



Judicial Council of California

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INVITATION TO COMMENT

SPR26-29

Title

Juvenile Law: Incarcerated Parents and Nonminor Dependents

Action Requested

Review and submit comments by May 18, 2026, to invitations@jud.ca.gov

Proposed Rules, Forms, Standards, or Statutes

Amend Cal. Rules of Court, rules 5.530 and 5.900; revise forms JV-450 and JV-451

Proposed Effective Date

January 1, 2027

Proposed by

Family and Juvenile Law Advisory Committee

Hon. Tari L. Cody, Cochair

Hon. Stephanie E. Hulse, Cochair

Contact

Sarah Namnama Saria, 916-643-7078

Sarah.Saria@jud.ca.gov

Executive Summary and Origin

Assembly Bill 651 (Stats. 2025, ch. 274) amended Penal Code section 2625 to require courts to give notice to incarcerated parents, including wards in Secure Youth Treatment Facilities (SYTFs), and allow them to attend specified dependency hearings. If an incarcerated parent waives in-person attendance, the statute requires incarcerated parents to be given the opportunity to participate in the hearing by videoconference or, if unavailable, by teleconference. The bill also amended Welfare and Institutions Code section 349 to extend to nonminor dependents the rights to notice, participation, and continuances if notice is not provided. To implement these changes, the Family and Juvenile Law Advisory Committee proposes amending two rules of court and revising two mandatory forms.

Background

Before January 1, 2026, Penal Code section 2625 required courts to notify prisoners of proceedings to adjudicate a petition concerning their child under Welfare and Institutions Code section 300¹ or to terminate their parental rights under section 366.26.² The term “prisoner”

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

¹ Unless otherwise specified, all further statutory references are to the Welfare and Institutions Code.

² Pen. Code, § 2625. (Amended by Assem. Bill 46; Stats. 2019, ch. 9, § 5), eff. Jan. 1, 2020.)

included individuals in state prison, the California Rehabilitation Center, or county jail, or wards of the Department of the Youth Authority.

AB 651³ expanded these provisions to:

- Include wards confined in SYTFs, but not wards of the Department of the Youth Authority; and
- Add hearings requiring notice to incarcerated parents to include hearings under sections 361, 366.21, 366.22, and 366.25 when the hearings are about the prisoner's child; petitions under section 388 if the prisoner is the petitioner; and hearings to determine the parentage of a prisoner's child.

To give incarcerated parents an opportunity to participate in hearings, AB 651 amended Penal Code section 2625 to:

- Require courts to order the parent's temporary release from the institution and production before the court if a parent notifies the court of their desire to physically attend the proceeding;
- Require courts to offer the opportunity to participate by videoconference or teleconference if the incarcerated parent waives their right to be physically present; and
- Continue to prohibit hearings under sections 300 or 366.26 without the parent's presence or written waiver.⁴

The bill also amended section 349 to extend to nonminor dependents many of the same rights afforded to dependent minors, including the rights to notice, participation, and continuances when not properly notified. Nonminor dependents have the right to be represented at the hearing by counsel of their own choice, and the court is required to inform the nonminor that they have the right to address the court and participate in the hearing. If the nonminor is not present at a hearing, the court is required to inquire whether the nonminor was properly notified and grant a continuance long enough to secure the nonminor's presence if notice was lacking.

³ See https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202520260AB651.

⁴ The language in subdivision (d) of Penal Code section 2625 was changed from "may" to "shall." Prior to the amendment in Assembly Bill 651, this subdivision stated that a court "may" not hold a proceeding to adjudicate a child of the prisoner a dependent under section 300 or a proceeding under section 366.26 without the physical presence of the parent or their attorney unless the court has a written waiver of the parent's right to physical presence. As amended, this subdivision states that a court "shall" not hold such proceedings absent a written waiver from the parent. Courts have understood this subdivision to prohibit such proceedings absent a written waiver from the parent. (Judicial Council of Cal., *Report to the Judicial Council, Juvenile Law: Appearance by Incarcerated Parents and Other Parties in Juvenile Court Proceedings* (Oct. 28, 2011, p. 8.)

The Proposal

The Family and Juvenile Law Advisory Committee proposes amending California Rules of Court,⁵ rule 5.530 to conform to Penal Code section 2625; amending rule 5.900 to conform to section 349; and revising *Order for Prisoner's Appearance at Hearing Affecting Parental Rights* (form JV-450) and *Prisoner's Statement Regarding Appearance at Hearing Affecting Parental Rights* (form JV-451) to conform to Penal Code section 2625.

