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DISPOSITIONAL ATTACHMENT: REMOVAL FROM CUSTODIAL PARENT—PLACEMENT WITH NONPARENT

(Welf. & Inst. Code, §§ 361, 361.2)

1. ☐ The child is a person described by Welf. & Inst. Code, § 300 *(check all that apply)*

   ☐ 300(a) ☐ 300(c) ☐ 300(e) ☐ 300(g) ☐ 300(i)

   ☐ 300(b) ☐ 300(d) ☐ 300(f) ☐ 300(h) ☐ 300(j)

   and is adjudged a dependent of the court.

Circumstances justifying removal from custodial parent

2. ☐ There is clear and convincing evidence of the circumstances stated in Welf. & Inst. Code, § 361 regarding the persons specified below *(check all that apply):*

	361(c)(1)	361(c)(2)	361(c)(3)	361(c)(4)	361(c)(5)
a. ☐ Mother	☐	☐	☐	☐	☐
b. ☐ Presumed father	☐	☐	☐	☐	☐
c. ☐ Biological father	☐	☐	☐	☐	☐
d. ☐ Legal guardian	☐	☐	☐	☐	☐
e. ☐ Indian custodian	☐	☐	☐	☐	☐
f. ☐ Other *(specify):*	☐	☐	☐	☐	☐
g. ☐ Other *(specify):*	☐	☐	☐	☐	☐

3. Reasonable efforts ☐ were ☐ were not made to prevent or eliminate the need for removal from the home.

ICWA status

4. ☐ The court has inquired of each participant present who has not already been asked whether the participant has any information indicating that the child is a member or citizen of or eligible for membership or citizenship in an Indian tribe or Alaska Native village and reviewed the evidence of the affirmative and ongoing inquiry by the agency to determine whether the child is or may be an Indian child, and finds that there is no reason to believe or know that the child is an Indian child. The agency has an affirmative and continuing duty of inquiry to determine whether the child is or may be an Indian child and to report to the court on its inquiry efforts.

5. ☐ The child is an Indian child, ☐ there is reason to know that the child is an Indian child, and

   a. qualified expert witness testimony was provided by ; and

   b. evidence regarding the prevailing social and cultural practices of the child's tribe was provided; and

   c. there is clear and convincing evidence that continued physical custody by the following person is likely to cause serious emotional or physical damage to the child:

      ☐ Mother ☐ Biological father ☐ Legal guardian

      ☐ Presumed father ☐ Indian custodian

      ☐ Other *(specify):*

      ☐ Other *(specify):*

6. ☐ The child is an Indian child or ☐ there is reason to know that the child is an Indian child as set out in detail in the record, and

   a. affirmative, active, thorough, and timely efforts ☐ have ☐ have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;

   b. these efforts ☐ did ☐ did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;

   c. to the maximum extent possible, the efforts ☐ were ☐ were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe;

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6. d. these efforts and the case plan ☐ have ☐ have not been conducted and developed to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians, and the tribe, utilizing the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregiver service providers; and

   e. the active efforts have proved ☐ successful ☐ unsuccessful.

7. **Based on the facts stated on the record, continuance in the home is contrary to the child's welfare and physical custody is removed from** *(check all that apply)*

   ☐ mother ☐ biological father ☐ legal guardian

   ☐ presumed father ☐ Indian custodian

   ☐ Other *(specify):*

   ☐ Other *(specify):*

Family finding and engagement

8. a. ☐ The county agency has exercised due diligence to identify, locate, and contact the child's kin who could provide family support or possible placement, and the names of the kin and results of the diligent efforts are documented.

   b. ☐ The county agency has not exercised due diligence to identify, locate, and contact the child's kin who could provide family support or possible placement.

      (1) ☐ The county agency is ordered to make such diligent efforts, except for individuals the agency has determined to be inappropriate to contact because of their involvement with the family or domestic violence.

      (2) ☐ The county agency must submit a report to the court on or before *(date):* detailing the diligent efforts made and the results of such efforts.

Case plan development

9. a. ☐ The county agency solicited and integrated into the case plan the input of the ☐ child ☐ mother ☐ father

   ☐ representative of child's identified Indian tribe ☐ Other *(specify):*

   ☐ Other *(specify):*

   b. ☐ The county agency did not solicit and integrate into the case plan the input of the ☐ child ☐ mother

   ☐ father ☐ representative of child's identified Indian tribe ☐ Other *(specify):*

   ☐ Other *(specify):*

   and the agency is ordered to do so and submit an updated case plan within 30 days of the date of this hearing.

   c. ☐ The county agency did not solicit and integrate into the case plan the input of the ☐ child ☐ mother

   ☐ father ☐ representative of child's identified Indian tribe ☐ Other *(specify):*

   ☐ Other *(specify):*

   and the county agency is not required to do so because these persons are unable, unavailable, or unwilling to participate.

