

JUDICIAL COUNCIL OF CALIFORNIA

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INVITATION TO COMMENT

W20-02

Title

Appellate Procedure, Juvenile Law: Access to Juvenile Case Files in Appellate Court Proceedings

Proposed Rules, Forms, Standards, or Statutes

Amend Cal. Rules of Court, rules 5.552 and 8.401; approve form JV-291-INFO; revise forms JV-285, JV-290, JV-295, JV-321, JV-325, JV-569, JV-570, JV-571, JV-572, JV-573, JV-574, JV-800, JV-820, and JV-822

Proposed by

Appellate Advisory Committee
Hon. Louis R. Mauro, Chair
Family and Juvenile Law Advisory Committee
Hon. Jerilyn L. Borack, Cochair
Hon. Mark A. Juhas, Cochair

Action Requested

Review and submit comments by February 11, 2020

Proposed Effective Date

September 1, 2020

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Executive Summary and Origin

To implement recent Judicial Council–sponsored legislation amending the statute that governs access to records in a juvenile case, the Appellate Advisory Committee and the Family and Juvenile Law Advisory Committee propose amending the rules regarding confidentiality in juvenile court and appellate court proceedings. The statutory amendment provides that individuals who petitioned for, and by order of the juvenile court were granted access to, the juvenile case file are entitled to access those same records for purposes of appellate court proceedings in which they are parties. This proposal would revise a number of forms to add a new notice about access to records on review and make other clarifying changes. The committees also propose a new information sheet to assist those litigants who must file a petition to request access to records.

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 It is circulated for comment purposes only.

Background

The confidentiality of juvenile case files is established by Welfare and Institutions Code section 827.¹ This confidentiality is intended to protect the privacy rights of the child who is the subject of the juvenile court proceedings. Subdivision (a)(1) of this statute identifies those who may inspect and receive copies of a juvenile court case file, including the child who is the subject of the proceeding, the child's parent or guardian, the attorneys for the parties, the petitioning agency in a dependency action, or the district attorney, city attorney, or city prosecutor authorized to prosecute criminal or juvenile cases under state law.

Ordinarily, to help resolve these matters as quickly as possible, when an appeal or petition is filed challenging a judgment or order in a juvenile proceeding, the record for that appellate proceeding is prepared and sent to the Court of Appeal and the parties very quickly. The items that must be included in the record on appeal or for certain writ proceedings are listed in California Rules of Court, rules 8.407, 8.450, and 8.454. The trial court is required to begin preparing the record in these proceedings upon filing of the notice of appeal or notice of intent to file a writ petition.

However, some individuals who are authorized to participate in juvenile proceedings and have the right to seek review of certain orders in those proceedings or who have a right to respond to an appeal or petition seeking such review are not entitled under section 827, absent court order, to access (inspect or copy) any records in a juvenile case file. This situation occurs, for example, when the appellant is a family member or other person who files a petition seeking de facto parent status and is appealing the denial of that petition or who files a petition under section 388 to change, modify, or set aside a juvenile court order on grounds of change of circumstance or new evidence and is appealing the denial of that petition. In those cases, before the recent legislation, the juvenile courts and Court of Appeal followed various procedures to decide, on a case-by-case basis, what records such litigants could receive. Doing so took time and resources of the juvenile court, the Court of Appeal, and the persons seeking access to records for such proceedings. It also resulted in delays and, particularly when the appellant or petitioner was self-represented, and failed to obtain the necessary records, procedural dismissals of these appeals without consideration of their merit.

In 2017, the Appellate Advisory Committee, in consultation with the Family and Juvenile Law Advisory Committee, recommended that the Judicial Council sponsor legislation to address this situation. The legislation, Assembly Bill 1617, which added new paragraph (a)(6) to section 827, took effect on January 1, 2019. The new paragraph provides that a person who is not otherwise authorized to access the case file under section 827(a)(1)(A)–(P) and files a notice of appeal or petition for writ challenging a juvenile court order, or who is a respondent or real party in interest in such appellate proceeding may, for purposes of the appellate proceeding, access those records

¹ All further unspecified statutory references are to the Welfare and Institutions Code, and all rule references are to the California Rules of Court. The full text of this statute is available at

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=827.&lawCode=WIC.

to which the person was granted access by order of the juvenile court. New paragraph (a)(6) also requires the Judicial Council to adopt rules to implement the new provision.

Prior Circulation

This proposal circulated previously in spring 2019. At that time, the committees proposed amending several rules relating to juvenile appeals and writs to include provisions relating to persons required to petition for access to records in the juvenile case file and the limited record to be prepared and provided to these persons. The proposal included a new information sheet and a notice on certain forms regarding the process to seek authorization from the juvenile court to access records in the juvenile case file.

The committees received a number of public comments raising various concerns with the prior proposal, including, among others, due process issues and perceived gaps in the proposed rules that would require more rules. The committees concluded that, in attempting to provide detailed procedures and information for litigants and courts and to account for various situations that could arise, the proposal's scope and complexity expanded beyond what was necessary to implement the legislation, which was narrow in scope and aimed at a situation that arises relatively infrequently. Accordingly, the committees determined that the best way to move forward would be a more focused rules proposal to add the juvenile court petition process to the appellate rule on access to records in a juvenile case.

The Proposal

Rule amendments

The committees propose amending both the appellate and juvenile rules on confidentiality of documents.

The committees believe that these proposed rule amendments appropriately track the provisions of section 827.

Rule 5.552

To be consistent with the language of section 827, the committees propose amending the rule on confidentiality of records in the juvenile court to replace the terms “disclosure” and “disclosed” with “access to” and “released,” respectively. The committees also propose making these changes to the names of several forms that are referenced in the rule and are part of this proposal (see below). These changes would more accurately describe the juvenile court's action in granting a petition as permitting *access* to records in the juvenile case file rather than permitting *disclosure*, which could suggest that the petitioner may disclose the information.

Rule 8.401

Rule 8.401 is the appellate rule on confidentiality in juvenile proceedings; subdivision (b) addresses access to documents and records. The proposal would add a new paragraph regarding access to records in the juvenile case file under section 827 stating that individuals who were granted access to records by order of the juvenile court may access the same records for purposes

of an appeal or writ proceeding. A new advisory committee comment would describe the petition process under section 827 and refer to rule 5.552 and the mandatory form a petitioner must use.

Other amendments to this rule would add definitions to clarify terms. Existing rule 8.401(b) refers to “filed documents,” “documents filed by the parties,” “the record on appeal,” and “records” in presenting various rules regarding access to documents and records, and proposed new subdivision (b)(2) would add the term “records in the juvenile case file.” To eliminate confusion and draw clear distinctions, the committees propose defining “filed document,” “record on appeal,” “record on a writ proceeding,” and “records in the juvenile case file.”