Rule 5.530

To conform to Penal Code section 2625, the committee recommends amending subdivision (f) of rule 5.530 to:

- Add wards in SYTFs as parents entitled to appear in person and participate in dependency proceedings;
- Remove detention hearings under section 319 from court notice requirements;
- Expand court notice to incarcerated parents to include hearings under sections 355⁶, 358, 361, 366.21, 366.22, 366.25, and 366.26 when such hearings are related to the prisoner's child; petitions under section 388 when the parent is the petitioner; and any hearing to determine the parentage of a prisoner's child;
- State that the parent has the right to attend a hearing in person or have their attorney attend the hearing, and that the parent can waive their right to appear physically;
- Require courts to issue an order for the parent's temporary removal and production upon a request from the parent or the parent's attorney;
- Renumber subdivision (5) as subdivision (2)(A), change the title of form JV-450 to *Notice and Order for Appearance of Prisoner or Ward at Hearing Affecting Parental Rights*, and change the title of form JV-451 to *Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights*;
- Renumber subdivisions (4)(A)–(B) as subdivision (2)(B) and amend the section to prohibit hearings under section 355, 358, or 366.26 without the parent's presence or written waiver;
- Renumber and amend subdivision (6) as subdivision (3) and state that parents who waive in-person attendance rights or have not been ordered to appear have the opportunity to participate via videoconference or, if unavailable, by teleconference;
- Require courts, in subdivision (3), to inform the parent that the hearing may proceed without their appearance and participation if technology complying with rule 5.531 is

⁵ Unless otherwise specified, all further rule references are to the California Rules of Court.

⁶ Penal Code section 2625(b) includes proceedings to adjudicate a child a dependent of the court. These proceedings include those under Welfare and Institutions Code section 355 (jurisdictional hearings) and section 358 (dispositional hearings).

unavailable for reasons not attributable to the court;

- Add provisions for other hearings concerning the parental or marital rights of the parent, for a court to order the parent's temporary removal and production before the court while remaining in the constructive custody of the warden, superintendent, or other person in charge of the institution; and
- Delete subdivision (f)(7) recommending local collaboration, as it has not resulted in statewide uniformity for the transportation and production of incarcerated parents for juvenile court proceedings.

Rule 5.900

To align with Welfare and Institutions Code section 349, the committee recommends amending subdivision (d) of rule 5.900 to:

- Amend subdivision (1) to include that nonminor dependents are entitled to notice of hearings concerning them and have the right to attend.
- Amend subdivision (3) to allow nonminors to have an attorney of their choice appear on their behalf.
- Add subdivision (4) to require courts to comply with statutory requirements when the nonminor dependent is present at the hearing.
- Add subdivision (5) to require courts to comply with statutory requirements when the nonminor dependent is not present at the hearing.

Order for Prisoner's Appearance at Hearing Affecting Parental Rights (form JV-450)

To conform to Penal Code section 2625, the committee recommends revising form JV-450 to:

- Retitle the form to *Notice and Order for Appearance of Prisoner or Ward at Hearing Affecting Parental Rights*;
- Create a new "Notice" section that includes:
 - Item 1: The parent's rights and an instruction to fill out and attach *Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights* (form JV-451);
 - Items 2 and 3: Hearing details; and

- Item 4: Information about the court’s videoconferencing or teleconferencing capability;
- Change the “Order” section to add:
 - Items 5 and 6: Instructions to the warden, superintendent, or other person in charge of the institution, including the manager of a SYTF; and
 - Item 7: Instructions to the clerk of the court, social worker, and probation officer based on the type of hearing requiring physical attendance or remote participation, and adding an instruction, not required by statute, to send *Statement Regarding Parentage* (form JV-505) to a parent who is an alleged father.

Prisoner’s Statement Regarding Appearance at Hearing Affecting Parental Rights (form JV-451)

To conform to Penal Code section 2625, the committee recommends revising form JV-451 to:

- Retitle the form to *Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights*;
- Create a new “Instructions” section that explains how the form is to be handled by the parent, translator, warden or person in charge, and court clerk;
- Item 3: Explain the parent’s right to an attorney;
- Item 4: Combine previous content to:
 - Explain the parent’s right to attend the hearing;
 - Allow the parent to select whether they want to:
 - Attend the hearing in person;
 - Participate by videoconferencing or teleconferencing; or
 - Waive both in-person and remote participation, acknowledging that the court may move forward with the case without them;
 - Include space for the parent to provide additional information, such as reasons for not attending;
- Item 5: Add the option for a parent to request an accommodation at a hearing;
- Item 6: Add a declaration by a person who reads forms JV-450 and JV-451 to the parent without translating the forms; and

- Item 7: Create a new “Declaration of the Official” combining content from previous items 8 and 9.

