

AMENDMENT TO THE CALIFORNIA RULES OF COURT

Adopted by the Judicial Council on November 30, 2018, effective January 1, 2019

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28		

1 **Rule 3.670. Telephone appearance**

2
3 **(a)–(j) * * ***

4
5 **(k) Telephone appearance fee amounts; time for making requests**

6
7 The telephone appearance fees specified in this subdivision are the statewide,
8 uniform fees to be paid by parties to a vendor or court for providing telephone
9 appearance services. Except as provided under (l) and (m), the fees to be paid to
10 appear by telephone are as follows:

11
12 (1) The fee to appear by telephone, made by a timely request to a vendor or court
13 providing telephone appearance services, is \$~~86~~94 for each appearance.

14
15 (2) * * *

16
17 (3) * * *

18
19 *(Subd (k) amended effective January 1, 2019; adopted as subd (j) effective July 1, 2011;*
20 *previously amended effective July 1, 2013; previously amended and relettered effective*
21 *January 1, 2014.)*

22
23 **(l) * * ***

24
25 **(m) Title IV-D proceedings**

26
27 (1) * * *

28
29 (2) *Vendor-provided telephone appearance services*

30
31 If a vendor provides for telephone appearance services in a proceeding for
32 child or family support under Title IV-D, the amount of the fee for a
33 telephone appearance under (k)(1) is \$~~58~~74 instead of \$~~78~~94. No portion of
34 the fee received by the vendor for a telephone appearance under this
35 subdivision is to be transmitted to the State Treasury under Government Code
36 section 72011.

37
38 (3) * * *

39
40 (4) * * *

41
42 *(Subd (m) amended effective January 1, 2019; adopted as subd (l) effective July 1, 2011;*
43 *previously amended effective July 1, 2013; previously amended and relettered effective*
44 *January 1, 2014.)*

45
46 **(n)–(q) * * ***

1 *Rule 3.670 amended effective January 1, 2019; adopted as rule 298 effective March 1, 1988;*
2 *previously amended and renumbered as rule 3.670 effective January 1, 2007; previously*
3 *amended effective January 1, 1989, July 1, 1998, January 1, 1999, July 1, 1999, January 1, 2001,*
4 *July 1, 2002, January 1, 2003, January 1, 2008, July 1, 2011, July 1, 2013, January 1, 2014, and*
5 *January 1, 2016.*

6
7 **Rule 5.504. Judicial Council forms**

8
9 **(a) Explanation of Judicial Council legal forms**

10
11 Rules 1.30–1.37 and 2.131–2.134 apply to Judicial Council legal forms, including
12 forms applicable to the juvenile court.

13
14 **(b) Electronically produced forms**

15
16 The forms applicable to juvenile court may be produced entirely by computer,
17 word-processor printer, or similar process, or may be produced by the California
18 State Department of Social Services Child Welfare Systems Case Management
19 System.

20
21 **(c) Implementation of new and revised mandatory forms**

22
23 To help implement mandatory Judicial Council juvenile forms:

24
25 (1) New and revised mandatory forms produced by computer, word-processor
26 printer, or similar process must be implemented within one year of the
27 effective date of the form. During that one-year period the court may
28 authorize the use of a legally accurate alternative form, including any existing
29 local form or the immediate prior version of the Judicial Council form.

30
31 (2) ~~Until January 1, 2019, a~~ A court may produce court orders in any form or
32 format as long as:

33
34 (A) The document is substantively identical to the mandatory Judicial
35 Council form it is modifying;

36
37 (B) Any electronically generated form is identical in both language and
38 legally mandated elements, including all notices and advisements, to
39 the mandatory Judicial Council form it is modifying;

40
41 (C) The order is an otherwise legally sufficient court order, as provided in
42 rule 1.31(g), concerning orders not on Judicial Council mandatory
43 forms; and

44
45 (D) The court sends written notice of its election to change the form or
46 format of the mandatory form to the Family and Juvenile Law Advisory
47 Committee and submits additional informational reports as requested

1 by the committee.

2
3 *(Subd (c) amended effective January 1, 2019; adopted effective January 1, 2006;*
4 *previously amended effective January 1, 2007, January 1, 2012, and January 1, 2017.)*

5
6 *Rule 5.504 amended effective January 1, 2019; adopted as rule 1402 effective January 1, 1991;*
7 *previously amended and renumbered effective January 1, 2007; previously amended effective*
8 *July 1, 1991, January 1, 1992, July 1, 1992, January 1, 1993, January 1, 1994, January 1, 1998,*
9 *January 1, 2001, January 1, 2006, July 1, 2006, January 1, 2012, and January 1, 2017.*

10
11 **Rule 5.522. Remote filing**

12
13 **(a) Applicability and definitions**

- 14
15 (1) This rule applies to juvenile court proceedings in courts that permit fax or
16 electronic filing by local rule.
17
18 (2) As used in this rule, “fax,” “fax transmission,” “fax machine,” and “fax
19 filing” are defined in rule 2.301. A fax machine also includes any electronic
20 device capable of receiving a fax transmission, as defined in rule 2.301.
21
22 (3) As used in this rule, “electronic filing” is defined in rule 2.250. Rule 2.250
23 also defines other terms used in this rule related to electronic filing, such as
24 “document,” “electronic filer,” and “electronic filing service provider.”
25 ~~“regular filing hours,” and “close of business.”~~

26
27 *(Subd (a) amended effective January 1, 2015; previously amended effective January 1,*
28 *2007.)*

29
30 **(b) Electronic filing**

31
32 A court may allow for the electronic filing of documents in juvenile proceedings in
33 accordance with section 212.5.

- 34
35 ~~(1) A court may allow for the electronic filing of documents in juvenile~~
36 ~~dependency and delinquency proceedings as provided under, and consistent~~
37 ~~with, rule 2.252 et seq.~~
38
39 ~~(2) A court may allow for the electronic filing of documents directly with the~~
40 ~~court or may provide by local rule for indirect filing through an electronic~~
41 ~~filing service provider that has in place systems to ensure the integrity and~~
42 ~~confidentiality of transmission of records and adheres to the requirements of~~
43 ~~rule 2.256(a)(1).~~
44
45 ~~(3) Electronic filing must be conducted in a manner that preserves and ensures~~
46 ~~the confidentiality of records by encryption or other secure methods.~~
47
48 ~~(4) This rule does not incorporate the electronic service provisions in rule 2.251.~~

1
2 (Subd (b) amended effective January 1, 2019; adopted effective January 1, 2015.)
3

4 (c) * * *

5
6 Rule 5.522 amended effective January 1, 2019; adopted as rule 1406.5 effective January 1, 1999;
7 previously amended and renumbered effective January 1, 2007; previously amended effective
8 January 1, 2015.
9

10 **5.523. Electronic service (§ 212.5)**

11
12 **(a) Electronic service—General provisions**

13
14 (1) Electronic service is authorized only if the court and county agencies required
15 to serve in juvenile court permit electronic service.

16
17 (2) Unless otherwise provided by law, a document in a juvenile court matter may
18 be served electronically as prescribed by section 1010.6 of the Code of Civil
19 Procedure and in accordance with section 212.5 of the Welfare and
20 Institutions Code.

21
22 (3) If the noticing entity knows or should know that a child or nonminor who has
23 consented to electronic service is in custody at the time that a notice will
24 issue, the entity must also provide service of the notice by first-class mail.
25

26 **(b) Consent to electronic service by a child, age 10 to 15**

27
28 Electronic service is permitted on a child who is 10 to 15 years of age only upon
29 express consent of the child and the child's attorney by completing the appropriate
30 Judicial Council form.