New and revised forms

Whereas the rules component of this revised proposal is narrower than what was originally circulated, the forms portion has expanded. As in the prior proposal, the committees suggest a new information sheet for individuals who must use that petition process to access records in the juvenile case file. Also included in the prior proposal, the committees proposed adding a notice regarding the petition process to certain forms. Other revisions to forms are intended to raise awareness of the possible need to petition for access to records and to assist the juvenile court and litigants in that process. In addition, several changes are intended to update or clarify content on the forms.

Proposed information sheet

New Information on Requesting Access to Records for Persons With a Limited Right to Appeal (form JV-291-INFO) would provide information for individuals with a limited right to seek review of a juvenile court order, such as relatives and de facto parents. This would include information about requesting access to the juvenile case file through a petition under section 827(a)(1)(Q). The form emphasizes that these individuals have a right to appeal or file a writ petition only in limited circumstances. This form is substantially similar to the version included in the earlier proposal, but renamed and with other minor clarifying changes.

Notice on JV forms

The committees anticipate that potential parties in appellate proceedings who are not entitled to access records in the juvenile case file absent court order may be unaware of the requirement to petition for such access, and thus might not file such a petition until after the appellate proceeding has begun. This situation could cause delays and difficulties for litigants and the courts—problems the legislation was intended to solve. The committees propose adding a short notice to forms typically used by these litigants in dependency and delinquency cases. The notice would read as follows:

If you are not the child, child’s parent, or child’s legal guardian, you may have a right to challenge a decision by the juvenile court, but only in very limited circumstances. You may need a court order granting you access to records in the juvenile case file. For more information, please see *Information on Requesting Access to Records for Persons With a Limited Right to Appeal* (form JV-291-

INFO). You can get form JV-291-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.

The committees propose adding this notice to the following forms:

- *Relative Information* (form JV-285)
- *Caregiver Information Form* (form JV-290)
- *De Facto Parent Request* (form JV-295)
- *Request for Prospective Adoptive Parent Designation* (form JV-321)
- *Objection to Removal* (form JV-325)
- *Notice of Appeal—Juvenile* (form JV-800)
- *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)
- *Notice of Intent to File Writ Petition and Request for Record to Review Order Designating or Denying Specific Placement of a Dependent Child After Termination of Parental Rights* (form JV-822)

Revisions to notice of appeal and notice of intent to file writ petition forms

In addition to adding the notice described above, the committees propose adding an item to these forms so that the litigant who has been granted access to records by order of the juvenile court may indicate so and attach the order, if it is available. This item will provide notice to the juvenile court clerk who prepares the record that the litigant’s access to records is specified in the court’s order.

The committees propose adding this item to the following forms:

- *Notice of Appeal—Juvenile* (form JV-800)
- *Notice of Intent to File Writ Petition and Request for Record to Review Order Setting a Hearing Under Welfare and Institutions Code Section 366.26 (California Rules of Court, Rule 8.450)* (form JV-820)
- *Notice of Intent to File Writ Petition and Request for Record to Review Order Designating or Denying Specific Placement of a Dependent Child After Termination of Parental Rights (California Rules of Court, Rule 8.454)* (form JV-822)

Revisions to mandatory forms for the section 827 petition process

The Judicial Council adopted mandatory forms for use by litigants and the juvenile courts in the section 827 petition process. The committees propose revisions to update the names of these forms and language within the forms to refer to “access” and “petition for access” rather than “disclosure” and “request for disclosure.”

The committees propose making these revisions to the following forms:

- *Proof of Service—Request for Disclosure* (form JV-569), renamed *Proof of Service—Petition for Access to Juvenile Case File*

- *Request for Disclosure of Juvenile Case File* (form JV-570), renamed *Petition for Access to Juvenile Case File*
- *Notice of Request for Disclosure of Juvenile Case File* (form JV-571), renamed *Notice of Petition for Access to Juvenile Case File*
- *Objection to Release of Juvenile Case File* (form JV-572)
- *Order on Request for Disclosure of Juvenile Case File* (form JV-573), renamed *Order on Petition for Access to Juvenile Case File*
- *Order After Judicial Review* (form JV-574), renamed *Order After Judicial Review on Petition for Access to Juvenile Case File*

Other revisions to forms

The committees propose additional changes to the forms as described below.

Form JV-569 is the mandatory form for filing proof of service of the petition under section 827(a)(1)(Q). Under rule 5.552, the petitioner is required to serve notice of the petition on certain individuals and entities, but if the petitioner does not know the names and addresses and is unable to effect service for that reason, the clerk must do it. The revision would add a new item 3 for attorneys who indicate that they were unable to serve county counsel and the child welfare agency (if the petition is filed under section 300), or the district attorney and the probation department (if the petition is filed under section 601 or 602). The new item requires the attorney to describe the efforts to locate the addresses and to provide an explanation for not being able to locate the addresses. This is intended to reduce the number of instances in which attorneys transfer to the court the burden of serving notice on individuals and entities an attorney could reasonably locate if the county of jurisdiction is known.

Form JV-570 is the mandatory form used to petition for access to the juvenile case file. It requires the petitioner to describe in detail the records that are sought and why the records are needed. The committees propose expanding the instructions for item 5, which requires the petitioner to describe the records being sought, and revising item 6 to add the option that records are sought for an appellate court proceeding and provide space for the petitioner to list the relevant hearing dates.

Form JV-573 is the mandatory form for the juvenile court to make its ruling on the petition. The revisions would add check boxes and space in item 1 for the judicial officer to indicate the reason for denying the petition, and add new item 6 to provide space for other orders.

Form JV-574 is the mandatory form for the juvenile court to issue orders after judicial review of the juvenile case file. The revisions would add check boxes and space in item 2 for the judicial officer to indicate the reason for denying the petition, add check boxes to items 3 and 4c for the option of requiring that records released to the petitioner be redacted, and add check boxes to item 6 to permit the petitioner to disseminate records to a specified person and to indicate that the records must be redacted or are subject to a protective order.

Form JV-800, the notice of appeal form, would be revised to add a check box to item 7, which lists appealable orders under different sections of the Welfare and Institutions Code, to include an order under section 388 (request to change a court order).

Form JV-822, the notice of intent to file a writ petition challenging the court's placement order, would be revised to add language to the box on page two titled Signature on *Notice of Intent* to clarify that the notice of intent may be signed by the attorney of record.

Alternatives Considered

The committees did not consider proposing no rule changes because the legislation requires the Judicial Council to adopt implementing rules.

As described above, the committees previously proposed more extensive rule amendments to describe procedures for appellate proceedings involving individuals whose access to records is limited. However, these extensive changes to the juvenile appellate rules would have added numerous new procedures, raised many more issues that would have to be addressed, and went well beyond what is necessary to implement the new statutory provision.

The committees considered making no changes to the JV forms, but rejected this option. Because of the likelihood that individuals may be unaware of the potential need to petition for access to records in the juvenile case file, the committees chose to develop a new information sheet, include a notice on certain forms, and make other changes to improve awareness of the petition process and assist litigants and courts in navigating it.