These changes are required to make rules of court and forms conform to the amended statutes. The amended rules will make it easier for court officers to implement new mandatory statutory requirements. The revised forms will help court officers provide mandated notice to parties and make it easier for parties, attorneys, and those in charge of facilities to provide required information to the courts.

Alternatives Considered

The committee did not consider taking no action. Amending rule 5.530, revising form JV-450, and revising form JV-451 are necessary to reflect recent changes to Penal Code section 2625. Amending rule 5.900 is necessary to reflect recent changes to section 349.

The committee considered adding wards in juvenile detention centers in the proposed amendments to rule 5.530 and revisions to form JV-450. However, because the legislature did not include these wards in the amendments to Penal Code section 2625, the committee limited amendments and revisions to wards in SYTFs.

The committee considered keeping detention hearings under section 319 in rule 5.530(f)(1) but concluded that deletion reflects legislative intent. Although the Legislature added several types of dependency hearings requiring notice to incarcerated parents and wards, detention hearings were excluded from Penal Code section 2625. Additionally, these hearings occur shortly after a petition is filed, making it impossible to meet the statute’s 15-day notice requirement for transport orders.

The committee also considered not deleting subdivision (f)(7) of rule 5.530, which recommends that courts convene local agencies and attorneys to develop local court rules and protocols for the implementation of Penal Code section 2625 and rule 5.530. Although the committee acknowledged that it was helpful that local court rules and protocols have been developed, the committee proposes deleting subdivision (f)(7) because that provision has not led to uniformity or consistency throughout the state.

Fiscal and Operational Impacts

To meet statutory mandates, judicial officers and court staff will need education and training. Courts and justice partners may experience fiscal and operational impacts in ensuring that parties are able to appear at hearings in person if they choose and can participate via videoconferencing or teleconferencing if they waive their right to appear in person. Courts, county jails, state prisons, and SYTFs could incur the cost of installing videoconferencing and teleconferencing systems, and maintaining and updating these systems will be recurring costs. County sheriffs departments and state prisons will incur the costs of transporting incarcerated parents to court hearings and maintaining custody of parents while they are in court houses for hearings. County probation departments will incur such costs for wards in SYTFs. All of these costs are unavoidable given statutory mandates.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Are county jails, state prisons, and SYTFs able to provide, at a minimum, telephone conferencing for a parent to participate in a hearing as stated in subdivision (g) of Penal Code section 2625?
- Does proposed form JV-450, item 5, clearly explain who must read and comply with the court order?
- Does proposed form JV-451, Instruction number 1, clearly explain who must receive the form?
- Should subdivision (f)(7) of rule 5.530 be deleted because collaboration at the county level has not led to uniformity throughout the state in the way incarcerated parents are transported and produced for juvenile court proceedings?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Cal. Rules of Court, rules 5.530 and 5.900, at pages 8–12
2. Forms JV-450 and JV-451, at pages 13–18
3. Link A: Pen. Code, § 2625,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=2625.&lawCode=PEN
4. Link B: Welf. & Inst. Code, § 349,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=349.&lawCode=WIC
5. Link C: Assem. Bill 651 (Bryan; Stats. 2025, ch. 274),
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB651

Rules 5.530 and 5.900 of the California Rules of Court would be amended, effective January 1, 2027, to read:

1 **Rule 5.530. Persons present**

2
3 (a)–(e) * * *

4
5 (f) **Participation in dependency proceedings by a parent who is of incarcerated**
6 **parent in dependency proceedings or a ward in a Secure Youth Treatment**
7 **Facility (§§ 290.1–294, 316.2, 349, 361.5(e); Pen. Code, § 2625)**

8
9 The incarcerated parent of a child on behalf of whom a petition under section 300
10 has been filed may appear and participate in dependency proceedings as provided
11 in this subdivision. The term “parent” in this subdivision refers to either an
12 incarcerated parent or a parent who is a ward in a Secure Youth Treatment Facility
13 (SYTF).