31
32 **(c) Consent to electronic service by a child, age 16 or 17**

33
34 Electronic service is permitted on a child who is 16 or 17 years of age only if the
35 child, after consultation with his or her attorney, expressly consents by completing
36 the appropriate Judicial Council form.
37

38 **(d) Required consultation with attorney for child, age 16 or 17**

39
40 In a consultation with a child who is 16 or 17 years old and who seeks to consent to
41 electronic service in a juvenile matter, the child's attorney must discuss and
42 encourage the child to consider the following:

43
44 (1) Whether the child has regular and reliable access to a means of electronic
45 communication for purposes of communication regarding their case;

46
47 (2) The importance of maintaining confidentiality and what means of electronic

1 communication the child intends to use to communicate about their case and
2 whether it is private and secure; and

3
4 (3) Whether the child understands their rights with respect to the provision and
5 withdrawal of consent to electronic service.

6
7 **(e) Required notification to child, age 16 or 17**

8
9 In addition to the required factors for consideration in consultation described in (d),
10 the child’s attorney must also notify the child who seeks to provide consent to
11 electronic service of the following:

12
13 (1) Electronic service of medical or psychological documentation related to a
14 child is prohibited, with the exception of the summary required under section
15 16010 when included as part of a required report to the court.

16
17 (2) Electronic service on a party or other person is permitted only if the party or
18 other person has expressly consented, as provided in section 1010.6 of the
19 Code of Civil Procedure.

20
21 (3) A party or other person may subsequently withdraw their consent to
22 electronic service by completing the appropriate Judicial Council form.

23
24 *Rule 5.523 adopted effective January 1, 2019.*

25
26 **Rule 5.524. Form of petition; notice of hearing**

27
28 **(a) Form of petition—dependency (§§ 332, 333)**

29
30 The petition to declare a child a dependent of the court must be verified and may be
31 dismissed without prejudice if not verified. The petition must contain the
32 information stated in section 332.

33
34 **(b) Form of petition—delinquency (§§ 656, 656.1, 656.5, 661)**

35
36 The petition to declare a child a ward of the court must be verified and may be
37 dismissed without prejudice if not verified. The petition must contain the
38 information stated in sections 656, 656.1, 656.5, 661, and, if applicable, the intent
39 to aggregate other offenses under section 726.

40
41 **(c) Use of forms**

42
43 Dependency petitions must be filed on a Judicial Council form. The filing party
44 must use *Juvenile Dependency Petition (Version One)* (form JV-100) with the
45 *Additional Children Attachment (Juvenile Dependency Petition)* (form JV-101)
46 when appropriate, or *Juvenile Dependency Petition (Version Two)* (form JV-110)
47 as prescribed by local rule or practice. Rules 1.31 and 1.32~~5~~ govern the use of

1 mandatory and optional forms, respectively.

2
3 *(Subd (c) amended effective January 1, 2019; adopted as subd (b); previously amended*
4 *and relettered effective January 1, 2006; previously amended effective January 1, 2007)*
5

6 **(d) Amending the petition (§§ 348, 678)**

7
8 Chapter 8 of title 6 of part 2 of the Code of Civil Procedure, beginning at section
9 469, applies to variances and amendments of petitions and proceedings in the
10 juvenile court.

11
12 **(e) Notice of hearing—dependency (§§ 290.1, 290.2, 297, 338)**

13
14 (1) When the petition is filed, the probation officer or social worker must serve a
15 notice of hearing under section 290.1, with a copy of the petition attached.
16 On filing of the petition, the clerk must issue and serve notice as prescribed in
17 section 290.2, along with a copy of the petition. CASA volunteers are entitled
18 to the same notice as stated in sections 290.1 and 290.2. Notice under
19 sections 290.1 and 290.2 may not be served electronically.
20

21 (2) If the county and the court choose to allow notice by electronic ~~mail~~ service
22 of hearings under sections ~~290.1~~ 291–295, the court must develop a process
23 for obtaining consent from persons entitled to notice that complies with ~~the~~
24 ~~notice statute~~ Welfare and Institutions Code section 212.5 and ensures that
25 notice can be effectuated according to statutory timelines.
26

27 *(Subd (e) amended effective July 1, 2019; adopted as subd (d); previously amended and*
28 *relettered effective January 1, 2006; previously amended effective January 1, 2007, and*
29 *July 1, 2016.)*
30

31 **(f) Notice of hearing—delinquency (§§ 630, 630.1, 658, 659, 660)**

32
33 (1) Immediately after the filing of a petition to detain a child, the probation
34 officer or the prosecuting attorney must issue and serve notice as prescribed
35 in section 630.
36

37 (2) When a petition is filed, the clerk must issue and serve a notice of hearing in
38 accordance with sections 658, 659, and 660 with a copy of the petition
39 attached.
40

41 ~~(3) After reasonable notification by minor’s counsel or his or her parent or~~
42 ~~guardian, the clerk must provide notice to the minor’s attorney as stated in~~
43 ~~section 630.1.~~
44

45 (3) After reasonable notification by counsel representing the child, or
46 representing the child’s parents or guardian, the clerk must notify such
47 counsel of the hearings as prescribed in section 630.1.

1
2 (Subd (f) amended effective January 1, 2019; adopted effective January 1, 2006;
3 previously amended effective January 1, 2007.)
4

5 **(g)–(h) * * ***

6
7 *Rule 5.524 amended effective July 1, 2016; adopted as rule 1407 effective January 1, 1991;*
8 *previously amended effective January 1, 1992, January 1, 1995, January 1, 2001, and January 1,*
9 *2006; previously amended and renumbered as rule 5.524 effective January 1, 2007.*

10
11 **Rule 5.534. General provisions—all proceedings**

12
13 **(a)–(h) * * ***

14
15 **(i) Mailing Address of parent or guardian–~~notice~~ (§ 316.1)**

16
17 At the first appearance by a parent or guardian in proceedings under section 300 et
18 seq., the court must order each parent or guardian to provide a mailing address.

- 19
20 (1) The court must advise that the mailing address provided will be used by the
21 court, the clerk, and the social services agency for the purposes of notice of
22 hearings and the mailing of all documents related to the proceedings.
23
24 (2) The court must advise that until and unless the parent or guardian, or the
25 attorney of record for the parent or guardian, submits written notification of a
26 change of mailing address, the address provided will be used, and notice
27 requirements will be satisfied by appropriate service at that address.
28
29 (3) *Notification of Mailing Address* (form JV-140) is the preferred method of
30 informing the court and the social services agency of the mailing address of
31 the parent or guardian and change of mailing address.
32
33 (A) The form must be delivered to the parent or guardian, or both, with the
34 petition.
35
36 (B) The form must be available in the courtroom, in the office of the clerk,
37 and in the offices of the social services agency.
38
39 (C) The form must be printed and made available in both English and
40 Spanish.
41
42 ~~(4) If the county and the court allow notice of hearings under sections 290.1–295~~
43 ~~by electronic mail, persons who are entitled to notice and who want to~~
44 ~~receive notice of hearings by electronic mail must indicate their consent by~~
45 ~~filing E-Mail Notice of Hearing: Consent, Withdrawal of Consent, Address~~
46 ~~Change (Juvenile Dependency) (form EFS-005-JV/JV-141).~~
47

1 (Subd (i) amended effective January 1, 2019; adopted as subd (k) effective January 1,
2 1994; previously relettered as subd (l) effective January 1, 1997; previously relettered as
3 subd (m) effective January 1, 2008; previously relettered as subd (i) effective January 1,
4 2017; previously amended effective July 1, 2002, January 1, 2007, and July 1, 2016.)
5

6 **(i) Electronic service address (§ 316.1)**
7

8 At the first appearance by a party or person before the court, each party or person
9 entitled to notice who consents to electronic service under section 212.5 must
10 provide the court with an electronic service address by completing the appropriate
11 Judicial Council form.
12

13 (1) The court must advise the party or person entitled to notice that the electronic
14 service address will be used to serve notices and documents in the case,
15 unless and until the party or person notifies the court of a new electronic
16 service address in writing or unless the party or person withdraws consent to
17 electronic service.
18