Request for Specific Comments

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

- Does the proposal adequately address the stated purpose?
- Should the definition of “records in the juvenile case file” in rule 8.401(b) more closely track the definition of “juvenile case file” in rule 5.552(a) or Welfare and Institutions Code section 827(e)?
- Does the proposed information sheet, form JV-291-INFO, provide the information necessary for an individual to understand the right to appeal and the process for requesting access to records in the juvenile case file? Should other information be included?
- Should rule 5.552 require that the parent and county counsel receive notice if a petition for access is filed by an adult who is a former or current dependent and is seeking access to their case file for the purpose of education, employment, immigration, and/or military enlistment?
- Rule 5.552 does not require that a parent’s attorney of record receive notice when a petition for access is filed. Should the rule require such notice?

The advisory committees also seek 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 three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?

Attachments and Links

1. Cal. Rules of Court, rules 5.552 and 8.401, at pages 9–11
2. Forms JV-285, JV-290, JV-291-INFO, JV-295, JV-321, JV-325, JV-569, JV-570, JV-571, JV-572, JV-573, JV-574, JV-800, JV-820, and JV-822, at pages 12–37

Rules 5.552 and 8.401 of the California Rules of Court would be amended, effective September 1, 2020, to read:

1 **Rule 5.552. Confidentiality of Records (§§ 827, 827.12, 828)**

2
3 (a) * * *

4
5 (b) **Petition**

6
7 Juvenile case files may be obtained or inspected only in accordance with sections
8 827, 827.12, and 828. They may not be obtained or inspected by civil or criminal
9 subpoena. With the exception of those persons permitted to inspect juvenile case
10 files without court authorization under sections 827 and 828, and the specific
11 requirements for accessing juvenile case files provided in section 827.12(a)(1),
12 every person or agency seeking to inspect or obtain juvenile case files must petition
13 the court for authorization using *Request for Disclosure of Petition for Access to*
14 *Juvenile Case File* (form JV-570). A chief probation officer seeking juvenile court
15 authorization to access and provide data from case files in the possession of the
16 probation department under section 827.12(a)(2) must comply with the
17 requirements of subdivision (e) of this rule.

18
19 (1)–(2) * * *

20
21 (c) **Notice of petition for disclosure access**

22
23 (1) At least 10 days before the petition is submitted to the court, the petitioner
24 must personally or by first-class mail serve *Request for Disclosure of Petition*
25 *for Access to Juvenile Case File* (form JV-570), *Notice of Request for*
26 *Disclosure of Petition for Access to Juvenile Case File* (form JV-571), and a
27 blank copy of *Objection to Release of Juvenile Case File* (form JV-572) on
28 the following:

29
30 (A)–(I) * * *

31
32 (2) The petitioner must complete *Proof of Service—Request for Disclosure*
33 *Petition for Access to Juvenile Case File* (form JV-569) and file it with the
34 court.

35
36 (3) If the petitioner does not know the identity or address of any of the parties in
37 (c)(1) above, the clerk must:

38
39 (A) Serve personally or by first-class mail to the last known address a copy
40 of *Request for Disclosure of Petition for Access to Juvenile Case File*
41 (form JV-570), *Notice of Request for Disclosure of Petition for Access*

1 *to Juvenile Case File* (form JV-571), and a blank copy of *Objection to*
2 *Release of Juvenile Case File* (form JV-572); and

3
4 (B) Complete *Proof of Service—Request for Disclosure Petition for Access*
5 *to Juvenile Case File* (form JV-569) and file it with the court.

6
7 (4) For good cause, the court may, on the motion of the person seeking the order
8 or on its own motion, shorten the time for service of the petition for
9 disclosure access.

10
11 **(d) Procedure**

12
13 (1)–(4) * * *

14
15 (5) If the court grants the petition, the court must find that the need for ~~discovery~~
16 access outweighs the policy considerations favoring confidentiality of
17 juvenile case files. The confidentiality of juvenile case files is intended to
18 protect the privacy rights of the child.

19
20 (6) The court may permit ~~disclosure of~~ access to juvenile case files only insofar
21 as is necessary, and only if petitioner shows by a preponderance of the
22 evidence that the records requested are necessary and have substantial
23 relevance to the legitimate need of the petitioner.

24
25 (7) If, after in-camera review and review of any objections, the court determines
26 that all or a portion of the juvenile case file may be ~~disclosed~~ accessed, the
27 court must make appropriate orders, specifying the information to be
28 disclosed and the procedure for providing access to it.

29
30 (8) * * *

31
32 **(e)–(f) * * ***

33
34 **Rule 8.401. Confidentiality**

35
36 **(a) * * ***

37
38 **(b) Access to filed documents and records**

39
40 For the purposes of this rule, “filed document” means a brief, petition, motion,
41 application, or other thing filed by the parties in the reviewing court in a proceeding
42 under this chapter; “record on appeal” means the documents referenced in rule
43 8.407; “record on a writ petition” means the documents referenced in rules 8.450

1 and 8.454; and “records in the juvenile case file” means all or part of a document,
2 paper, exhibit, transcript, opinion, order, or other thing filed in the juvenile court.

3
4 (1) Except as provided in (2)–(3)(4), a filed document, the record on appeal, or
5 the record on a writ petition and documents filed by the parties in
6 proceedings under this chapter may be inspected only by the reviewing court,
7 and appellate project personnel, the parties, or their attorneys for the parties,
8 and or other persons the reviewing court may designate.

9
10 (2) Access to records in the juvenile case file, including any such records made
11 part of the record on appeal or the record on a writ petition, is governed by
12 Welfare and Institutions Code section 827. Persons who are not described in
13 subdivision (a)(1)(A)–(P) and have petitioned the juvenile court under
14 subdivision (a)(1)(Q) may inspect and copy only those records in the juvenile
15 case file to which that person was granted access by order of the juvenile
16 court.

17
18 (3) A filed documents that protects anonymity as required by (a) may be
19 inspected by any person or entity that is considering filing an amicus curiae
20 brief.

21
22 ~~(3)(4)~~ Access to a filed document or records items in the record on appeal or the
23 record on a writ petition that are sealed or confidential under authority other
24 than Welfare and Institutions Code section 827 is governed by rules 8.45–
25 8.47 and the applicable statute, rule, sealing order, or other authority.

26
27 (c) * * *

28
29 **Advisory Committee Comment**

30
31 Subdivision (b)(2). Welfare and Institutions Code section 827(a)(1)(Q) authorizes a petition by
32 which a person may request access to records in the juvenile case file. The petition process is
33 stated in rule 5.552. The Judicial Council has adopted a mandatory form—*Petition for Access to*
34 *Juvenile Case File* (form JV-570)—that must be filed in the juvenile court to make the request.
35 This form is available at any courthouse or county law library or online at
36 www.courts.ca.gov/forms.

