile Justice.</p>

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			<ul style="list-style-type: none"> • Wards are no longer "paroled" from Department of Juvenile Justice. They are discharged to supervision in the county of commitment. (WIC 1766.01.) <p>17) Form JV-735:</p> <ul style="list-style-type: none"> • Item 1b: add "was" before "placed" • This form should be optional. Currently this information is partially received by the court electronically and partially in a probation report that is needed anyway. Requiring this additional form is more work and paper. <p>18) Form JV-740:</p> <ul style="list-style-type: none"> • Need field for party name and address • Need signature line for petitioner <p>19) Form JV-794: No changes</p>	<p>Items referring to parole have been changed to indicate the discharged to supervision terminology.</p> <p>17) The suggested revision was made.</p> <p>The form was changed to be optional.</p> <p>18) The party name and address, as well as a signature line for the petitioner, are captured on JV-600, the coversheet that used in conjunction with JV-740. No change was made in response to this comment.</p> <p>19) No response required.</p>
14.	Superior Court of Siskiyou County Laurel Young-Canaday Senior Clerk/Juvenile Delinquency	A	<p>I would really love to see the following added as a check box to the mandatory minute order forms:</p> <p>The probation dept. is/is not authorized to have the minor treated by a licensed medical</p>	<p>This language was not added because similar language is contained in the</p>

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			<p>practitioner should it become necessary while the minor is detained;</p> <p>The probation dept. is/is not authorized to release the minor administratively at their discretion with any conditions they deem appropriate.</p>	<p>disposition order and that order would remain in full force and effect.</p> <p>Similar language has been added to JV-642.</p>
15.	Superior Court of Tulare County Stephanie Cameron Court Operations Manager	N/I	(approve forms JV-618, JV-667, JV-672, JV-674, JV-678, JV-682, and JV-690; revise forms JV-600, JV-615, JV-624, JV-625, JV-640, JV-642, JV-644, JV-665, JV-732, JV-735, JV-740, and JV-794) This proposal would revise 12 Judicial Council forms and create 8 new forms for use in juvenile delinquency proceedings. The changes are required by modifications in state law that have expanded the number of issues the court must consider when making determinations in the exercise of its oversight of the children and families under its jurisdiction. The changes are also in response to the needs of courts that use electronic versions of the forms and the many suggestions the Administrative Office of the Courts has received from courts and their justice partners to make the forms both easier to use and more comprehensive.	No response required.
16.	Lee Ann Workman Court Clerk Superior Court of Lassen County	N/I	Thank you for developing forms JV-690 and JV-692, the notification forms to schools and sheriff. Our court has been using forms we generated ourselves, and it is very helpful to have Judicial Council forms to use. However, is it necessary to provide case number and specific disposition	The case number is not required and has been removed from both forms. The dispositions have been changed to reflect more general categories.

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			<p>information on these forms? I cannot think of any reason for these organizations to have that information. Isn't it enough to state that the disposition is wardship, non-ward probation, deferred entry of judgment, etc? I don't think that the courts should expose any more of a juvenile's information than is necessary.</p>	
17.	<p>Youth Law Center Maria F. Ramiu Managing Attorney</p>	N/I	<p>Notice of Hearing – Juvenile Delinquency Proceeding – JV-625 Do Not Agree with Change</p> <p>The proposed change would expand the form heading to include a specific check box for 725 and 777a proceedings.</p> <p>The proposed changes are fine, but seem unnecessary. Why were these two proceedings singled out and why don't they come under 602? Item #2 on the form provides check boxes for a few types of hearings and a catchall "other" box to write in any other type of hearing. Curiously, Item #2 was not revised to specifically include 725 or 777a proceedings. There are a myriad of other juvenile delinquency proceedings that could be included in the heading or in Item #2 (e.g. Detention rehearings, 15 day reviews, Fitness, Competency, DEJ and 645 hearings). Item# 2 should be revised to include 725 or 777a hearings if the Council goes forward with the proposed change.</p>	<p>The form was modified to help clarify the appropriate use of this form and to accommodate other revised forms. Due to space limitations, the most common kinds of hearing calling for the use of this form are included in the list and an area for "other" hearing types is available to identify additional hearings that are not specifically listed.</p>