19 (2) A party or person entitled to notice may indicate their consent and provide
20 their electronic service address or may withdraw their consent to electronic
21 service or change their electronic service address by filing *Electronic*
22 *Service: Consent, Withdrawal of Consent, Address Change (Juvenile)* (form
23 EFS-005-JV/JV-141).
24

25 (3) If a person under 18 years old files *Electronic Service: Consent, Withdrawal*
26 *of Consent, Address Change (Juvenile)* (form EFS-005-JV/JV-141), they
27 must ask their attorney or another adult to serve the document on the other
28 parties and persons required to be served in the case.
29

30 (4) The persons required to be served *Electronic Service: Consent, Withdrawal*
31 *of Consent, Address Change (Juvenile)* (form EFS-005-JV/JV-141) are all
32 legal parties to the action and their attorneys of record, including, but not
33 limited to, the social services agency, the child, any parent, a legal guardian,
34 a Court Appointed Special Advocate, and a guardian ad litem. In the case of
35 an Indian child, the Indian custodian, if any, and the child's tribe must be
36 served pursuant to section 224.2. The judge may order service to be made on
37 additional parties or persons.
38

39 (Subd (j) was adopted effective January 1, 2019.)
40

41 **(i)**
42

43 **(k) Caregiver notice and right to be heard (§§ 290.1–297, 366.21) * * ***
44

45 (Subd (k) relettered effective January 1, 2019; adopted as subd (m) effective October 1,
46 2007; previously relettered as subd (n) effective January 1, 2008, and previously relettered
47 as subd (j) effective January 1, 2017; previously amended effective January 1, 2016.)
48

1 *Rule 5.534 amended effective January 1, 2019; adopted as rule 1412 effective January 1, 1991;*
2 *previously amended and renumbered as rule 5.534 effective January 1, 2007; previously*
3 *amended effective January 1, 1994, July 1, 1995, January 1, 1997, January 1, 2000, July 1, 2002,*
4 *January 1, 2005, October 1, 2007, January 1, 2008, January 1, 2010, January 1, 2011, January*
5 *1, 2014, January 1, 2016, July 1, 2016, and January 1, 2017.*

6
7
8 **Rule 5.538. Conduct of proceedings held before a referee not acting as a temporary**
9 **judge**

10
11 (a) * * *

12
13 (b) **Furnishing and serving findings and order; explanation of right to review (§§**
14 **248, 248.5)**

15
16 After each hearing before a referee, the referee must make findings and enter an
17 order as provided elsewhere in these rules. In each case, the referee must furnish
18 and serve the findings and order and provide an explanation of the right to review
19 the order in accordance with sections 248 and 248.5. ~~cause all of the following to~~
20 ~~be done promptly:~~

21
22 (1) ~~Furnish a copy of the findings and order to the presiding judge of the juvenile~~
23 ~~court.~~

24
25 (2) ~~Furnish to the child (if the child is 14 or more years of age or, if younger, as~~
26 ~~requested) a copy of the findings and order, with a written explanation of the~~
27 ~~right to seek review of the order by a juvenile court judge.~~

28
29 (3) ~~Serve the parent and guardian—and counsel for the child, parent, and~~
30 ~~guardian—a copy of the findings and order, with a written explanation of the~~
31 ~~right to seek review of the order by a juvenile court judge.~~

32
33 (A) ~~Service is deemed complete at the time of personal, in-court service as~~
34 ~~provided in Welfare and Institutions Code section 248, subdivision~~
35 ~~(b)(1).~~

36
37 (B) ~~If personal, in-court service as in (A) is not possible, service must be by~~
38 ~~mail to the last known address and is deemed complete at the time of~~
39 ~~mailing as provided in subdivision (b)(2) of that section.~~

40
41 *(Subd (b) amended effective January 1, 2019; previously amended effective January 1,*
42 *2007, and January 1, 2016.)*

43
44 *Rule 5.538 amended effective January 1, 2019; adopted as rule 1416 effective January 1, 1990;*
45 *previously amended and renumbered as rule 5.538 effective January 1, 2007; previously*
46 *amended effective January 1, 2016.*

1 **Rule 5.565. Hearing on subsequent and supplemental petitions (§§ 342, 364, 386,**
2 **387)**

3
4 **(a) Contents of subsequent and supplemental petitions (§§ 342, 364, 387)**

5
6 A subsequent petition and a supplemental petition must be verified and, to the
7 extent known to the petitioner, contain the information required in an original
8 petition as described in rule 5.524. A supplemental petition must also contain a
9 concise statement of facts sufficient to support the conclusion that the previous
10 disposition has not been effective in the protection of the child or, in the case of a
11 dependent child placed with a relative, that the placement is not appropriate in view
12 of the criteria in section 361.3.

13
14 **(b) Setting the hearing (§§ 334, 342, 364, 386, 387)**

15
16 When a subsequent or supplemental petition is filed, the clerk must immediately set
17 it for hearing within 30 days of the filing date. The hearing must begin within the
18 time limits prescribed for jurisdiction hearings on original petitions under rule
19 5.670.

20
21 **(c) Notice of hearing (§§ 292, 297)**

22
23 (1) For petitions filed under section 342 or section 387, notice must be provided
24 in accordance with section 297.

25
26 (2) For petitions filed under section 364, notice must be provided in accordance
27 with section 292.

28
29 **~~(e) Notice of hearing (§§ 290.1, 290.2, 292, 297)~~**

30
31 ~~For petitions filed under sections 342 or 387, notice must be provided in accordance with~~
32 ~~sections 290.1, 290.2, and 291. Notice for petitions filed under section 364 must be~~
33 ~~provided as stated in section 292.~~

34
35 *(Subd (c) amended effective January 1, 2019; adopted effective January 1, 2006.)*

36
37 **(d)–(f) * * ***

38
39 *Rule 5.565 amended effective January 1, 2019; adopted as rule 1431 effective January 1, 1990;*
40 *previously amended effective January 1, 1992, July 1, 1995, January 1, 1999, July 1, 1999,*
41 *January 1, 2001, January 1, 2006, and July 1, 2010; previously amended and renumbered*
42 *effective January 1, 2007.*

43
44 **Rule 5.570. Request to change court order (petition for modification)**

45
46 **(a)–(f) * * ***

47

1 **(g) Notice of petition and hearing (§§ 388, 778)**

2
3 ~~The clerk must cause notice of the hearing to be given to the persons and in the~~
4 ~~same manner prescribed by rule 5.524. The caregiver of the child, nonminor, or~~
5 ~~nonminor dependent and the tribe of an Indian child must be similarly notified. The~~
6 ~~parent or legal guardian of a nonminor dependent must not be notified unless the~~
7 ~~nonminor dependent requests that he or she receive notice or the parent or legal~~
8 ~~guardian is receiving court-ordered family reunification services.~~

9
10 (1) If a petition is filed under section 388 or section 778 to terminate juvenile
11 court jurisdiction over a nonminor, notice of the hearing must be given as
12 required by section 295.

13
14 (2) For hearings on all other petitions filed under section 388 or section 778,
15 notice of the hearing must be provided as required under section 297, or
16 sections 776 and 779, except that notice to parents or former guardians of a
17 nonminor must be provided only if the nonminor requests, in writing on the
18 face of the petition, that such notice be provided, or if the parent or legal
19 guardian is receiving court-ordered family reunification services.