As the relative of a child who has been removed from the home, you may give written information to the court about the child at any time on this form or in a letter. After filling out this form, give it to the clerk of the court.

Please note that other people involved in the case, including the parents, will see your answers on this form. If you prefer to keep your contact information private, fill out *Confidential Information* (form JV-287) and do not write your address or telephone number below.

1 Your name: _____

Your Address: _____

Your telephone number: _____

Check here if contact information is confidential and form JV-287 is attached.

2 Your relation to the child: maternal paternal

grandparent brother/sister aunt/uncle cousin

family friend

tribal extended family member

other (specify): _____

3 Child's name: _____

4 I would like to talk to the judge at the next court hearing.

Please fill in as much of the following information as you know. If you need more space to respond to any section on this form, attach additional pages as needed and check the box at item 12.

5 Information about the child's medical, dental, and general physical health:

6 Information about the child's emotional and behavioral health:

7 Information about the child's education:

8 Other information that might be helpful to the court:

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council

Social worker fills in court name and street address.

Superior Court of California, County of

Social worker fills in child's name and date of birth.

Child's Name:

Date of Birth:

Social worker fills in case number.

Case Number:



Child's name: _____

Case Number: _____

Below are some things you might do to help the child. You can pick some or none of the things listed below. It is up to the social worker and the court whether you will be asked to do these things.

- 9 I want to
- | | |
|---|---|
| <input type="checkbox"/> telephone the child. | <input type="checkbox"/> take the child to visits with parents. |
| <input type="checkbox"/> write letters to the child. | <input type="checkbox"/> take the child to medical appointments. |
| <input type="checkbox"/> take the child on outings. | <input type="checkbox"/> supervise the child during visits with brothers and sisters. |
| <input type="checkbox"/> take the child to/from school. | <input type="checkbox"/> watch the child after school. |
| <input type="checkbox"/> take the child to visits with brothers or sisters. | <input type="checkbox"/> have the child live with me. |
| <input type="checkbox"/> take the child to therapy. | <input type="checkbox"/> other (describe): _____ |
| <input type="checkbox"/> take the child to family gatherings. | _____ |
| <input type="checkbox"/> help the social worker make a case plan for the child. | _____ |

You can also help the parents. For example, you might help with transportation, housing, visits, or child care. It is up to the social worker and the court whether you will be asked to do these things.

10 I want to help the father mother
(Describe): _____

- 11 Other relatives who might be able to help the child:
- a. Name: _____ Relationship to child: _____
Contact information: _____
or I want to keep the contact information confidential and ask that the child's social worker get this information from me.
- b. Name: _____ Relationship to child: _____
Contact information: _____
or I want to keep the contact information confidential and ask that the child's social worker get this information from me.
- c. Name: _____ Relationship to child: _____
Contact information: _____
or I want to keep the contact information confidential and ask that the child's social worker get this information from me.

12 If you need more space to respond to any section on this form, please check this box and attach additional pages.
Number of pages attached: _____

NOTICE

If you are not the child, child's parent, or child's legal guardian, you may have a right to challenge a decision by the juvenile court, but only in very limited circumstances. You may need a court order granting you access to records in the juvenile case file. For more information, please see *Information on Requesting Access to Records for Persons With a Limited Right to Appeal* (form JV-291-INFO). You can get form JV-291-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.

Date: _____

Type or print your name

▶

Sign your name

SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	FOR COURT USE ONLY <p style="text-align: center;">DRAFT Not approved by the Judicial Council</p>
CHILD'S NAME: HEARING DATE AND TIME:	
CAREGIVER INFORMATION FORM	CASE NUMBER:

To the current caregiver, preadoptive parent, community care facility, or foster family agency caring for the child: You may submit written information to the court, and you may attend review and permanency hearings. You may use this optional form to provide written information to the court. Please type or print clearly in ink and submit the original and eight copies of the form to the court clerk's office at least five calendar days (or seven calendar days, if filing by mail) before the hearing. Be aware that other individuals involved in the case have access to this information. See form JV-290-INFO for instructions on how to complete this form and file it with the court.

1. a. Child's name:
 b. Child's date of birth: c. Child's age:
2. **Caregiver Information** (*Answer only if you are a caregiver, skip #3.*):
 - a. Name of caregiver:
 - b. Type of caregiver: Foster parent Relative Legal guardian Preadoptive parent
 Nonrelative extended family member Other (*specify*):
 - c. The child has been living in my home for (*specify*): years months.
3. **Agency or Facility Information** (*Answer only if you are an agency or facility, skip #2.*):
 - a. Name of agency or facility:
 - b. Address:
 - c. Telephone number:
 - d. Type of facility: Foster family agency Community care agency Other (*specify*):
 - e. The child has been placed with our agency/facility for (*specify*): years months and in the current home for (*specify*): years months.
 - f. Name of person completing form: Title:
 - g. Hours per week the person completing this form spends with the child (*specify*): hours/week.
 - h. The information on this form consists of
 - (1) the observations and recommendations of the person filling out this form.
 - (2) the observations and recommendations of a group or team made up of the following individuals (*specify*):
4. **Current Status of Child's Medical, Dental, and General Physical and Emotional Health**
 - a. There is no new or additional information since the last court hearing.
 - b. There is new or additional information since the last court hearing, as follows (*do not include the names of doctors*):
5. **Current Status of Child's Education**
 - a. There is no new or additional information since the last court hearing.
 - b. There is new or additional information since the last court hearing, as follows (*do not include the names of schools*):

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

- 6. Child's Special Education Status**
- a. The child is a special education student. Date of last Individualized Education Plan (IEP):
 - b. The child is not a special education student.
 - c. I do not know the child's special education status.

- 7. Current Status of Child's Adjustment to Living Arrangement**
- a. There is no new or additional information since the last court hearing.
 - b. There is new or additional information since the last court hearing, as follows:

- 8. Current Status of Child's Social Skills and Peer Relationships**
- a. There is no new or additional information since the last court hearing.
 - b. There is new or additional information since the last court hearing, as follows:

- 9. Current Status of Child's Special Interests and Activities**
- a. There is no new or additional information since the last court hearing.
 - b. There is new or additional information since the last court hearing, as follows:

- 10. Other Helpful Information**
- a. There is no new or additional information since the last court hearing.
 - b. There is new or additional information since the last court hearing, as follows:

- 11. Recommendation for Disposition (*Outcome*)**
- a. I have no recommendation for disposition (*outcome*).
 - b. I am recommending the following disposition (*outcome*):

12. If you need more space to respond to any section on this form, please check this box and attach additional pages.
 Number of pages attached:

NOTICE

If you are not the child, child's parent, or child's legal guardian, you may have a right to challenge a decision by the juvenile court, but only in very limited circumstances. You may need a court order granting you access to records in the juvenile case file. For more information, please see *Information on Requesting Access to Records for Persons With a Limited Right to Appeal* (form JV-291-INFO). You can get form JV-291-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.