Custody and placement

10. ☐ The ☐ mother ☐ presumed father ☐ biological father did not reside with the child at the time the petition was filed and ☐ does ☐ does not desire custody of the child.

   a. ☐ By clear and convincing evidence, placement with the following parent would be detrimental to the safety, protection, or physical or emotional well-being of the child:

   ☐ Mother ☐ Presumed father ☐ Biological father

   b. ☐ The factual basis for the findings in this item is stated on the record.

11. ☐ **The care, custody, control, and conduct of the child is under the supervision of the county agency for placement**

   a. ☐ in the approved home of a relative.

   b. ☐ in the approved home of a nonrelative extended family member.

   c. ☐ in the approved home of a resource family, as defined in Welf. & Inst. Code, § 16519.5 or a home that is pending approval under Welf & Inst. Code, § 16519.5(e)(1).

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11. d. ☐ with a foster family agency for placement in a foster family home.
    e. ☐ in a suitable licensed community care facility.
    f. ☐ in a short-term residential therapeutic program or community treatment facility. A hearing to review the placement under Welf. & Inst. Code, § 361.22 was held on or is set for *(date):*

12. ☐ **Placement with the child's relative,** *(name):*
    has been independently considered by the court and is denied for the reasons stated on the record.

Placement of an Indian child

13. ☐ The child is an Indian child or there is reason to know the child is an Indian child. Currently *(check one)*
    a. ☐ the child is placed with a member of the child's extended family as defined by section 1903 of title 25 of the United States Code; or
    b. ☐ a diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
    c. ☐ a diligent search was made for a placement with a member of the child's extended family or in a foster home licensed, approved, or specified by the Indian child's tribe; the efforts are documented in detail in the record; and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
    d. ☐ a diligent search was made for a placement with a member of the child's extended family, or in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; the efforts are documented in detail in the record; and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
    e. ☐ the child is placed in accordance with the preferences established by the tribe; or
    f. ☐ the court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.

14. **The child's out-of-home placement is necessary.**

15. ☐ **The child's current placement is appropriate.**

16. ☐ The child has left their placement, and their whereabouts are unknown. Out-of-home placement continues to be necessary. The placement ☐ was ☐ was not appropriate. The county agency ☐ has ☐ has not made reasonable efforts to locate the child.

17. ☐ The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement ☐ was ☐ was not appropriate.

18. ☐ **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
    a. ☐ The matter is continued to the date and time indicated in form JV-415, item 17 for a ☐ written ☐ oral report by the county agency on the progress made in locating an appropriate placement.
    b. ☐ Other *(specify):*

19. ☐ For a child placed in short-term residential therapeutic program or community treatment facility, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.1(m) when determining the continuing necessity for and appropriateness of the placement.

20. ☐ **The child is placed outside the state of California, and that out-of-state placement**
    a. ☐ continues to be the most appropriate placement for the child and is in the best interest of the child.
    b. ☐ is not the most appropriate placement for the child and is not in the best interest of the child.
    The matter is continued to the date and time indicated in form JV-415, item 18 for a ☐ written ☐ oral report by the county agency on the progress made toward
    (1) ☐ returning the child to California and locating an appropriate placement within California.

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20. b. (2) ☐ locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.

(3) ☐ Other *(specify):*

Reunification services

21. ☐ **Provision of reunification services to the biological father** ☐ will ☐ will not benefit the child.

22. ☐ **The mother is incarcerated** and is seeking to participate in the Department of Corrections and Rehabilitation community treatment program.

a. ☐ Participation in the program ☐ is ☐ is not in the child's best interest.

b. ☐ The program ☐ is ☐ is not suitable to meet the needs of the mother and child.

23. ☐ The

☐ mother ☐ legal guardian ☐ Other*(specify):*

☐ presumed father ☐ Indian custodian ☐ Other*(specify):*

is incarcerated, and reasonable reunification services are

a. ☐ granted.

b. ☐ denied because, by clear and convincing evidence, providing reunification services would be detrimental to the child.

24. ☐ **As provided in Welf. & Inst. Code, § 361.5(b), by clear and convincing evidence,**

a. the ☐ mother ☐ legal guardian ☐ Other*(specify):*

☐ presumed father ☐ Indian custodian ☐ Other*(specify):*

is a person described in Welf. & Inst. Code, § *(choose all that apply)*

☐ 361.5(b)(3) ☐ 361.5(b)(7) ☐ 361.5(b)(9) ☐ 361.5(b)(11) ☐ 361.5(b)(13) ☐ 361.5(b)(16)

☐ 361.5(b)(4) ☐ 361.5(b)(8) ☐ 361.5(b)(10) ☐ 361.5(b)(12) ☐ 361.5(b)(15) ☐ 361.5(b)(17)

and reunification services are

(1) ☐ granted because, by clear and convincing evidence reunification is in the best interest of the child.