20
21 *Subd (g) amended effective January 1, 2014; repealed and adopted as subd (e); previously*
22 *amended effective January 1, 1992, July 1, 1995, July 1, 2000, July 1, 2002; and January*
23 *1, 2014; previously amended and relettered as subd (g) effective January 1, 2007.)*

24
25 **(h)–(j) * * ***

26
27 *Rule 5.570 amended effective January 1, 2019; adopted as rule 1432 effective January 1, 1991;*
28 *previously amended and renumbered as rule 5.570 effective January 1, 2007; previously*
29 *amended effective January 1, 1992, July 1, 1995, July 1, 2000, July 1, 2002, January 1, 2003,*
30 *January 1, 2009, January 1, 2010, January 1, 2014, and January 1, 2016.*

31
32 **Rule 5.590. Advisement of right to review in Welfare and Institutions Code section**
33 **300, 601, or 602 cases**

34
35 **(a) * * ***

36
37 **(b) Advisement of requirement for writ petition to preserve appellate rights when**
38 **court orders hearing under section 366.26**

39
40 When the court orders a hearing under Welfare and Institutions Code section
41 366.26, the court must advise all parties and, if present, the child's parent, guardian,
42 or adult relative, that if the party wishes to preserve any right to review on appeal
43 of the order setting the hearing under Welfare and Institutions Code section 366.26,
44 the party is required to seek an extraordinary writ by filing a *Notice of Intent to File*
45 *Writ Petition and Request for Record (California Rules of Court, Rule 8.450)* (form
46 JV-820) or other notice of intent to file a writ petition and request for record and a
47 *Petition for Extraordinary Writ (California Rules of Court, Rules 8.452, 8.456)*

1 (form JV-825) or other petition for extraordinary writ.

2
3 (1) The advisement must be given orally to those present when the court orders
4 the hearing under Welfare and Institutions Code section 366.26.

5
6 ~~(2) Within one day after the court orders the hearing under Welfare and~~
7 ~~Institutions Code section 366.26, the advisement must be sent by first class~~
8 ~~mail by the clerk of the court to the last known address of any party who is~~
9 ~~not present when the court orders the hearing under Welfare and Institutions~~
10 ~~Code section 366.26.~~

11
12 (2) If a party is not present when the court orders a hearing under section 366.26,
13 within 24 hours of the hearing, the advisement must be made by the clerk of
14 the court by first-class mail to the last known address of the party or by
15 electronic service in accordance with section 212.5. If the notice is for a
16 hearing at which the social worker will recommend the termination of
17 parental rights, the notice may be electronically served in accordance with
18 section 212.5, but only in addition to service of the notice by first-class mail.

19
20 (3) The advisement must include the time for filing a notice of intent to file a
21 writ petition.

22
23 (4) Copies of *Petition for Extraordinary Writ (California Rules of Court, Rules*
24 *8.452, 8.456)* (form JV-825) and *Notice of Intent to File Writ Petition and*
25 *Request for Record (California Rules of Court, Rule 8.450)* (form JV-820)
26 must be available in the courtroom and must accompany all mailed and
27 electronically served notices informing the parties of their rights.

28
29 *(Subd (b) amended effective July 1, 2019; adopted as subd (e) effective January 1, 1995;*
30 *previously amended effective January 1, 2007, and July 1, 2010.)*

31
32 (c) * * *

33
34 *Rule 5.590 amended effective January 1, 2019; adopted as rule 1435 effective January 1, 1990;*
35 *previously amended effective January 1, 1992, January 1, 1993, January 1, 1994, January 1,*
36 *1995, July 1, 1999, and January 1, 2016; previously amended and renumbered as rule 5.585*
37 *effective January 1, 2007; previously amended and renumbered as rule 5.590 effective July 1,*
38 *2010.*

39
40 **Rule 5.640. Psychotropic medications**

41
42 (a)–(b) * * *

43
44 (c) **Procedure to obtain authorization**

45
46 (1)–(9) * * *

47
48 (10) Notice of the application must be provided to the parents or legal guardians,

1 their attorneys of record, the child’s attorney of record, the child’s Child
2 Abuse Prevention and Treatment Act guardian ad litem, the child’s current
3 caregiver, the child’s Court Appointed Special Advocate, if any, and where a
4 child has been determined to be an Indian child, the Indian child’s tribe (see
5 also 25 U.S.C. § 1903(4)–(5); Welf. & Inst. Code, §§ 224.1(a) and (e) and
6 224.3).

7
8 (A) If the child is living in a group home or a short-term residential
9 therapeutic ~~center~~ program, notice to the caregiver must be by notice to
10 the ~~group home~~ facility administrator, ~~or to the administrator’s~~
11 ~~designee~~, as defined in California Code of Regulations, title 22, section
12 84064, or to the administrator’s designee.

13
14 (B) Local county practice and local rules of court determine the procedures
15 for the provision of notice, except as otherwise provided in this rule and
16 in section 212.5. Psychological or medical documentation related to a
17 minor may not be served electronically. The person or persons
18 responsible for providing notice as required by local court rules or local
19 practice protocols are encouraged to use the most expeditious legally
20 authorized manner of service possible to ensure timely notice.

21
22 (C) * * *

23
24 (11)–(12) * * *

25
26 *Subd (c) amended effective January 1, 2019; previously amended effective January 1,*
27 *2007, January 1, 2008, January 1, 2009, January 1, 2014, July 1, 2016, and January 1,*
28 *2018.)*

29
30 **(d)–(f)** * * *

31
32 **(g) Progress review**

33
34 (1) After approving any application for authorization, regardless of whether the
35 approval is made at a hearing, the court must set a progress review.

36
37 (2) A progress review must occur at every status review hearing and may occur
38 at any other time at the court’s discretion.

39
40 (3) If the progress review is held at the time of the status review hearing, notice
41 must be provided as required under section 293 or 295, except that electronic
42 service of psychological or medical documentation related to a child is not
43 permitted. The notice must include a statement that the hearing will also be a
44 progress review on previously ordered psychotropic medication, and must
45 include a blank copy of *Child’s Opinion About the Medicine* (form JV-218)
46 and a blank copy of *Statement About Medicine Prescribed* (form JV-219).
47

- 1 (4) If the progress review is not held at the time of the status review hearing,
2 notice must be provided as required under section 293 or 295, except that
3 electronic service of psychological or medical documentation related to a
4 child is not permitted. The notice; must include a statement that the hearing
5 will be a progress review on previously ordered psychotropic medication; and
6 must include a blank copy of *Child's Opinion About the Medicine* (form JV-
7 218) and a blank copy of *Statement About Medicine Prescribed* (form JV-
8 219).
9
- 10 (5) Before each progress review, the social worker or probation officer must file
11 a completed *County Report About Psychotropic Medication* (form JV-224) at
12 least 10 calendar days before the hearing. If the progress review is set at the
13 same time as a status review hearing, form JV-224 must be attached to and
14 filed with the report.
15
- 16 (6) The child, caregiver, parents or legal guardians, and Court Appointed Special
17 Advocate, if any, may provide input at the progress review as stated in (c)(2).
18
- 19 (7) At the progress review, the procedures described in section 349 must be
20 followed.
21

22 *(Subd (g) amended effective January 1, 2019; adopted effective July 1, 2016; previously*
23 *amended effective January 1, 2018.)*
24

25 **(h) Copy of order to caregiver**
26

- 27 (1) Upon the approval or denial of the application, the county child welfare
28 agency, probation department, or other person or entity who submitted the
29 request must provide the child's caregiver with a copy of the court order
30 approving or denying the request.
31
- 32 (2) The copy of the order must be provided in person or mailed within two court
33 days of when the order is signed.
34
- 35 (3) If the court approves the request, the copy of the order must include the last
36 two pages of form JV-220(A) or the last two pages of JV-220(B) and all
37 medication information sheets (medication monographs) that were attached
38 to form JV-220(A) or form JV-220(B).
39
- 40 (4) If the child resides in a group home or short-term residential therapeutic
41 program, a copy of the order, the last two pages of form JV-220(A) or the last
42 two pages of JV-220(B), and all medication information sheets (medication
43 monographs) that were attached to the JV-220(A) or form JV-220(B) must be
44 provided to the group home facility administrator, or to the administrator's
45 designee, as defined in California Code of Regulations, title 22, section
46 84064, or to the administrator's designee.
47

1 (5) If the child changes placement, the social worker or probation officer must
2 provide the new caregiver with a copy of the order, the last two pages of form
3 JV-220(A) or the last two pages of JV-220(B), and the medication
4 information sheets (medication monographs) that were attached to form JV-
5 220(A) or form JV-220(B).

