

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <hr/> <p style="text-align: center;">TELEPHONE NO.: _____ FAX NO. (Optional): _____</p> <p>E-MAIL ADDRESS (Optional): _____</p> <p>ATTORNEY FOR (Name): _____</p>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>FINDINGS AND ORDERS AFTER POSTPERMANENCY HEARING—                  PERMANENT PLAN OTHER THAN ADOPTION                  (Welf. &amp; Inst. Code, § 366.3)</b>	CASE NUMBER:

**1. Postpermanency hearing**

- |   |  |
|---|--|
| a. Date:<br>b. Department:<br>c. Judicial officer (name):<br>d. Court clerk (name): | e. Court reporter (name):<br>f. Bailiff (name):<br>g. Interpreter (name and language): |
|---|--|

h. Party (name):	Present	Attorney (name):	Present	Appointed today
(1) Child:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(2) Mother:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(3) Father—presumed:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(4) Father—biological:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(5) Father—alleged:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(6) Legal guardian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(7) Indian custodian:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(8) De facto parent:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(9) County agency social worker:	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
(10) Other (specify):	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

- i. Others present in courtroom:
- (1) Court Appointed Special Advocate (CASA) volunteer (name):
  - (2) Other (name):
  - (3) Other (name):

**2. The court has read and considered and admits into evidence:**

- a.  Report of social worker dated:
- b.  Report of CASA volunteer dated:
- c.  Other (specify):
- d.  Other (specify):

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

- 3. a.  Notice of the date, time, and location of the hearing was given as required by law.
- b.  **For child 10 years of age or older who is not present:** The child received proper notice of his or her right to attend the hearing.
- 4. a.  The child  is  may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b.  There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
- 5.  A Court Appointed Special Advocate is appointed for the child.

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**6. Paternity**

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

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

b.  The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to  
 (1) alleged father (*name*):  
 (2) alleged father (*name*):  
 (3) alleged father (*name*):

**Advisements and waivers**

**7. The court informed and advised the**

mother                       biological father       legal guardian       child  
 presumed father       alleged father       Indian custodian  
 other (*specify*):

of the following: the right of each parent or guardian and the child to be present and to be represented by counsel at every stage of the proceedings and, if any of these parties is financially unable to retain counsel, any right to appointed counsel that exists, subject to the court's right to seek reimbursement; the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify against the parent, legal guardian, or Indian custodian; the right to subpoena witnesses; and the right to present evidence on one's own behalf.

8. The  mother                       biological father       legal guardian       child  
 presumed father       alleged father       Indian custodian  
 other (*specify*):

**has knowingly and intelligently waived the right** to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

**Placement**

9. **Continued out-of-home care is in the best interest of the child.**

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

11.  **The child's current placement is appropriate.**

12.  **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.

a.  The matter is continued to the date and time indicated in item 32 for a  written  oral report by the county agency on the progress made in locating an appropriate placement.

b.  Other (*specify*):

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13.  **The child is placed outside the state of California and that out-of-state placement**
- a.  does continue to be the most appropriate placement for the child and is in the best interest of the child.
- b.  does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated on in item 32 for a  written  oral report by the county agency on the progress made toward
- (1)  returning the child to California and locating an appropriate placement within California.
- (2)  locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
- (3)  Other (*specify*):

**Efforts**

14.  **The county agency**
- a.  has
- b.  has not
- complied with the case plan by making reasonable efforts, including whatever steps are necessary to make and to finalize the permanent placement of the child.
15.  **Child 10 years of age or older, placed in a group home for six months or longer from the date the child entered foster care**
- a. The child has identified the following as an individual important to him or her:
- (1) (*name*):
- (2) (*name*):
- (3) (*name*):
- b. The county child and family services agency  has  has not made efforts to identify individuals who are important to the child, consistent with the child's best interest.
- c. The county child and family services agency  has  has not made efforts to maintain the child's relationships with the individuals who are important to the child, consistent with the child's best interest.
- d. The county child and family services agency  has  has not made efforts to identify a prospective adoptive parent or a legal guardian for the child.
- e.  To identify individuals who are important to the child and to maintain the child's relationships with those individuals, the agency must provide the services
- (1)  as stated on the record.
- (2)  as follows:
- f.  To identify a prospective adoptive or a legal guardian for the child, the agency must provide the services
- (1)  as stated on the record.
- (2)  as follows:

16. The services provided to the child have been
- a.  adequate.
- b.  not adequate.

**17. The county agency**

- a.  has
- b.  has not

complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent placement of the child.