14
15 (1) Notice must be sent to ~~an incarcerated~~ a parent of a detention hearing under
16 section 319 as required by sections 290.1 and 290.2; ~~a jurisdictional hearing~~
17 ~~under section 355; or a dispositional hearing under section 358 or 361 as~~
18 ~~required by section 291~~ hearing to limit rights regarding educational or
19 developmental services under section 361 as required by section 291; a
20 review hearing under section 366.21, 366.22, or 366.25 as required by section
21 293; or a section 366.26 permanency planning hearing under section 366.26
22 as required by section 294 if the proceeding seeks to terminate the parental
23 rights of the parent; hearing under section 388 as required under section 297
24 if the parent is the petitioner; or any hearing at which parentage is to be
25 determined.

26
27 (A) Notice ~~sent pursuant to subdivision (1) to an incarcerated parent of a~~
28 ~~jurisdictional hearing, a dispositional hearing, or a section 366.26~~
29 ~~permanency planning hearing at which termination of parental rights is~~
30 ~~at issue must inform the incarcerated parent of his or her right to be~~
31 ~~physically present at the hearing and explain how the parent may secure~~
32 ~~his or her presence or, if he or she waives the right to be physically~~
33 ~~present, appearance and participation~~ must inform the parent of their
34 right to be physically present at the hearing or to have their attorney
35 present at the hearing.

36
37 (B) Notice ~~to an incarcerated parent of a detention hearing, a review~~
38 ~~hearing, or any other hearing in a dependency proceeding must inform~~
39 ~~the incarcerated parent of his or her options for requesting physical or~~
40 ~~telephonic appearance at and participation in the hearing~~ sent pursuant
41 to subdivision (1) must inform the parent that they can waive their right

1 to be physically present by sending the court a signed waiver of their
2 right to physical presence or an affidavit signed by the warden,
3 superintendent, or other person in charge of the institution, or by a
4 designated representative stating that the parent has, by express
5 statement or action, indicated an intent not to appear at the proceeding.
6

7 (C) The county welfare department must use the prisoner location system
8 developed by the Department of Corrections and Rehabilitation to
9 facilitate timely and effective notice of hearings to incarcerated parents.

10
11 (2) Upon receipt by the court of a statement from the parent, or the parent's
12 attorney, indicating the parent's desire to be present during the court's
13 proceedings, the court must order an incarcerated parent's temporary
14 removal from the institution where he or she they is are confined and their
15 production before the court at the time appointed for any jurisdictional
16 hearing held under section 355 or dispositional hearing held under section
17 358 or 361, and any permanency planning hearing held under section 366.26
18 in which termination of parental rights is at issue hearing described in
19 subdivision (1).
20

21 (A) ~~(5)~~ When issuing an order under subdivision (2) or (3) for a parent in a
22 locked county or state institution, the court must require that Notice and
23 Order for Prisoner's Appearance of Prisoner or Ward at Hearing
24 Affecting Parental Rights (form JV-450) and a copy of Prisoner's
25 Statement of Prisoner or Ward Regarding Appearance at Hearing
26 Affecting Parental Rights (form JV-451) be attached to the notice of
27 hearing and served on the parent, the parent's attorney, the person in
28 charge of the institution, and the sheriff's department of the county in
29 which the order is issued by the person responsible for giving notice of
30 the hearing at issue not less than 15 days before the date of the hearing.
31

32 For a parent placed in an SYTF, the order must be served on the parent,
33 the parent's attorney, and on the probation department in the county
34 where the youth is detained, the county where the order originated, and
35 the manager of the SYTF. Notice of the hearing must be served not less
36 than 15 days before the hearing.
37

38 (B) ~~(4)~~ No A jurisdictional hearing described in (2) under section 355, a
39 dispositional hearing under section 358, or a hearing to terminate
40 parental rights under section 366.26 may must not be held without the
41 physical presence of the incarcerated parent, and or the parent's
42 attorney, unless the court has received: (A) a knowing waiver of the
43 right to be physically present signed by the parent or (B) A a

1 declaration signed by the person in charge of the institution in which
2 the parent is incarcerated or confined, or ~~his or her~~ their designated
3 representative, stating that the parent has, by express statement or
4 action, indicated an intent not to be physically present at the hearing.
5