6
7 (Subd (h) amended effective January 1, 2019; adopted effective July 1, 2016; previously
8 amended effective January 1, 2018.)
9

10 **(i)–(k)**

11
12 *Rule 5.640 amended effective January 1, 2019; adopted as rule 1432.5 effective January 1, 2001;*
13 *previously amended and renumbered effective January 1, 2007; previously amended effective*
14 *January 1, 2003, January 1, 2008, January 1, 2009, January 1, 2014, July 1, 2016, and January*
15 *1, 2018.*

16
17 **Rule 5.695. Findings and orders of the court—disposition**

18
19 **(a)–(f) * * ***

20
21 **(g) Provision of reunification services (§ 361.5)**

22
23 **(1)–(9) * * ***

24
25 (10) When the court orders a hearing under section 366.26, the court must advise
26 orally all parties present, and by first-class mail or by electronic service in
27 accordance with section 212.5 for parties not present, that if the party wishes
28 to preserve any right to review on appeal of the order setting the hearing
29 under section 366.26, the party must seek an extraordinary writ by filing a
30 *Notice of Intent to File Writ Petition and Request for Record (California*
31 *Rules of Court, Rule 8.450)* (form JV-820) or other notice of intent to file a
32 writ petition and request for record and a *Petition for Extraordinary Writ*
33 *(California Rules of Court, Rules 8.452, 8.456)* (form JV-825) or other
34 petition for extraordinary writ.

35
36 (A) Within 24 hours of the hearing, notice by first-class mail or by
37 electronic service in accordance with section 212.5 must be provided
38 by the clerk of the court to the last known address of any party who is
39 not present when the court orders the hearing under section 366.26.

40
41 (B) Copies of *Petition for Extraordinary Writ (California Rules of Court,*
42 *Rules 8.452, 8.456)* (form JV-825) and *Notice of Intent to File Writ*
43 *Petition and Request for Record (California Rules of Court, Rule*
44 *8.450)* (form JV-820) must be available in the courtroom and must
45 accompany all mailed notices informing the parties of their rights.

46
47 (C) If the notice is for a hearing at which the social worker will recommend

1 the termination of parental rights, the notice may be electronically
2 served in accordance with section 212.5, but only in addition to service
3 of the notice by first-class mail.
4

5 *(Subd (g) amended effective January 1, 2019; adopted as subd (e); previously relettered as*
6 *subd (f) effective July 1, 1995, and as subd (h) January 1, 2011; previously amended and*
7 *relettered effective January 1, 2017; previously amended effective January 1, 1993, July 1,*
8 *1993, January 1, 1994, January 1, 1995, January 1, 1996, July 1, 1997, January 1, 1999,*
9 *July 1, 1999, January 1, 2001, July 1, 2001, July 1, 2002, January 1, 2007, January 1,*
10 *2010, January 1, 2014, and January 1, 2015.)*
11

12 **(h)–(i) * * ***
13

14 *Rule 5.695 amended effective January 1, 2019; adopted as rule 1456 effective January 1, 1991;*
15 *previously amended and renumbered effective January 1, 2007; previously amended effective*
16 *January 1, 1993, July 1, 1993, January 1, 1994, January 1, 1995, July 1, 1995, January 1, 1996,*
17 *January 1, 1997, July 1, 1997, January 1, 1999, July 1, 1999, January 1, 2001, July 1, 2001, July*
18 *1, 2002, January 1, 2004, January 1, 2006, January 1, 2008, January 1, 2010, January 1, 2011,*
19 *January 1, 2014, January 1, 2015, and January 1, 2017.*
20

21 **Rule 5.700. Termination of jurisdiction—custody and visitation orders (§§ 302, 304,**
22 **361.2, 362.4, 726.5)**
23

24 * * *
25

26 **(a)–(c) * * ***
27

28 **(d) Endorsed filed copy—clerk’s certificate of mailing service**
29

30 Within 15 court days of receiving the order, the clerk of the receiving court must
31 send an endorsed filed copy of the order showing the case number assigned by the
32 receiving court by first-class mail or by electronic means in accordance with
33 section 212.5 to the child’s parents and the originating juvenile court, with a
34 completed clerk’s certificate of mailing service, for inclusion in the child’s file.
35

36 **Rule 5.726. Prospective adoptive parent designation (§§ 366.26(n), 16010.6)**
37

38 **(a)–(c) * * ***
39

40 **(d) Notice of designation hearing**
41

42 After the court has ordered a hearing on a request for prospective-adoptive-parent
43 designation, notice of the hearing must be as described below.
44

45 (1) The following participants must be noticed:
46

47 (A) The adoption agency;
48

- 1 (B) The current caregiver,
- 2
- 3 (C) The child's attorney;
- 4
- 5 (D) The child, if the child is 10 years of age or older;
- 6
- 7 (E) The child's identified Indian tribe if any;
- 8
- 9 (F) The child's Indian custodian if any; and
- 10
- 11 (G) The child's CASA program if any.
- 12

13 (2) If the request for designation is made at the same time as a request for hearing
14 on a proposed or emergency removal, notice of the designation hearing must
15 be provided with notice of the hearing on proposed removal, as stated in rule
16 5.727(f).

17
18 (3) If the request for designation is made before the agency serves notice of a
19 proposed removal or before an emergency removal occurred, notice must be
20 as follows:

21
22 (A) Service of the notice must be either by first-class mail or electronic
23 service in accordance with section 212.5 sent at least 15 calendar days
24 before the hearing date to the last known address of the person to be
25 noticed, or by personal service on the person at least 10 calendar days
26 before the hearing.

27
28 (B) *Prospective Adoptive Parent Designation Order* (form JV-327) must be
29 used to provide notice of a hearing on the request for prospective
30 adoptive parent designation.

31
32 (C) The clerk must provide notice of the hearing to the participants listed in
33 (1) above, if the court, caregiver, or child requested the hearing.

34
35 (D) The child's attorney must provide notice of the hearing to the
36 participants listed in (1) above, if the child's attorney requested the
37 hearing.

38
39 (E) *Proof of Notice Under Section 366.26(n)* (form JV-326) must be filed
40 with the court before the hearing on the request for prospective
41 adoptive parent designation.

42
43 *(Subd (d) amended effective January 1, 2019; previously amended effective January 1,*
44 *2007, January 1, 2008, and January 1, 2017.)*

45
46 **(e)–(f) * * ***
47

1 *Rule 5.726 amended effective January 1, 2019; adopted as rule 1463.1 effective July 1, 2006;*
2 *previously amended and renumbered as rule 5.726 effective January 1, 2007; previously*
3 *amended effective January 1, 2008, July 1, 2010, and January 1, 2017.*

4
5 **Rule 5.727. Proposed removal (§ 366.26(n))**

6
7 **(a) Application of rule**

8
9 This rule applies, after termination of parental rights or, in the case of tribal
10 customary adoption, modification of parental rights, to the removal by the
11 Department of Social Services (DSS) or a licensed adoption agency of a dependent
12 child from a prospective adoptive parent or from a caregiver who may meet the
13 criteria for designation as a prospective adoptive parent in section 366.26(n)(1).
14 This rule does not apply if the caregiver requests the child's removal.