Date: _____

(TYPE OR PRINT NAME)
 (SIGNATURE OF CAREGIVER OR FACILITY/AGENCY STAFF PERSON WHO HAS COMPLETED THIS FORM)

Under very limited circumstances, a person who is not the child, parent, or legal guardian in a dependency or delinquency case has the right to seek review of decisions made by the juvenile court by filing an appeal or writ petition in the Court of Appeal. Such an individual, however, is typically not entitled to access records that will be considered on appeal from the juvenile court case file for purposes of an appeal or writ proceeding unless the person gets approval from the juvenile court. The purpose of this information sheet is to inform those individuals who are not the child, parent, or legal guardian, and who may have the right to seek appellate review, of the requirement to file a *Petition for Access to Juvenile Case File* (form JV-570) to have access to the juvenile case file during an appeal or writ.

1 When would I have the right to seek review?

To have a right to seek review, you must be harmed by an order or judgment of the juvenile court. In the vast majority of cases, only the child, parent, legal guardian, county welfare department, or district attorney will have the right to file an appeal or a writ petition challenging a juvenile court ruling. However, the law also protects those individuals who have a relationship to the child in certain situations.

You might have a right to appeal or file a writ petition if, for example, you are:

- The child’s relative, and the child was removed from your home, or you requested that the child be placed in your home or that your home be assessed for possible placement, and the court denied your request for placement or the placing agency never assessed your home;
- Someone who requested de facto parent status, which was denied;
- Someone who requested a change of court order through a section 388 petition (form JV-180), which was denied; or
- A prospective adoptive parent or de facto parent challenging the juvenile court’s decision to remove the child from your home.

2 If I want to file an appeal or writ petition, what additional steps must I take?

To have access to records in the juvenile case file for an appeal or writ proceeding, you must request access from

the juvenile court. To make this request, you must file *Petition for Access to Juvenile Case File* (form JV-570). You will need to serve a copy of this form on all interested parties to the case, if you know their names and addresses, including the child, parents, social worker, and probation officer.

On the request form, you will need to identify which specific records you are requesting. Your request for information can include any documents that you are aware of that exist in the juvenile court file or are in the possession of the social worker or probation officer. Be sure to indicate the dates of the hearings that relate to the decision you are challenging. As the basis for the request, you may indicate the appeal or writ proceeding in the Court of Appeal. You will also need to explain why you are requesting the records. Your explanation should show how the records, including any transcripts, relate to the decision you are challenging (for example, a report or court order following a hearing on your issue). The juvenile court will make a decision on your request by issuing an order that identifies the records you are authorized to access. The court’s order is made on *Order After Judicial Review on Petition for Access to Juvenile Case File* (form JV-574).

When you file a notice of appeal or a notice of intent to file a writ petition, you should attach the court’s order on the JV-574, if you have one. Doing so will alert the clerk that you are authorized to access records in the case file and will ensure that a record will be prepared for you.

Note: An order from the juvenile court granting you access to records in the case file is not a condition for filing an appeal or writ petition.

You may wish to consult with an attorney when considering whether to file an appeal or a writ petition and request access to records in the juvenile case file. The timelines for filing an appeal or a writ petition apply whether or not the juvenile court has granted you access to the juvenile case file. A notice of appeal usually must be filed within 60 days of the date the order being appealed was made. For writ review, a notice of intent to file a writ petition must be filed as early as 7 days after the court makes the challenged order, either orally in court or in writing, whichever occurs first. But note that the deadlines for filing a notice of appeal or a notice of intent to file a writ petition may differ, depending on the circumstances. For more information, read rules 8.406, 8.450, and 8.454 of the California Rules of Court.

Clerk stamps date here when form is filed.

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The address of any licensed foster family home must remain confidential unless the judge or the foster parent authorizes release of the address. Court clerks should not send this page to the parties without a court order or authorization of the foster parent. (Welf. & Inst. Code, § 308(a).)

① My/Our name(s): _____

My/Our address: _____

City: _____ State: _____ Zip: _____

My/Our phone #: _____

Fill in court name and street address:

Superior Court of California, County of

② I am/We are asking that I/we be appointed de facto parent(s) of
(Child's name): _____

Court fills in case number when form is filed.

Case Number:

Date: _____
Type or print your name

Signature of person requesting de facto parent status

Date: _____
Type or print your name

Signature of person requesting de facto parent status

Date: _____
Type or print attorney's name

Signature of attorney (if applicable)

Attorney's address: _____

City: _____ State: _____ Zip: _____

Attorney's phone #: _____

NOTICE

If you are not the child, child's parent, or child's legal guardian, you may have a right to challenge a decision by the juvenile court, but only in very limited circumstances. You may need a court order granting you access to records in the juvenile case file. For more information, please see *Information on Requesting Access to Records for Persons With a Limited Right to Appeal* (form JV-291-INFO). You can get form JV-291-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.

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After filling out this form, bring it to the clerk of the court. If you want to keep an address or telephone number confidential, do not write that information on this form. Instead, include that information in Confidential Information—Prospective Adoptive Parent (form JV-322).

- ① Information about the person or persons you want to be designated as prospective adoptive parents:
- a. Name: _____
- b. Name: _____
- c. Street address: _____
- d. City: _____ State: _____ Zip: _____
- e. Telephone number: _____

Fill in court name and street address:

Superior Court of California, County of

- ② If you are not a person in ①, fill out below.
- a. Name: _____
- b. I am the child child's attorney other
(specify role): _____
- c. Street address: _____
- d. City: _____ State: _____ Zip: _____
- e. Telephone number: _____

Fill in child's name and date of birth:

Child's Name:**Date of Birth:**

Fill in case number:

Case Number:

- ③ If you are not the child's attorney and you know who the child's attorney is, fill out below.
- a. Name of child's attorney: _____
- b. Street address of child's attorney: _____
- c. City: _____ State: _____ Zip: _____
- d. Telephone number of child's attorney: _____
- ④ The child is 10 years of age or older. Child's telephonenumber: _____
or Telephone number is confidential.
- ⑤ The child has lived with the person from (date): _____ to the present.
In order for the person in ① to become a prospective adoptive parent, the child must be living with that person now.
- ⑥ Date of Welfare and Institutions Code section 366.26 hearing: _____
The person in ① should not file this form with the court until a Welfare and Institutions Code section 366.26 hearing has been scheduled.
- ⑦ The person in ① is committed to adopting the child.