6 (3) ~~For any other hearing in a dependency proceeding, including but not limited~~
7 ~~to a detention hearing or a review hearing, the court may order the temporary~~
8 ~~removal of the incarcerated parent from the institution where he or she is~~
9 ~~confined and the parent's production before the court at the time appointed~~
10 ~~for that hearing. (6) The court may, at the request of any party or on its own~~
11 ~~motion, permit an incarcerated parent, who~~ If a parent of a child involved in a
12 dependency hearing described in subdivision (1) has either waived his or her
13 their right to be physically present at a hearing described in (2) subdivision
14 (1) or who has not been ordered to appear before the court, the court must
15 give the parent the opportunity to appear and participate in a hearing by
16 videoconference consistent with the requirements of rule 5.531. If video
17 technology is not available, the court may must permit the parent to appear
18 by telephone consistent with the requirements of rule 5.531. The court must
19 inform the parent that, the hearing may proceed without their appearance and
20 participation if no technology complying with rule 5.531 is unavailable for
21 reasons not attributable to the court, the court may proceed without his or her
22 appearance and participation.
23

24 (4) ~~No hearing described in (2) may be held without the physical presence of the~~
25 ~~incarcerated parent and the parent's attorney unless the court has received: In~~
26 ~~any other action or proceeding in which a parent's parental or marital rights~~
27 ~~are subject to adjudication, the court of the county in which the action or~~
28 ~~proceeding is pending may issue an order for the parent's temporary removal~~
29 ~~from the institution and for the parent's production before the court.~~
30

31 (A) ~~A knowing waiver of the right to be physically present signed by the~~
32 ~~parent; or~~
33 The order must meet the requirements described in subdivision (e) of
34 Penal Code section 2625, and a copy of the order must be transmitted
35 to the warden, superintendent, or other person in charge of the
36 institution not less than 15 days before the order is to be executed.
37

38 (B) ~~A declaration, signed by the person in charge of the institution in which~~
39 ~~the parent is incarcerated, or his or her designated representative,~~
40 ~~stating that the parent has, by express statement or action, indicated an~~
41 ~~intent not to be physically present at the hearing. For a parent who is a~~
42 ~~ward in an SYTF, the order must meet the requirements described in~~
43 ~~subdivision (e) of Penal Code section 2625, and the order must be~~

1 transmitted to the probation department of the county in which the
2 order is made. The probation department has the duty to bring the
3 parent before the proper court and return the parent to the SYTF.
4

5 (5) ~~When issuing an order under (2) or (3), the court must require that *Order for*~~
6 ~~*Prisoner's Appearance at Hearing Affecting Parental Rights* (form JV 450)~~
7 ~~and a copy of *Prisoner's Statement Regarding Appearance at Hearing*~~
8 ~~*Affecting Parental Rights* (form JV 451) be attached to the notice of hearing~~
9 ~~and served on the parent, the parent's attorney, the person in charge of the~~
10 ~~institution, and the sheriff's department of the county in which the order is~~
11 ~~issued by the person responsible for giving notice of the hearing at issue not~~
12 ~~less than 15 days before the date of the hearing When a parent is removed~~
13 ~~from the institution under this section, the parent must remain in the~~
14 ~~constructive custody of the warden, superintendent, or other person in charge~~
15 ~~of the institution, including the probation department when the parent is a~~
16 ~~ward in an SYTF.~~
17

18 (6) ~~The court may, at the request of any party or on its own motion, permit an~~
19 ~~incarcerated parent, who has waived his or her right to be physically present~~
20 ~~at a hearing described in (2) or who has not been ordered to appear before the~~
21 ~~court, to appear and participate in a hearing by videoconference consistent~~
22 ~~with the requirements of rule 5.531. If video technology is not available, the~~
23 ~~court may permit the parent to appear by telephone consistent with the~~
24 ~~requirements of rule 5.531. The court must inform the parent that, if no~~
25 ~~technology complying with rule 5.531 is available, the court may proceed~~
26 ~~without his or her appearance and participation.~~
27

28 (7) ~~The presiding judge of the juvenile court in each county should convene~~
29 ~~representatives of the county welfare department, the sheriff's department,~~
30 ~~parents' attorneys, and other appropriate entities to develop:~~
31

32 (A) ~~Local procedures or protocols to ensure an incarcerated parent's~~
33 ~~notification of, transportation to, and physical presence at court~~
34 ~~hearings involving proceedings affecting his or her child as required or~~
35 ~~authorized by Penal Code section 2625 and this rule unless he or she~~
36 ~~has knowingly waived the right to be physically present; and~~
37