(2) ☐ denied.

b. The ☐ mother ☐ legal guardian ☐ Other *(specify):*

☐ presumed father ☐ Indian custodian ☐ Other *(specify):*

is a person described in Welf. & Inst. Code, § 361.5(b)(1), and a reasonably diligent search has failed to locate the person. Reunification services are denied.

c. The ☐ mother ☐ legal guardian ☐ Other *(specify):*

☐ presumed father ☐ Indian custodian ☐ Other *(specify):*

is a person described in Welf. & Inst. Code, § 361.5(b)(2), and reunification services are

(1) ☐ granted.

(2) ☐ denied because the person, even with the provision of services, is unlikely to be capable of adequately caring for the child within the statutory time limits.

d. The ☐ mother ☐ legal guardian ☐ Other *(specify):*

☐ presumed father ☐ Indian custodian ☐ Other *(specify):*

is a person described in Welf. & Inst. Code, § 361.5(b)(5), and reunification services are

(1) ☐ granted because

(a) ☐ reunification services are likely to prevent reabuse or neglect.

(b) ☐ the failure to try reunification will be detrimental to the child because the child is closely and positively bonded to the person.

(2) ☐ denied.

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24. e. The ☐ mother ☐ legal guardian
☐ presumed father ☐ Indian custodian
☐ other person who is a legal parent of the child *(name):*
☐ Other *(specify):*

is a person described in Welf. & Inst. Code, § 361.5(b)(6), and reunification services are

(1) ☐ granted because by clear and convincing evidence reunification is in the best interest of the child.

(2) ☐ denied because the child or the child's sibling suffered severe sexual abuse or the infliction of severe physical harm by the person, and it would not benefit the child to pursue reunification with that person.

(3) ☐ The factual basis for the findings in this item is stated on the record.

f. The ☐ mother ☐ legal guardian ☐ Other *(specify):*
☐ presumed father ☐ Indian custodian ☐ Other *(specify):*

is a person described in Welf. & Inst. Code, § 361.5(b)(14). The court advised the person of any right to services and the possible consequences of a waiver. The person executed *Waiver of Reunification Services* (form JV-195), and the court accepts the waiver, the person having knowingly and intelligently waived the right to services. Reunification services are denied.

g. **The county agency must provide reunification services,** and the following must participate in the reunification services stated in the case plan:

☐ Mother ☐ Biological father ☐ Presumed father ☐ Other *(specify):*
☐ Indian custodian ☐ Legal guardian ☐ Other *(specify):*

25. **The likely date** by which the child may be returned to and safely maintained in the home or another permanent plan selected is *(specify):*

Efforts

26. The county 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 any steps necessary to finalize the permanent placement of the child.

27. **The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:**

	None	Minimal	Adequate	Substantial	Excellent
☐ Mother	☐	☐	☐	☐	☐
☐ Presumed father	☐	☐	☐	☐	☐
☐ Biological father	☐	☐	☐	☐	☐
☐ Legal guardian	☐	☐	☐	☐	☐
☐ Indian custodian	☐	☐	☐	☐	☐
☐ Other *(specify):*	☐	☐	☐	☐	☐
☐ Other *(specify):*	☐	☐	☐	☐	☐

Siblings

28. ☐ **The child does not have siblings under the court's jurisdiction.**

29. ☐ **The child has siblings under the court's jurisdiction.** *Sibling Attachment: Contact and Placement* (form JV-403) is attached and incorporated by reference.

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Health and education

30. a. The child's educational needs ☐ are ☐ are not being met.
    b. The child's physical needs ☐ are ☐ are not being met.
    c. The child's mental health needs ☐ are ☐ are not being met.
    d. The child's developmental needs ☐ are ☐ are not being met.

31. ☐ The ☐ mother ☐ biological father ☐ Indian custodian
    ☐ presumed father ☐ legal guardian ☐ Other *(specify):*
    ☐ Other *(specify):*
    is ☐ 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 Welf. & Inst. Code, § 369 and vested with the county agency.

32. ☐ The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 30 or other concerns are
    a. ☐ stated in the social worker's report.
    b. ☐ specified here:

33. The child ☐ does ☐ does not have an order authorizing psychotropic medication. The next hearing to review the psychotropic medication order is on *(date):*

34. a. ☐ A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650 can be obtained from the California Courts website at courts.ca.gov/cms/rules/index/five/rule5_650, or from the court's self-help center.
    b. ☐ A limitation on the right of the parents to make educational decisions for the child is necessary and those rights are limited as stated in *Order Designating Educational Rights Holder* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e) and (f) of the California Rules of Court. A copy of rule 5.650 can be obtained from the California Courts website at courts.ca.gov/cms/rules/index/five/rule5_650, or from the court's self-help center.