Child's name: _____

Case Number: _____

- 8 The person in 1 has (check all that apply):
- a. Applied for an adoptive home study.
 - b. In a case in which tribal customary adoption is the permanent plan, been identified by the Indian child's tribe as the prospective adoptive parent.
 - c. Cooperated with an adoptive home study.
 - d. Signed an adoptive placement agreement.
 - e. Requested de facto parent status.
 - f. Been designated by the juvenile court or the licensed adoption agency as the adoptive parent.
 - g. Discussed a postadoption contact agreement with the social worker, child's attorney, child's Court Appointed Special Advocate (CASA) volunteer, adoption agency, or court.
 - h. Worked to overcome any impediments that have been identified by the California Department of Social Services or the licensed adoption agency.
 - i. Attended any of the classes required of prospective adoptive parent.
 - j. Taken other steps toward adopting the child (explain): _____

If you need more space, attach a sheet of paper and write "JV-321, Item 8—Steps Toward Adoption" at the top. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the information in items 1 through 8 is true and correct, which means if I lie on this form, I am committing a crime.

Date:

Type or print your name

▶ _____
Sign your name

Type or print your name

▶ _____
Sign your name

NOTICE

If you are not the child, child's parent, or child's legal guardian, you may have a right to challenge a decision by the juvenile court, but only in very limited circumstances. You may need a court order granting you access to records in the juvenile case file. For more information, please see *Information on Requesting Access to Records for Persons With a Limited Right to Appeal* (form JV-291-INFO). You can get form JV-291-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.

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If you do not agree with the removal, you can request a court hearing by filling out this form. The following people can object to removal: a current caregiver, the child’s attorney, the child (if 10 years of age or older), the child’s identified Indian tribe or custodian, and the child’s CASA program. Bring this form to the clerk of the court. If you want to keep an address or a phone number confidential, fill out Confidential Information—Prospective Adoptive Parent (form JV-322), and do not write the address or phone number on this form.

If you are a caregiver or the child and you requested the hearing, the clerk will provide notice of the hearing to you and any other participants.

If you are the child’s attorney and you requested the hearing, you must provide notice of the hearing to all other participants.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's Name:

Date of Birth:

Fill in case number:

Case Number:

1 Information about the caregiver or caregivers:

- a. Name: _____
- b. Name: _____
- c. Address: _____
- d. Phone number: _____

2 If you (the person objecting to the removal) are not the caregiver, fill out below.

- a. Name: _____
- b. I am the child child’s attorney child’s identified Indian tribe
 child’s identified Indian custodian child’s CASA program

- c. Address: _____
- d. Phone number: _____

3 If you are not the child’s attorney and you know who the child’s attorney is, fill out below.

- a. Name of child’s attorney: _____
- b. Address of child’s attorney: _____
- c. Phone number of child’s attorney: _____

4 The child is 10 years of age or older. Child’s telephonenumber: _____
 Confidential phone number in court file

5 The child has an identified Indian tribe (specify tribe): _____
Phone number of tribe: _____

6 The child has a Court Appointed Special Advocate (CASA) volunteer.
Phone number of CASA program, if known: _____

7 The caregiver or caregivers have been designated by the judge as the child’s prospective adoptive parent or parents.



Child's name: _____

Case Number: _____

8 The caregiver or caregivers may meet the definition of prospective adoptive parent or parents. *Request for Prospective Adoptive Parent Designation* (form JV-321), will be filed with this objection and request for hearing.

9 The social worker should not remove the child from the caregiver's home because (*give reasons*):

If you need more space, attach a sheet of paper and write "JV-325, Item 9—Reasons to Not Remove Child" at the top. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct, which means that if I lie on this form, I am committing a crime.

Date:

Type or print your name

Sign your name

NOTICE

If you are not the child, child's parent, or child's legal guardian, you may have a right to challenge a decision by the juvenile court, but only in very limited circumstances. You may need a court order granting you access to records in the juvenile case file. For more information, please see *Information on Requesting Access to Records for Persons With a Limited Right to Appeal* (form JV-291-INFO). You can get form JV-291-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.

What if I am deaf or hard of hearing?



Requests for Accommodations

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

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Fill in court name and street address:

Superior Court of California, County of

Fill in case number if known.

Case Number:

1 Your name: _____
Relationship to child (if any): _____
Street address: _____
City: _____ State: _____ Zip: _____
Telephone number: _____
Lawyer (if any) (name, address, telephone numbers, and state Bar number): _____

- 2 I was not able to provide notice of this petition to the following because I did not know their names or addresses. If this is a request for the case file of a living child, the clerk must serve a copy of the petition. If this is a request for the case file of a deceased child, the custodian of records must serve a copy of the petition.
 - a. County counsel or other attorney representing the child welfare agency if petition filed under section 300
 - b. District attorney if petition filed under section 601 or 602
 - c. Child
 - d. Attorney of record for the child
 - e. Child’s parent
 - f. Child’s legal guardian
 - g. Probation department if petition filed under section 601 or 602
 - h. Child welfare agency/custodian of records if petition filed under section 300
 - i. Child’s identified Indian tribe
 - j. Child’s CASA volunteer

3 If you are an attorney and checked box 2a, 2b, 2g, or 2h, describe the efforts made to locate those addresses and explain why you are unable to locate the addresses:

4 Copies of *Petition for Access to Juvenile Case File* (JV-570), *Notice of Petition for Access to Juvenile Case File* (JV-571), and a blank *Objection to Release of Juvenile Case File* (JV-572) have been served personally or placed in a sealed envelope with postage paid and deposited in the United States mail addressed to the following:

- a. County counsel or other attorney representing the child welfare agency if petition filed under section 300 (name and address): _____

- Date mailed: _____ or Personally served on (date): _____



Your name: _____

4 b. District attorney if petition filed under section 601 or 602 (name and address): _____

Date mailed: _____ or Personally served on (date): _____

c. Child (name and address): _____

Date mailed: _____ or Personally served on (date): _____

d. Attorney of record for the child (name and address): _____

Date mailed: _____ or Personally served on (date): _____

e. Child's parent (name and address): _____

Date mailed: _____ or Personally served on (date): _____

f. Child's parent (name and address): _____

Date mailed: _____ or Personally served on (date): _____

g. Child's legal guardian (name and address): _____

Date mailed: _____ or Personally served on (date): _____

h. Probation department if petition filed under section 601 or 602 (name and address): _____

Date mailed: _____ or Personally served on (date): _____



Case Number: _____

Your name: _____

i. Child welfare agency/custodian of records if petition filed under section 300 (*name and address*):

Date mailed: _____ or Personally served on (*date*): _____

j. The Indian child's tribal representative (*name and address*): _____

Date mailed: _____ or Personally served on (*date*): _____

k. The child's CASA volunteer (*name and address*): _____

Date mailed: _____ or Personally served on (*date*): _____

5 I declare under penalty of perjury under the laws of the State of California that the information in this form is true and correct. This means that if I lie on this form, I am guilty of a crime.

Date:

Type or print your name



Sign your name

Clerk stamps date here when form is filed.