38 (B) ~~Local procedures or protocols, consistent with (f)(6) and rule 5.531, to~~
39 ~~facilitate the appearance and participation by videoconference or~~
40 ~~telephone of an incarcerated parent who has knowingly waived the~~
41 ~~right to be physically present.~~
42

1 (g) * * *

2
3 **Rule 5.900. Nonminor dependent—preliminary provisions (§§ 224.1(b), 295, 303,**
4 **366, 366.3, 388, 391, 607(a))**

5
6 (a)–(c) * * *

7
8 **(d) Conduct of hearings**

9
10 (1) A nonminor dependent is entitled to notice of a hearing regarding the
11 nonminor dependent and is entitled to be present at the hearing. All hearings
12 involving a person who is a nonminor dependent must be conducted in a
13 manner that respects the person’s legal status as an adult.

14
15 (2) * * *

16
17 (3) The nonminor dependent may designate ~~his or her~~ an attorney of their own
18 choice to appear on ~~his or her~~ their behalf at a hearing under this chapter.

19
20 (4) If the nonminor dependent is present at the hearing, the court must comply
21 with subdivision (c) of section 349 of the Welfare and Institutions Code.

22
23 (5) If a nonminor dependent is not present at the hearing, the court must comply
24 with subdivision (d) of section 349 of the Welfare and Institutions Code.

25
26 (e)–(f) * * *

27
28 **Advisory Committee Comment**

29
30 A nonminor is entitled to be represented by an attorney of their choice rather than by a court-
31 appointed attorney in proceedings under this chapter and under rule 5.555. (See Welf. & Inst.
32 Code, § 349(b); *In re Akkiko M.* (1985) 163 Cal.App.3d 525.) Any fees for an attorney retained
33 by the nonminor are the nonminor’s responsibility.

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY <p style="text-align: center;">DRAFT Not approved by the Judicial Council JV-450 2026-03-17 AD-SS- v13</p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
NOTICE AND ORDER FOR APPEARANCE OF PRISONER OR WARD AT HEARING AFFECTING PARENTAL RIGHTS	CASE NUMBER:

NOTICE

1. **To the parent, including a parent in a Secure Youth Treatment Facility (SYTF):** You are receiving this order because there will be a court hearing that affects your rights as a parent. You have a right to be physically present or to have your lawyer present at the hearing described in items 2–4. Fill out the attached form JV-451 (*Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights*) and tell the court whether you want to be physically present at this hearing.

2. **Court hearing regarding custody of the following children**

a. Child's name Case number

Additional children. List the name and case number of each additional child on a separate sheet of paper, write "Attachment 2a" at the top, and attach it to this form.

b. Reason for hearing:

- (1) Child Welfare Services has filed a petition with the court alleging child abuse or neglect, and the court will take authority over your child if the court finds the allegations to be true (Welf. & Inst. Code, §§ 355, 358).
- (2) The court will decide whether to limit your control over your child's educational or developmental services (Welf. & Inst. Code, § 361).
- (3) There is an existing juvenile case for the children listed above and there is a hearing to review the status of the case (Welf. & Inst. Code, §§ 366.21, 366.22, 366.25).
- (4) There is an existing juvenile case for the children listed above and the court will consider whether your parental rights should be terminated (Welf. & Inst. Code, § 366.26).
- (5) You have filed a motion and asked the court to modify a court judgment and order (Welf. & Inst. Code, § 388).
- (6) Other, including a hearing where a court may make decisions about your child's or children's parentage.

3. **Hearing information**

The hearing will be held:

Name and address of court if different from above:

Date: Time:
 Dept.: Room:



CASE NAME:

CASE NUMBER:

4. Appear by videoconference or telephone (Cal. Rules of Court, rule 5.531)

This court can:

- a. Accommodate the parent's appearance by telephone.
- b. Accommodate the parent's appearance by videoconference.