35. ☐ The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 32:
    a. ☐ Social worker
    b. ☐ Parent *(name):*
    c. ☐ Surrogate parent *(name):*
    d. ☐ Educational representative *(name):*
    e. ☐ Other *(name):*

36. ☐ The child's education placement has changed since the date the child was physically removed from the home.
    a. ☐ The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
    b. ☐ The child is enrolled in school.
    c. ☐ The child is attending school.

37. a. ☐ The child is 16 years of age or older, and under the requirements of Welf. & Inst. Code, § 16501.1(g)(22),
        (1) ☐ an individual or individuals have been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.
        (2) ☐ the name of the support person(s) to assist the child is:
        the support person's relationship(s) to the child is:

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37. a. (3) ☐ an individual or individuals have not been identified to assist the child with applications for postsecondary education, including career and technical education, and related financial aid.

(4) ☐ to assist the child in preparing for postsecondary education, the county agency must add to the case plan and provide the services

(a) ☐ stated on the record.

(b) ☐ as follows:

b. ☐ The child is 16 years of age or older and has stated that they do not want to pursue postsecondary education, including career or technical education.

38. ☐ For a child who is 10 years of age or older; is in junior high, middle, or high school; and has been under the jurisdiction of the juvenile court for a year or longer, *Status Review Attachment: Sexual and Reproductive Health Services* (form JV-459(A)) has been completed and is attached.

39. ☐ **Child 14 years of age or older**

a. ☐ The services stated in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.

b. ☐ The services stated in the case plan do not include those needed to assist the child in making the transition from foster care to successful adulthood.

c. ☐ To assist the child in making the transition to successful adulthood, the county agency must add to the case plan and provide the services

(1) ☐ stated on the record.

(2) ☐ as follows:

Advisements

40. ☐ Child under three years of age on the date of initial removal from the physical custody of the child's parent or guardian, or for a child in a sibling group whose members were removed from parental custody at the same time, and in which one member of the sibling group was under three years of age on the date of initial removal from the physical custody of the child's parent or guardian.

a. **Failure to participate regularly and make substantive progress in court-ordered treatment programs may result in the termination of reunification services** for all or some members of the sibling group at the hearing scheduled on a date within six months from the date the child entered foster care under Welf. & Inst. Code, § 366.21(e).

Six-month hearing date:

b. **At the six-month hearing** under Welf. & Inst. Code, § 366.21(e), the court will consider the following factors in deciding whether to limit reunification services to six months for all or some members of the sibling group:

- Whether the sibling group was removed from parental care as a group;
- The closeness and strength of the sibling bond;
- The ages of the siblings;
- The appropriateness of maintaining the sibling group;
- The detriment to the child if sibling ties are not maintained;
- The likelihood of finding a permanent home for the sibling group;
- Whether the sibling group is currently placed in the same preadoptive home or has a concurrent plan goal of legal permanency in the same home;
- The wishes of each child whose age and physical and emotional condition permits a meaningful response; and
- The best interest of each child in the sibling group.

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40. c. **At the six-month hearing** under Welf. & Inst. Code, § 366.21(e), if the child is not returned to the custody of a parent, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under Welf. & Inst. Code, § 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.**

41. ☐ **Child three years of age or older who is not a member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(1)(C).** The court informed all parties present at the time of the hearing and further advises all parties that, because the child was three years of age or older with no siblings under the age of three years at the time of initial removal, if the child is not returned to the custody of a parent at the Welf. & Inst. Code, § 366.21(f) permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and adoption of the child or, in the case of an Indian child for whom tribal customary adoption under Welf. & Inst. Code, § 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child.**

Twelve-month permanency hearing date:

42. ☐ a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**

b. By clear and convincing evidence, the court found that reunification services were not to be provided to the child's parents, legal guardian, or Indian custodian under Welf. & Inst. Code, § 361.5(b).

c. The county agency and the licensed county adoption agency or the California Department of Social Services acting as an adoption agency will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).

d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing a notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record to Review Order Setting a Hearing Under Welfare and Institutions Code Section 366.26 (California Rules of Court, Rule 8.450)* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as stated in rule 5.695(f)(10) of the California Rules of Court to any party not present.

e. ☐ The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who had relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Family Code section 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).

(1) *(name):*

(2) *(name):*

(3) *(name):*

(4) *(name):*

f. **The likely date** by which the permanent plan will be achieved is *(date):*

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