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the Judicial Council**

If you are requesting a court order to obtain access to the juvenile case file of a child who is alive, fill out all items on this form, and file it with the juvenile court. You must also fill out and file Proof of Service—Petition for Access to Juvenile Case File (form JV-569).

If you are a member of the public requesting the juvenile case file of a child who is deceased, you can:

a. Fill out items 1–4 and 7 on this form and file it with the juvenile court. You must then provide a copy of this form to the Custodian of Records of the county child welfare agency, who will then provide notice of this petition.

Or

b. Do not complete the form, and instead request the juvenile case file from the child welfare agency under Welfare and Institutions Code section 10850.4.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number, if known:

Case Number:

1 Your name: _____
 Relationship to child (if any): _____
 Street address: _____
 City: _____ State: _____ Zip: _____
 Telephone number: _____
 Lawyer (if any) (name, address, telephone numbers, and State Bar number): _____

2 Name of child (if known): _____

3 Child's date of birth (if known): _____

4 a. A petition regarding the child in 2 has been filed under
 Welfare and Institutions Code section 300
 Welfare and Institutions Code section 601
 Welfare and Institutions Code section 602 or

b. I believe the child in 2 died as a result of abuse or neglect. Approximate date of death: _____

Note: You must provide a copy of this completed form to all interested parties if you know their names and addresses.



Your name: _____

Case Number: _____

5 The records I want are: (Describe in detail. Attach more pages if you need more space. If you are an individual involved in a pending proceeding in an appellate court or you are preparing to participate in such a proceeding, you should describe in this Petition for Access the transcripts, reports, and any other evidence considered by the juvenile court at hearings related to the subject of the appeal or writ proceeding. For example, you should describe a report by providing its title (such as, "status review report," "jurisdiction/disposition report," or "CASA report") and the date of the hearing when the document was considered.)

Continued on Attachment 5.

6 The reasons for this petition are:

a. Civil court case pending in (name of county): _____

Case number: _____ Hearing date: _____

b. Criminal court case pending in (name of county): _____

Case number: _____ Hearing date: _____

c. Juvenile court case pending in (name of county): _____

Case number: _____ Hearing date: _____

d. Writ or appeal case pending in (name of district): _____

Case number (if available): _____

Hearing dates related to the juvenile court order being challenged or to be challenged on appeal or by writ: _____

e. Other (specify): _____

Case number: _____ Hearing date: _____

7 I need the records because (describe in detail; attach more pages if you need more space):

Continued on Attachment 7.

8 I declare under penalty of perjury under the laws of the State of California that the information in this form is true and correct. This means that if I lie on this form, I am guilty of a crime.

Date:

Type or print your name

Sign your name

**RE: Release of Juvenile Case File and Right to File
an Objection**

*You must provide notice to all those listed in item 2 on Proof of Service—
Petition for Access to Juvenile Case File (form JV-569).*

TO (names):

① Child's name: _____

② Information relating to the child named in item ① is being sought by
(name): _____

③ The requested information is described in the attached
Petition for Access to Juvenile Case File (form JV-570).

④ If you object to the release of these records and information, you must fill out *Objection to Release of Juvenile Case File* (form JV-572) and return it to the court listed at the address above within 10 days of the date you received this notice.

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Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

Date:

Type or print your name



Sign your name

Warning: If you do not object, the court may grant access to the child's case file.

Clerk stamps date here when form is filed.

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Objections to the release of information and records described in the attached **Petition for Access to** Juvenile Case File (form JV-570) must be filed with the juvenile court.

1 Name of child: _____

2 My relationship to the child, if any, is: _____

3 I object to the release of information and records relating to the child name in item 1.

4 I do not want the juvenile court to release the records because (describe in detail, attach additional pages if necessary):

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

Date:

Type or print your name



Sign your name

Warning: If you do not object, the court may grant access to the child's case file.

Clerk stamps date here when form is filed.

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The Court finds and orders:

- ① The child is alive and the request is denied.
 - a. Petitioner has not shown good cause for the release of the requested records.
 - b. Petitioner has not met the notice requirements of rule 5.552(c).
 - c. Request for records is overbroad or records sought are insufficiently identified.
 - d. Other: _____

- ② The child is alive and the court sets a hearing on the request. Applicant has shown good cause for release of the juvenile case file, but the court must balance the interests of the applicant, the child, other parties to the juvenile court proceedings, and the public. Clerk to send notice under rule 5.552 of the California Rules of Court.

Date of hearing: _____

Time of hearing: _____

Location: _____

- ③ The child is alive and the court will conduct a review of the juvenile case file and any filed objections.

- ④ The child is deceased and the court sets a hearing on the request.

Date of hearing: _____

Time of hearing: _____

Location: _____

- ⑤ The child is deceased and the court will conduct a review of the juvenile case file and any filed objections.

- ⑥ Other: _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

Date: _____

Judicial Officer

Order After Judicial Review on Petition for Access to Juvenile Case File

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1 Name of petitioner: _____

The court finds and orders:

2 [] After a review of the juvenile case file and review of any filed objections [] and a noticed hearing, the court denies the request.

Reason(s) for denial:

- a. [] Access is not in the child's best interests.
b. [] The need for access does not outweigh the privacy rights of the child and the policy considerations favoring confidentiality of the juvenile case file.
c. [] Petitioner has not shown by a preponderance of the evidence that the records requested are necessary and have a substantial relevance to the legitimate need of the petitioner.
d. [] There are no releasable records responsive to petitioner's request.
e. [] Other:

Fill in court name and street address: Superior Court of California, County of

Court fills in case number when form is filed. Case Number:

3 [] After a review of the juvenile case file and review of any filed objections and a noticed [] hearing, the court grants the request. The petitioner has shown by a preponderance of the evidence that access to records is necessary and that records have substantial relevance to the legitimate needs of the petitioner. The court has balanced these needs with the child's best interest. The court finds that the need for access outweighs the policy considerations favoring confidentiality of juvenile records.

a. [] The following records may be disclosed: [] with redactions

b. [] The procedure for providing access is:

c. [] See attached.

4 [] This child is deceased, and the request is granted.

a. [] The court has read and considered the following:

Your name: _____

- 4 b. There is a presumption under Welfare and Institutions Code section 827(a)(2)(B) in favor of the release of the documents unless a statutory reason for confidentiality is shown to exist. The court has balanced only the interests of the child who is the subject of the juvenile case file and the interests of other children who may be named in the file with _____.
- c. The following records may be disclosed: with redactions

- d. The procedure for providing access is:

- e. Any information that relates to another child or could identify another child, except for information about the deceased, must be redacted.
- f. See attached.

- 5 The child is deceased and the request is denied. The court finds by a preponderance of the evidence that access to the juvenile case file or of any portion of it is detrimental to the safety, protection, or physical or emotional well-being of another child who is directly or indirectly connected to the juvenile case that is the subject of the request.