ORDER**5. To Warden, Superintendent, or Other Person in Charge of Institution, Including Manager of SYTF**

- a. Name of institution where parent is housed:
- b. You are ordered to deliver (name of prisoner or ward and ID number):
who is a party and housed in a locked county or state institution or in an SYTF, into the custody of the sheriff of the county in which the order is issued or the sheriff's delegate, or into the custody of the probation department of the county in which the order for the ward is issued, so that the prisoner or ward may be produced before this court for the hearing in item 3 **unless** the prisoner or ward executes a knowing waiver of their right to be physically present on the attached form JV-451 (*Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights*).
- c. If the prisoner or ward waives the right to be physically present at the hearing, you are not required to release the prisoner or ward.
- d. If the prisoner or ward waives the right to be physically present at the hearing and requests to appear by videoconference or telephone, you are ordered to:
 - (1) Provide the prisoner or ward with the means to appear by videoconference for the hearing in item 3 consistent with Cal. Rules of Court, rule 5.531, if the institution has the means to do so.
 - (2) Provide the prisoner or ward with the means to appear by telephone for the hearing in item 3 consistent with Cal. Rules of Court, rule 5.531, if the institution **does not** have the means to provide videoconference but does have the means to provide telephone.
 - (3) Notify the prisoner or ward if your institution cannot provide the means to appear by videoconference or telephone.
- e. You must give the prisoner or ward a meaningful opportunity to complete the attached form JV-451 (*Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights*) and must provide, consistent with sections 3002, 3130–3146, and 3160–3165 of title 15 of the California Code of Regulations, whatever assistance is reasonably necessary, including but not limited to reading or translating, to allow the prisoner or ward to understand the form and to make knowing and informed decisions regarding the options it presents.
- f. You must complete item 8 of form JV-451, whether the prisoner or ward completes form JV-451, or not. After form JV-451 is completed, you must file one copy with the court and return one copy to the parent's attorney of record not less than three court days before the hearing listed in item 3.

6. Agency responsible for transporting parent after their presence is no longer necessary

- a. The sheriff is ordered to return the parent to the institution listed in item 5a, if the institution is not an SYTF.
- b. The probation department is ordered to return the parent to the institution listed in item 5a, if the institution is an SYTF.



CASE NAME:	CASE NUMBER:
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7. Instructions to clerk of the court, social worker, and probation officer

- a. For a hearing under Welfare and Institutions Code section 355, 358, or 361, the clerk of the court must attach this form and a copy of form JV-451 (*Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights*) to the Notice of Hearing and serve them as prescribed in section 291 on the parent; the parent's attorney (if any); the warden, superintendent, or other person in charge of the institution where the parent is confined; and the sheriff of the county in which this order is issued not at least 15 days before the hearing in item 3.

- b. For a hearing under Welfare and Institutions Code section 366.26 at which termination of parental rights is at issue, the social worker or probation officer must attach this form and a copy of form JV-451 (*Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights*) to form JV-300 (*Notice of Hearing on Selection of a Permanent Plan*) and serve them as prescribed in section 294 on the parent; the parent's attorney (if any); the warden, superintendent, or other person in charge of the institution where the parent is confined; and the sheriff of the county in which this order is issued at least 15 days before the hearing in item 3.

- c. For a review hearing under Welfare and Institutions Code sections 366.21, 366.22, or 366.25, the clerk of the court, social worker, or probation officer must attach this form and a copy of form JV-451 (*Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights*) to the Notice of Hearing and serve them as prescribed in section 293 on the parent, the parent's attorney (if any); the warden, superintendent, or other person in charge of the institution where the parent is confined; and the sheriff of the county in which this order is issued at least 15 days before the hearing in item 3.

- d. For any other hearing in a dependency proceeding, including a hearing under Welfare and Institutions Code section 388 or a hearing at which parentage is at issue, the clerk of the court or social worker must attach this form and a copy of form JV-451 (*Statement of Prisoner or Ward Regarding Appearance at Hearing Affecting Parental Rights*) to the Notice of Hearing and serve them as legally prescribed on the parent; the parent's attorney (if any); the warden, superintendent, or other person in charge of the institution where the parent is confined; and the sheriff of the county in which this order is issued at least 15 days before the hearing in item 3. If the parent is an alleged father, a blank copy of form JV-505 (*Statement Regarding Parentage*) should also be served.

Date: _____

Judicial Officer

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council JV-451 2026-03-17 AD-SS- v7
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
STATEMENT OF PRISONER OR WARD REGARDING APPEARANCE AT HEARING AFFECTING PARENTAL RIGHTS	CASE NUMBER:

Instructions for completing this form

1. A blank copy of this form is sent to the parent, including a parent in a Secure Youth Treatment Facility (SYTF), and warden, superintendent, or person in charge of the institution.
2. The warden (or person in charge) gives a copy of this form to the parent to complete items 1, 3, 4, and 5.
3. A person who reads this form to the parent in English or another language completes item 6.
4. The parent returns the form to the warden (or person in charge).
5. The warden (or person in charge) completes item 7 and files this form with the court at least 8 days before the hearing.
6. The court clerk sends a copy to the parent's lawyer, if the parent already has a lawyer assigned to the case.