15
16 **(b) Participants to be served with notice**

17
18 Before removing a child from the home of a prospective adoptive parent as defined
19 in section 366.26(n)(1) or from the home of a caregiver who may meet the criteria
20 of a prospective adoptive parent in section 366.26(n)(1), and as soon as possible
21 after a decision is made to remove the child, the agency must notify the following
22 participants of the proposed removal:

- 23
24 (1) The court;
- 25
26 (2) The current caregiver, if that caregiver either is a designated prospective
27 adoptive parent or, on the date of service of the notice, meets the criteria in
28 section 366.26(n)(1);
- 29
30 (3) The child's attorney;
- 31
32 (4) The child, if the child is 10 years of age or older;
- 33
34 (5) The child's identified Indian tribe if any;
- 35
36 (6) The child's Indian custodian if any; ~~and~~
- 37
38 (7) The child's CASA program if any; and
- 39
40 (8) The child's sibling's attorney, if the change in placement of a dependent child
41 will result in the separation of siblings currently placed together. Notice must
42 be made in accordance with section 1010.6 of the Code of Civil Procedure.

43
44 *(Subd (b) amended effective January 1, 2019; previously amended effective January 1,*
45 *2007, and January 1, 2017.)*

1 **(c) Form of notice**

2
3 DSS or the agency must provide notice on *Notice of Intent to Remove Child* (form
4 JV-323). A blank copy of *Objection to Removal* (form JV-325) and *Request for*
5 *Prospective Adoptive Parent Designation* (form JV-321) must also be provided to
6 all participants listed in (b) except the court.
7

8 **(d) Service of notice**

9
10 DSS or the agency must serve notice of its intent to remove a child as follows:

11
12 (1) DSS or the agency must serve notice either by first-class mail or by electronic
13 service in accordance with section 212.5, sent to the last known address of the
14 person to be noticed, or by personal service.

15
16 (2) If service is by first-class mail, service is completed and time to respond is
17 extended by five calendar days.

18
19 (3) If service is made through electronic means, service is completed and time to
20 respond is extended in accordance with section 1010.6 of the Code of Civil
21 Procedure.

22
23 ~~(3)~~(4) Notice to the child's identified Indian tribe and Indian custodian must comply
24 with the requirements of section 224.2.

25
26 ~~(4)~~(5) Proof of Notice Under Section 366.26(n) (form JV-326) must be filed with
27 the court before the hearing on the proposed removal.

28
29 *(Subd (d) amended effective January 1, 2019; previously amended effective January 1,*
30 *2007, January 1, 2008, January 1, 2011, and January 1, 2017.)*

31
32 **(e) Objection to proposed removal**

33
34 Each participant who receives notice under (b) may object to the proposed removal
35 of the child and may request a hearing.

36
37 (1) A request for hearing on the proposed removal must be made on *Objection to*
38 *Removal* (form JV-325).

39
40 (2) A request for hearing on the proposed removal must be made within five
41 court or seven calendar days from the date of notification, whichever is
42 longer. If service of the notification is by mail, time to request a hearing is
43 extended by five calendar days. If service of the notification is by electronic
44 means, time to request a hearing is extended in accordance with section
45 1010.6 of the Code of Civil Procedure.

46
47 (3) The court must set a hearing as follows:

- 1
2 (A) The hearing must be set as soon as possible and not later than five court
3 days after the objection is filed with the court.
4
5 (B) If the court for good cause is unable to set the matter for hearing five
6 court days after the petition is filed, the court must set the matter for
7 hearing as soon as possible.
8
9 (C) The matter may be set for hearing more than five court days after the
10 objection is filed if this delay is necessary to allow participation by the
11 child's identified Indian tribe or the child's Indian custodian.
12

13 *(Subd (e) amended effective January 1, 2019; previously amended effective January 1,*
14 *2007, January 1, 2008, and January 1, 2017.)*
15

16 **(f) Notice of hearing on proposed removal**
17

18 After the court has ordered a hearing on a proposed removal, notice of the hearing
19 must be as follows:
20

- 21 (1) The clerk must provide notice of the hearing to the agency and the
22 participants listed in (b) above, if the court, caregiver, or child requested the
23 hearing.
24
25 (2) The child's attorney must provide notice of the hearing to the agency and the
26 participants listed in (b) above, if the child's attorney requested the hearing.
27
28 (3) Notice must be by personal service or by telephone. Notice by personal
29 service must include a copy of the completed forms *Notice of Intent to*
30 *Remove Child* (form JV-323) and *Objection to Removal* (form JV-325).
31 Telephone notice must include the reasons for and against the removal, as
32 indicated on forms JV-323 and JV-325.
33
34 (4) *Proof of Notice Under 366.26(n)* (form JV-326) must be filed with the court
35 before the hearing on the proposed removal.
36

37 *(Subd (f) amended effective January 1, 2019; previously amended effective January 1,*
38 *2007, January 1, 2008, and January 1, 2017.)*
39

40 **(g)–(i) * * ***
41

42 *Rule 5.727 amended effective January 1, 2019; adopted as rule 1463.3 effective July 1, 2006;*
43 *previously amended and renumbered effective January 1, 2007; previously amended effective*
44 *January 1, 2008, July 1, 2010, January 1, 2011, and January 1, 2017.*
45

46 **Rule 5.728. Emergency removal (§ 366.26(n))**
47

1 **(a) Application of rule**

2
3 This rule applies, after termination of parental rights or, in the case of tribal
4 customary adoption, modification of parental rights, to the removal by the
5 Department of Social Services (DSS) or a licensed adoption agency of a dependent
6 child from the home of a prospective adoptive parent or a caregiver who may meet
7 the criteria for designation as a prospective adoptive parent in section 366.26(n)(1)
8 when the DSS or the licensed adoption agency has determined a removal must
9 occur immediately due to a risk of physical or emotional harm. This rule does not
10 apply if the child is removed at the request of the caregiver.

11
12 **(b) Participants to be noticed**

13
14 After removing a child from the home of a prospective adoptive parent, or from the
15 home of a caregiver who may meet the criteria of a prospective adoptive parent in
16 section 366.26(n)(1), because of risk of physical or emotional harm, the agency
17 must notify the following participants of the emergency removal:

- 18
19 (1) The court;
- 20
21 (2) The caregiver, who is a prospective adoptive parent or who, on the date of
22 service of the notice, may meet the criteria in section 366.26(n)(1);
- 23
24 (3) The child’s attorney;
- 25
26 (4) The child if the child is 10 years of age or older;
- 27
28 (5) The child’s identified Indian tribe if any;
- 29
30 (6) The child’s Indian custodian if any; ~~and~~
- 31
32 (7) The child’s CASA program if any; and
- 33
34 (8) The child’s sibling’s attorney, if the change in placement of a dependent child
35 will result in the separation of siblings currently placed together. Notice must
36 be made in accordance with section 1010.6 of the Code of Civil Procedure.

37
38 *(Subd (b) amended effective January 1, 2019; previously amended effective January 1,*
39 *2007, and January 1, 2017.)*

40
41 **(c) Form and service of notice**

42
43 *Notice of Emergency Removal* (form JV-324) must be used to provide notice of an
44 emergency removal, as described below.

- 45
46 (1) The agency must provide notice of the emergency removal as soon as
47 possible but no later than two court days after the removal.