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18.  **Child 16 years of age or older:**

- a.  The services set forth in the case plan include those needed to assist the child in making the transition from foster care to independent living.
- b.  The services set forth in the case plan do not include those needed to assist the child in making the transition from foster care to independent living.
- c.  To assist the child in making the transition to independent living, the agency must add to the child's case plan and provide the services
- (1)  as stated on the record.
- (2)  as follows:

**Siblings**19.  **The child does not have siblings under the court's jurisdiction.**20.  **The child does have siblings under the court's jurisdiction.**

- a. The nature of the relationship between the child and the child's siblings is
- (1)  stated on the record.
- (2)  described in the social worker's report.
- (3)  other (*specify*):
- b. (1)  Developing or maintaining the sibling relationship with the siblings named below is appropriate.
- (a) (*name*):
- (b) (*name*):
- (c) (*name*):
- (d) (*name*):
- (e) (*name*):
- (f) (*name*):
- (2)  Developing or maintaining the sibling relationship with the siblings named below is not appropriate.
- (a) (*name*):
- (b) (*name*):
- (c) (*name*):
- (d) (*name*):
- (e) (*name*):
- (f) (*name*):
- (3) The basis for the finding in this item b is
- (a)  stated on the record.
- (b)  described in the social worker's report.
- (c)  other (*specify*):
- c. The impact of the sibling relationships on the child's placement and planning for legal permanence is
- (1)  stated on the record.
- (2)  described in the social worker's report.
- (3)  other (*specify*):

21.  **The child and all of the child's siblings under the court's jurisdiction are placed together in the same home.**22.  **The child and all of the child's siblings under the court's jurisdiction are not placed together in the same home.**

- a.  Efforts are being made to place the child and the following siblings together.
- (1) Child's siblings:
- (a) (*name*):
- (b) (*name*):
- (c) (*name*):
- (d) (*name*):
- (e) (*name*):
- (f) (*name*):
- (2) The reasons the child and these siblings are not placed together and the efforts being made to do so are
- (a)  stated on the record.
- (b)  described in the social worker's report.
- (c)  other (*specify*):

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22. b.  Efforts to place the child with the following siblings are not appropriate.
- (1) Child's siblings:
- (a)  (name):
- (b)  (name):
- (c)  (name):
- (2) The reasons that efforts to place the child with these siblings are not appropriate are
- (a)  stated on the record.
- (b)  described in the social worker's report.
- (c)  other (specify):
- c.  The frequency and nature of the visitation between the child and child's siblings who are not placed together are
- (1)  stated on the record.
- (2)  described in the social worker's report.
- (3)  other (specify):

### Health and education

23.  The  mother  biological father  other (specify):  
 presumed father  legal guardian  
is  unable  unwilling  unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county child and family services agency.
24.  The right of the  mother  biological father  legal guardian  
 presumed father  alleged father  Indian custodian  
 other (specify):  
to make educational decisions for the child is limited as set forth in the *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter.

### Permanent Plan

25. The child's permanent plan is
- a.  legal guardianship. **The likely date** by which dependency jurisdiction will be dismissed is (specify date):
- b.  placement with (name): \_\_\_\_\_, a fit and willing relative.  
**The likely date** by which the child will be placed for adoption or guardianship is (specify date):  
 The relative is authorized to provide consent for the child's medical, surgical, and dental care as provided in *Order Granting Authority to Consent to Medical, Surgical, and Dental Care* (form JV-448).
- c.  placement with (name of placement): \_\_\_\_\_  
with a specific goal of (specify):
- (1)  returning home.
- (2)  adoption.
- (3)  legal guardianship.
- (4)  a less restrictive foster setting.
- (5)  permanent placement with a fit and willing relative.
- (6)  independent living with identification of a caring adult to serve as a lifelong connection for the youth.
- d.  **The likely date** by which the child's specific goal will be achieved is (specify date):
26.  The child's permanent plan identified in item 25 is appropriate and continues as the permanent plan.

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27.  a. The child's permanent plan identified in item 25 may not be appropriate, and the matter is ordered set for a hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.
- b. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.22(b).
- c. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record to Review Order Setting a Hearing under Welfare and Institutions Code Section 366.26* (form JV-820) and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as set forth in rule 5.715(d)(3)(H)-(I) of the California Rules of Court to any party not present.
- d. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, or identified placement with a specific goal for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to his or her usual place of residence or business only.
- e.  The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 1 of *Statement Regarding Parentage* (form JV-505).
- (1) (name):
- (2) (name):
- (3) (name):
- (4) (name):
- f. **The likely date** by which the child may be placed for adoption, for legal guardianship, or in an identified placement with a specific goal is (*specify date*):
28.  By clear and convincing evidence there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child because the child is not a proper subject for adoption at this time and has no one currently willing or appropriate to accept legal guardianship.
29.  **Contact with the child is ordered as set forth in** (*check appropriate box and attach indicated form*):
- a.  *Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person* (form JV-400).
- b.  *Visitation Attachment: Sibling* (form JV-401).
- c.  *Visitation Attachment: Grandparent* (form JV-402).
30. **All prior orders not in conflict with this order remain in full force and effect.**
31.  **Other findings and orders:**
- a.  See attached.
- b.  (*Specify*):

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32.  **The next hearing is scheduled as follows:**

Hearing date:	Time:	Dept:	Room:
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- a.  Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- b.  Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- c.  Other (*specify*):

33. Number of pages attached: \_\_\_\_\_

Date:

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JUDGE   
 JUDGE PRO TEMPORE   
 COMMISSIONER   
 REFEREE