1. I, **(name of parent):**
 have read and understand, or I have had explained to me and I understand, form JV-450 (*Notice and Order For Appearance of Prisoner or Ward at Hearing Affecting Parental Rights*) that accompanies this form.

2. **Court hearing:** There will be a hearing impacting your parental rights for the cases listed in item 2 of form JV-450. The date and time of the hearing is listed in item 3 of form JV-450.

3. Right to a lawyer

- You have the right to a lawyer to represent you at the court hearing regarding your parental rights.
- If you do not have a lawyer, the court can appoint one to represent you at the hearing.
- If you do not want a lawyer, you can give up your right to be represented by one.

Do you want a lawyer to represent you at the court hearing regarding your parental rights?

No, I do not want a lawyer to represent me. I give up my right to be represented at this hearing.

Yes, I want a lawyer to represent me at this hearing. (*If yes, check a or b*):

a. I already have a juvenile dependency lawyer who will represent me at this hearing.

b. I want the court to appoint a lawyer to represent me at this hearing.



CASE NAME:	CASE NUMBER:
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4. Right to attend the hearing

- You have the right to be physically present at the hearing listed on item 3 on the form JV-450 you received.
- If you give up the right to be physically present, you may ask the court to appear by videoconference or telephone.
- If you do not want to appear, the court may move forward with the case without you.

Do you want to attend the hearing regarding your parental rights?

(Check one):

- a. Yes, I want to attend in person (be physically present).
- b. Yes. I want to attend by videoconference or telephone. If videoconference or telephone is not available to me, I want to attend in person (be physically present).
- c. Yes, only if I can attend by videoconference or telephone. If videoconference or telephone is not available to me, I do not want to attend the hearing. I understand that the court may move forward with the case without me.
- d. No, I do not want to attend in person or participate by videoconference or telephone. I understand that the court may move forward with the case without me.

Is there any information you want the court to know? *(For example, you can tell the court why you are choosing not to attend the hearing in person or participate via videoconference or teleconference.):*

5. Will you need an interpreter or an accommodation for the court hearing?

- No
- Yes *(language or accommodation you need):*
- Does not apply. I do not want to attend the hearing.

Date: _____

Type or Print Name	▶	Signature of Parent
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6. Declaration of Translator or Other Person Who Assisted *(if any)*

(Check one):

- a. I translated this form and form JV-450 *(Notice and Order For Appearance of Prisoner or Ward at Hearing Affecting Parental Rights)* to the prisoner or ward in *(language):*
- b. I read the English version of this form and form JV-450 *(Notice and Order For Appearance of Prisoner or Ward at Hearing Affecting Parental Rights)* to the prisoner or ward.

Date: _____

Type or Print Name	▶	Signature of Translator or Person Who Assisted
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CASE NAME:	CASE NUMBER:
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7. Declaration of Official

a. Ability to provide videoconference or telephone options under Cal. Rules of Court, rule 5.531 (check (1) or (2)):

- (1) The institution can provide the prisoner or ward with the option to appear by (check all that apply):
 - (a) Videoconference
 - (b) Telephone
- (2) The institution cannot provide the prisoner or ward with the option to appear by videoconference or telephone.
 - (a) The prisoner or ward indicated on this form at item 4c that they want to attend the hearing only by videoconference or telephone, and if neither is available, they do not want to attend the hearing. The prisoner or ward was notified that this institution cannot provide the option to appear by videoconference or telephone.
 - (b) The prisoner or ward indicated on this form at item 4d that they do not want to attend the hearing in person or participate by videoconference or telephone.

b. Has the prisoner or ward completed items 1–5 of this form?

- Yes
- No (If no, complete (1)–(3) if the prisoner has indicated their intention to you.)

(1) The prisoner or ward (name):

(2) (Check all that apply):

- Does not want to attend the hearing and waives the right to be physically present.
- Wants to appear and participate by videoconference or teleconference.
- Does not want to participate in the hearing in any way.

(3) I know this because the prisoner or ward expressly:

- Stated their intention to me.
- Indicated their intention to me by (describe conduct):

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

Date: _____

Type or Print Name	▶	Signature
		Title of Official