- 1 (2) Notice must be either by telephone or by personal service of the form.
2
3 (3) Telephone notice must include the reasons for removal as indicated on the
4 form, and notice of the right to object to the removal.
5
6 (4) Whenever possible, the agency, at the time of the removal, must give a blank
7 copy of *Request for Prospective Adoptive Parent Designation* (form JV-321)
8 and a blank copy of *Objection to Removal* (form JV-325) to the caregiver
9 and, if the child is 10 years of age or older, to the child.
10
11 (5) Notice to the court must be served by filing *Notice of Emergency Removal*
12 (form JV-324) and *Proof of Notice Under 366.26(n)* (form JV-326) with the
13 court.
14
15 (6) *Proof of Notice Under Section 366.26(n)* (form JV-326) must be filed with
16 the court before the hearing on the proposed removal.
17

18 (*Subd (c) amended effective January 1, 2019; previously amended effective January 1,*
19 *2007, January 1, 2008, and January 1, 2017.*)
20

21 **(d) Objection to emergency removal**
22

23 Each participant who receives notice under (b) may object to the removal of the
24 child and may request a hearing.
25

- 26 (1) A request for hearing on the emergency removal must be made on *Objection*
27 *to Removal* (form JV-325).
28
29 (2) The court must set a hearing as follows:
30
31 (A) The hearing must be set as soon as possible and not later than five court
32 days after the petition objecting to removal is filed with the court.
33
34 (B) If the court for good cause cannot set the matter for hearing within five
35 court days after the petition objecting to removal is filed, the court must
36 set the matter for hearing as soon as possible.
37
38 (C) The matter may be set for hearing more than five court days after the
39 petition objecting to removal is filed if this delay is necessary to allow
40 participation by the child's identified Indian tribe or the child's Indian
41 custodian.
42

43 **(e) Notice of hearing on emergency removal**
44

45 After the court has ordered a hearing on an emergency removal, notice of the
46 hearing must be as follows:
47

- 1 (1) The clerk must provide notice of the hearing to the agency and the
2 participants listed in (b) above, if the court, caregiver, or child requested the
3 hearing.
4
5 (2) The child’s attorney must provide notice of the hearing to the agency and the
6 participants listed in (b) above, if the child’s attorney requested the hearing.
7
8 (3) Notice must be by personal service or by telephone. Notice by personal
9 service must include a copy of the completed *Notice of Emergency Removal*
10 (form JV-324). Telephone notice must include the reasons for and against the
11 removal, as indicated on forms JV-324 and JV-325.
12
13 (4) *Proof of Notice Under Section 366.26(n)* (form JV-326) must be filed with
14 the court before the hearing on the emergency removal.
15

16 (f)–(g) * * *

17
18 *Rule 5.728 amended effective January 1, 2019; adopted as rule 1463.5 effective July 1, 2006;*
19 *previously amended and renumbered effective January 1, 2007; previously amended effective*
20 *January 1, 2008, July 1, 2010, and January 1, 2017.*
21

22 **Rule 5.906. Request by nonminor for the juvenile court to resume jurisdiction (§§**
23 **224.1(b), 303, 388(e), 388.1)**
24

25 (a)–(c) * * *

26
27 **(d) Determination of prima facie showing**
28

- 29 (1) Within three court days of the filing of form JV-466 with the clerk of the
30 juvenile court of general jurisdiction, a juvenile court judicial officer must
31 review the form JV-466 and determine whether a prima facie showing has
32 been made that the nonminor meets all of the criteria set forth below in
33 (d)(1)(A)–(D) and enter an order as set forth in (d)(2) or (d)(3).
34
35 (A) ~~The nonminor was previously under juvenile court jurisdiction subject~~
36 ~~to an order for foster care placement on the date he or she attained 18~~
37 ~~years of age, or the nonminor is eligible to seek assumption of~~
38 ~~dependency jurisdiction pursuant to the provisions of subdivision (c) of~~
39 ~~section 388.1; The nonminor is eligible to seek assumption of~~
40 ~~dependency jurisdiction under the provisions of subdivision (c) of~~
41 ~~section 388.1, or the nonminor was previously under juvenile court~~
42 ~~jurisdiction subject to an order for foster care placement on the date he~~
43 ~~or she attained 18 years of age, including a nonminor whose~~
44 ~~adjudication was vacated under Penal Code section 236.14.¹~~

¹ On September 21, 2018 the Judicial Council approved this amendment through a rule proposal titled,
Juvenile Law: Vacatur of Convictions Related to Human Trafficking and Preservation of Extended Foster

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- (B) The nonminor has not attained 21 years of age;
 - (C) The nonminor wants assistance to maintain or secure an appropriate, supervised placement or is in need of immediate placement and agrees to a supervised placement under a voluntary reentry agreement; and
 - (D) The nonminor intends to satisfy at least one of the eligibility criteria in section 11403(b).
- (2) If the court determines that a prima facie showing has not been made, the court must enter a written order denying the request, listing the issues that resulted in the denial and informing the nonminor that a new form JV-466 may be filed when those issues are resolved.
- (A) The court clerk must serve on the nonminor:
 - (i) A copy of the written order;
 - (ii) A blank copy of *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466) and *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468);
 - (iii) A copy of *How to Ask to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-464-INFO); and
 - (iv) The names and contact information for those attorneys approved by the court to represent children in juvenile court proceedings who have agreed to provide a consultation to any nonminor whose request was denied due to the failure to make a prima facie showing.
 - (B) The court clerk must serve on the placing agency a copy of the written order.
 - (C) Service must be by personal service, ~~or by~~ first-class mail, or by electronic service in accordance with section 212.5 within two court days of the issuance of the order.
 - (D) A proof of service must be filed.
- (3) If the judicial officer determines that a prima facie showing has been made, the judicial officer must issue a written order:

Care Eligibility. This change will go into effect on January 1, 2019.

- 1 (A) Directing the court clerk to set the matter for a hearing, and
2
3 (B) Appointing an attorney to represent the nonminor solely for the hearing
4 on the request.
5

6 *(Subd (d) amended effective January 1, 2019; previously amended effective July 1, 2012,*
7 *January 1, 2014, and January 1, 2016.)*
8

9 **(e)–(f) * * ***

10
11 **(g) Notice of hearing**
12

- 13 (1) The juvenile court clerk must serve notice as soon as possible, but no later
14 than five court days before the date the hearing is set, as follows:
15
16 (A) The notice of the date, time, place, and purpose of the hearing and a
17 copy of the form JV-466 must be served on the nonminor, the
18 nonminor’s attorney, the child welfare services agency, the probation
19 department, or the Indian tribal agency that was supervising the
20 nonminor when the juvenile court terminated its delinquency,
21 dependency, or transition jurisdiction over the nonminor, and the
22 attorney for the child welfare services agency, the probation
23 department, or the Indian tribe. Notice must not be served on the
24 prosecuting attorney if delinquency jurisdiction has been dismissed,
25 and the nonminor’s petition is for the court to assume or resume
26 transition jurisdiction under Welfare and Institutions Code section 450.²
27
28 (B) The notice of the date, time, place, and purpose of the hearing must be
29 served on the nonminor’s parents only if the nonminor included in the
30 form JV-466 a request that notice be provided to his or her parents.
31
32 (C) The notice of the date, time, place, and purpose of the hearing must be
33 served on the nonminor’s tribal representative if the nonminor is an
34 Indian child and indicated on the form JV-466 his or her choice to have
35 the Indian Child Welfare Act apply to him or her as a nonminor
36 dependent.
37
38 (D) The notice of the date, time, place, and purpose of the hearing must be
39 served on the local CASA office if the nonminor had a CASA and
40 included on the form JV-466 a request that notice be provided to his or
41 her former CASA.
42
43 (2) The written notice served on the nonminor dependent must include:

² On September 21, 2018 the Judicial Council approved this amendment through a rule proposal titled, Juvenile Law: Vacatur of Convictions Related to Human Trafficking and Preservation of Extended Foster Care Eligibility. This change will go into effect on January 1, 2019.

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(A) A statement that the nonminor may appear for the hearing by telephone; and

(B) Instructions regarding the local juvenile court procedures for arranging to appear and appearing at the hearing by telephone.

(3) Service of the notice must be by personal service, ~~or~~ by first-class mail, or by electronic service in accordance with section 212.5.

(4) Proof of service of notice must be filed by the juvenile court clerk at least two court days prior to the hearing.

(Subd (g) amended effective January 1, 2019; previously amended effective July 1, 2012.)

(h) * * *

(i) Findings and orders

The court must read and consider, and state on the record that it has read and considered, the report; the supporting documentation submitted by the social worker, probation officer, or tribal ~~case worker~~ caseworker; the evidence submitted by the nonminor; and any other evidence. The following judicial findings and orders must be made and included in the written court documentation of the hearing.

(1)–(2) * * *

(3) *Findings and orders: service.*

(A) The written findings and order must be served by the juvenile court clerk on all persons provided with notice of the hearing under (g)(1).