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			<p>Although not an area within the proposed revision, the notice about the right to counsel is very confusing. The notice should clarify that the right to an attorney attaches before the initial hearing and that an attorney may be appointed at the time the notice is received. Otherwise the implication is that nothing happens until the juvenile is already in court. The notice to parents should also be more explicit about their right to counsel and their due process rights.</p> <p>Initial Appearance Hearing – JV-642 Agree if Modified</p> <p>The proposed changes add detail to what the court finds at the initial appearance, but the following revisions are suggested.</p> <p>Line 5 – Appointment of counsel should be more explicit about whether counsel is a public defender, panel attorney or other kind of appointed counsel. Also, the form should indicate when counsel has been waived, and whether the waiver was after consultation with counsel.</p> <p>Additionally, there should be an advisement that counsel is to represent the child until relieved by</p>	<p>The notice was changed to be clearer and to indicate specifically that the child can have an attorney appointed prior to the court date.</p> <p>By allowing for an open-ended response to reflect the appointment of counsel, the court has more flexibility to provide specific detail about the appointment than it would if check boxes were provided. Due to the severe space restriction, the “other orders” section would be appropriate to use for the unusual instances where counsel is waived.</p> <p>The requested advisement was added to the appropriate item.</p>

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			<p>the court in accordance with section 634.6 and rule 6.663.</p> <p>Line 10 – The advisement should include notice to the parent about financial obligations, right to counsel and due process rights.</p> <p>Line 16 - The court findings in relation to an admission should cover all the issues that appear in the proposed juvenile waiver form(JV-618).</p> <p>Lines 18- 20 – Custody options should include everything in the statutes including non-secure placements.</p> <p>Line 25 - Findings on reasonable efforts should include a brief description of the efforts made – this is supposed to be more than a rubber stamp.</p> <p>Line 37 – The sentence on relieving counsel should be removed, and if needed, inserted in its own section or with its own check box. Sometimes when the petition is dismissed, counsel should not be relieved because the minor has other open petitions.</p> <p>Jurisdiction Hearing- JV-644 Agree if</p>	<p>An item indicating that the parents and legal guardians have been advised of their financial obligations and their right to counsel has been added.</p> <p>JV-618 captures the admission information in greater detail and can be used to encourage judicial officers to go over the rights waiver with the youth.</p> <p>The custody options are captured in JV-665 disposition attachment.</p> <p>The committee believes that the finding is legally sufficient at drafted. The efforts that probation made must be described in the report or court file. Requiring a narrative answer is a workload concern and would require a separate comment period.</p> <p>The requested modification has been made by creating a separate item for the option to relieve counsel.</p>

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			<p>Modified</p> <p>Line 32 – Again, the sentence on relieving counsel should be removed, and if needed, inserted in its own section or with its own check box.</p> <p>Disposition – JV-665 Agree if Modified</p> <p>Line 1 – It is unclear what notice has been given. This should be more explicit. Did the parent and child receive notice? Did the parent receive the JV-625 with the advisements of their additional financial obligations and their rights to an attorney and due process?</p> <p>.</p> <p>Line 15 – The notice about notifying DMV should clarify that DMV has independent authority to suspend, revoke or delay driving privileges.</p> <p>Also, additional advisements should be given at disposition and acknowledged in the findings and order. The court should advise the minor and counsel that counsel has continuing obligations to represent the minor pursuant to section 634.6 and rule 5.663 and advise the minor about the right to appeal.</p>	<p>The requested modification has been made.</p> <p>The finding meets the requirement of the law. No modification made.</p> <p>The requested language was added to the item.</p> <p>An indication of an advisement about the continuing obligation to represent the child until relieved was added, as requested. The right to appeal is on the form, so no modification needed.</p>