(B) Service must be by personal service, ~~or~~ by first-class mail, or by electronic service in accordance with section 212.5 within three court days of the issuance of the order.

(C) A proof of service must be filed.

(Subd (i) amended effective January 1, 2019; previously amended effective July 1, 2012, January 1, 2014, and January 1, 2016.)

Rule 5.906 amended effective January 1, 2019; adopted effective January 1, 2012; previously amended effective July 1, 2012, January 1, 2014, and January 1, 2016.

Rule 10.10. Judicial Council internal committees

1 **(a) Judicial Council internal committees**

2
3 The internal committees are:

- 4
5 (1) Executive and Planning Committee;
6
7 (2) Policy Coordination and Liaison Committee;
8
9 (3) Rules and Projects Committee;
10
11 (4) Litigation Management Committee; ~~and~~
12
13 (5) Technology Committee; and
14
15 (6) Judicial Branch Budget Committee.

16
17 *(Subd (a) amended effective January 1, 2019; adopted effective August 14, 2009,*
18 *previously amended effective February 20, 2014)*

19
20 **(b)–(g) * * ***

21
22 **(h) Oversight of advisory committees and other bodies**

23
24 When an internal committee has been assigned by the Chief Justice with the
25 responsibility for oversight over one or more advisory committees or other bodies,
26 the internal committee ensures that the activities of each advisory body overseen by
27 it are consistent with the council’s goals and policies. To achieve these outcomes,
28 the internal committee:

- 29
30 (1) Communicates the council’s annual charge to each advisory body;
31
32 (2) Reviews the proposed annual agenda of each to determine whether the
33 agenda is consistent with the advisory body’s charge and with the priorities
34 established by the council; and
35
36 (3) After review, approves the final annual agenda for each advisory body.

37
38 *(Subd (h) adopted effective January 1, 2019.)*

39
40 *Rule 10.10 amended effective January 1, 2019; adopted as rule 6.10 effective January 1, 1999;*
41 *previously amended and renumbered as rule 10.10 effective January 1, 2007; previously*
42 *amended effective August 14, 2009, February 20, 2014, and January 1, 2016.*

1 **Rule 10.11. Executive and Planning Committee**

2
3 **(a)–(c) * * ***

4
5 **(d) Budgets**

6
7 ~~The committee ensures that proposed judicial branch budgets, allocation schedules,~~
8 ~~and related budgetary issues are brought to the Judicial Council in a timely manner~~
9 ~~and in a format that permits the council to establish funding priorities in the context~~
10 ~~of the council’s annual program objectives, statewide policies, and long-range~~
11 ~~strategic and operational plans.~~

12
13 **(e)(d) * * ***

14
15 *(Subd (d) relettered effective January 1, 2019; adopted as subd (e) effective August 14,*
16 *2009.)*

17
18 **(f)(e) * * ***

19
20 *(Subd (e) relettered effective January 1, 2016; adopted as subd(f) effective August 14,*
21 *2009.)*

22
23 **(g)(f) * * ***

24
25 *(Subd (f) relettered effective January 1, 2019; adopted as subd (g) effective August 14,*
26 *2009.)*

27
28 **(h)(g) * * ***

29
30 *(Subd (g) relettered effective January 1, 2019; adopted as subd (h) effective August 14,*
31 *2009.)*

32
33 **(i) ~~Oversight of advisory committees and task forces~~**

34 ~~For those advisory committees and task forces over which it has been assigned~~
35 ~~oversight by the Chief Justice, the committee ensures that the activities of each are~~
36 ~~consistent with the council’s goals and policies. To achieve these outcomes, the~~
37 ~~committee:~~

38
39 ~~(1) Communicates the council’s annual charge to each; and~~

40
41 ~~(2) Reviews an annual agenda for each to determine whether the annual agenda~~
42 ~~is consistent with its charge and with the priorities established by the council.~~

43
44 **(j)(h) * * ***

45
46 *(Subd (h) relettered effective January 1, 2019; adopted as subd (j) effective August 14,*

1 2009.)

2
3 *Rule 10.11 amended effective January 1, 2019; adopted as rule 6.11 effective January 1, 1999;*
4 *previously amended and renumbered as rule 10.11 effective January 1, 2007; previously*
5 *amended effective January 1, 2002, September 1, 2003, January 1, 2005, August 14, 2009, and*
6 *January 1, 2016.*

7
8 **Rule 10.13. Rules and Projects Committee**

9
10 **(a)–(d) * * ***

11
12 **(e) ~~Oversight of advisory committees and task forces~~**

13 ~~For those advisory committees and task forces over which it has been assigned~~
14 ~~oversight by the Chief Justice, the Rules and Project Committee ensures that the~~
15 ~~activities of each are consistent with the council’s goals and policies. To achieve~~
16 ~~these outcomes, the committee:~~

- 17
18 ~~(1) Communicates the council’s annual charge to each; and~~
19 ~~(2) Reviews an annual agenda for each to determine whether the annual agenda~~
20 ~~is consistent with its charge and with the priorities established by the council.~~

21
22 **~~(f)~~(e) * * ***

23
24 *(Subd (e) relettered effective January 1, 2019; adopted as subd (f) effective August 14,*
25 *2009, and January 1, 2016.)*

26
27 *Rule 10.13 amended effective January 1, 2019; adopted as rule 6.13 effective January 1, 1999;*
28 *previously amended and renumbered as rule 10.13 effective January 1, 2007; previously*
29 *amended effective September 1, 2003, August 14, 2009, and January 1, 2016.*

30
31 **Rule 10.15. Judicial Branch Budget Committee**

32
33 **(a) Purpose**

34
35 The Judicial Branch Budget Committee assists the council to exercise its
36 responsibilities under rule 10.101 with respect to the branch budget.

37
38 **(b) Budget responsibilities**

39
40 In assisting the council on the branch budget, the committee:

- 41
42 (1) Ensures that proposed judicial branch budgets, allocation schedules, and
43 related budgetary issues are brought to the Judicial Council in a timely
44 manner and in a format that permits the council to establish funding priorities
45 in the context of the council’s annual program objectives, statewide policies,
46 and long-range strategic and operational plans;

- 1 (2) Reviews and makes recommendations annually to the council on submitted
2 budget change proposals for the judicial branch, coordinates these budget
3 change proposals, and ensures that they are submitted to the council in a
4 timely manner;
5
6 (3) Reviews and makes recommendations on the use of statewide emergency
7 funding for the judicial branch;
8
9 (4) Reviews and makes recommendations on the funding of grants on programs
10 assigned to the committee; and
11
12 (5) Acts on other assignments referred to it by the council.

13
14 *Rule 10.15 adopted effective January 1, 2019.*

15
16 **Rule 10.16. Technology Committee**

17
18 **(a)–(h)** * * *

19
20 **(i) Oversight of advisory committees and ~~task forces~~ other bodies**

21 In addition to performing its oversight responsibilities under rule 10.10(h), For
22 those advisory committees and task forces over which it has been assigned
23 oversight by the Chief Justice, the Technology Committee ensures that the
24 activities of each are consistent with the council’s goals and policies performs the
25 responsibilities under rule 10.10(h). To achieve these outcomes, the committee:

26
27 (1) ~~Communicates the council’s annual charge to each;~~

28
29 (2) ~~Reviews an annual agenda for each to determine whether the annual agenda~~
30 ~~is consistent with its charge and with the priorities established by the council; and~~

31
32 (3) ~~oversees the branchwide technology initiatives sponsored by each advisory~~
33 ~~body for which it is responsible.~~

34
35 *(Subd (i) amended effective January 1, 2019; adopted as subd (e); amended and relettered*
36 *effective September 1, 2015.)*

37
38 *Rule 10.16 amended effective January 1, 2019; adopted effective February 20, 2014; previously*
39 *amended effective September 1, 2015, and January 1, 2016.*