Additional orders:

- 6 a. Petitioner may not disseminate the information to anyone who is not specified in Welfare and Institutions Code section 827 or 827.10.
- b. Petitioner may disseminate the disclosed records listed in item 3a only to: _____
 as redacted subject to protective order additional orders attached

- 7 Disclosure subject to protective order (*list orders*): _____

- 8 Other: _____

- 9 See attached.

Date: _____

Judicial Officer

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
NOTICE OF APPEAL—JUVENILE	CASE NUMBER:

— NOTICE —

- You or your attorney **must** fill in items 1 and 2 and sign this form at the bottom of the page. If possible, to help process your appeal, fill in items 6–8 on the reverse of this form.
- Rule 8.406 says that to appeal from an order or judgment, you must file a written notice of appeal within **60** days after rendition of the judgment or the making of the order being appealed or, in matters heard by a referee, within **60** days after the order of the referee becomes final.
- You are advised that if you wish to file an appeal of an order for transfer to a tribal court, you (1) may ask the juvenile court to stay (delay the effective date of) the transfer order and (2) must file the appeal before the transfer to tribal jurisdiction is finalized. Read rule 5.483 and the advisory committee comment.
- If you are not the county welfare department, district attorney, child, child's parent, or child's legal guardian, you may have a right to challenge a decision by the juvenile court, but only in very limited circumstances. You may need a court order granting you access to records in the juvenile case file. For more information, please see *Information on Requesting Access to Records for Persons With a Limited Right to Appeal* (form JV-291-INFO). You can get form JV-291-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.

1. I appeal from the findings and orders of the court (specify date of order or describe order):

2. This appeal is filed by

a. Appellant (name):

b. Address:

c. Phone number:

d. Name, address, and phone number of person to be contacted (if different from appellant):

e. Appellant has been granted access to specified records in the juvenile case file, and the court's order under Welfare and Institutions Code section 827(a)(1)(Q), on *Order After Judicial Review on Petition for Access to Juvenile Case File* (form JV-574) if available, is attached.

3. I request that the court appoint an attorney on appeal. I was was not represented by an appointed attorney in the superior court.

Date:

 TYPE OR PRINT NAME ▶ SIGNATURE OF APPELLANT ATTORNEY

4. Items 5 through 7 on the reverse are completed not completed.

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

5. Appellant is the

- a. child.
- b. mother.
- c. father.
- d. legal guardian.
- e. de facto parent.
- f. county welfare department.
- g. district attorney.
- h. child's tribe.
- i. other (state relationship to child or interest in the case):

6. This notice of appeal pertains to the following child or children (specify number of children included):

- a. Name of child: _____
Child's date of birth: _____
 - b. Name of child: _____
Child's date of birth: _____
 - c. Name of child: _____
Child's date of birth: _____
 - d. Name of child: _____
Child's date of birth: _____
- Continued in Attachment 6.

7. The order appealed from was made under Welfare and Institutions Code (check all that apply)

- a. **Section 305.5** (transfer to tribal court)
 Granting transfer to tribal court
Dates of hearing (specify): _____
- b. **Section 360** (declaration of dependency) Removal of custody from parent or guardian Other orders
 with review of section 300 jurisdictional findings
Dates of hearing (specify): _____
- c. **Section 366.26** (selection and implementation of permanent plan)
 Termination of parental rights Appointment of guardian Planned permanent living arrangement
Dates of hearing (specify): _____
- d. **Section 366.28** (order designating a specific placement after termination of parental rights in which a petition for extraordinary writ review that substantively addressed the specific issues to be challenged was timely filed and summarily denied or otherwise not decided on the merits)
Dates of hearing (specify): _____
- e. **Section 388** (request to change court order)
Dates of hearing (specify): _____
- f. Other appealable orders relating to dependency (specify): _____
Dates of hearing (specify): _____
- g. **Section 725** (declaration of wardship and other orders)
 with review of section 601 jurisdictional findings
 with review of section 602 jurisdictional findings
Dates of hearing (specify): _____
- h. Other appealable orders relating to wardship (specify): _____
Dates of hearing (specify): _____
- i. Other (specify): _____

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
NOTICE OF INTENT TO FILE WRIT PETITION AND REQUEST FOR RECORD TO REVIEW ORDER SETTING A HEARING UNDER WELFARE AND INSTITUTIONS CODE SECTION 366.26 (California Rules of Court, Rule 8.450)	CASE NUMBER:

NOTICE

The juvenile court has decided it will make a permanent plan for this child that may result in the termination of your parental rights and adoption of the child. If you want a court of appeal to review the juvenile court's decision, you must first tell the juvenile court by filing a Notice of Intent. You may use this form as your Notice of Intent. In most cases, you have only seven days from the juvenile court's decision to file a Notice of Intent. Please see page 2 for your specific deadline for filing this form.

If you are not the county welfare department, child, child's parent, or child's legal guardian, you may have a right to challenge a decision by the juvenile court, but only in very limited circumstances. You may need a court order granting you access to records in the juvenile case file. For more information, please see *Information on Requesting Access to Records for Persons With a Limited Right to Appeal* (form JV-291-INFO). You can get form JV-291-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.

1. Petitioner's name:
2. Petitioner's address:
3. Petitioner's phone number:
4. Petitioner is
 - a. parent (name):
 - b. legal guardian.
 - c. county welfare department.
 - d. child.
 - e. other (state relationship to child or interest in the case):
5. Child's name: _____ Child's date of birth: _____
6. a. On (date): _____ the juvenile court made an order setting a hearing under Welfare and Institutions Code section 366.26. Petitioner intends to file a writ petition to challenge the findings and orders made by the court on that date and requests that the clerk assemble the record.
 - b. List all known dates of the hearing that resulted in the order:
7. The hearing under Welfare and Institutions Code section 366.26 is set for (date, if known): _____
8. Petitioner has been granted access to specified records in the juvenile case file, and the court's order under Welfare and Institutions Code section 827(a)(1)(Q), on form *Order After Judicial Review on Petition for Access to Juvenile Case File* (form JV-574) if available, is attached.

Date: _____

SIGNATURE OF
 PETITIONER
 ATTORNEY

The Notice of Intent to File Writ Petition must be signed by the person who intends to file the writ petition or by the attorney of record.

PLEASE READ THE BACK OF THIS FORM FOR IMPORTANT INFORMATION AND DEADLINES

APPELLATE CASE TITLE:	APPELLATE CASE NUMBER:
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WHAT WILL HAPPEN AT THE HEARING TO MAKE A PERMANENT PLAN?

- The court may order the termination of parental rights and adoption of the child.
- The court may order a legal guardianship for the child.
- The court may order a permanent plan of placement of the child with a fit and willing relative.
- The court may order another planned permanent living arrangement if the child is sixteen years old or older.
- The court may order a permanent plan of placement of the child in a foster home.

The above options are listed in the normal order of preference, because the main goal is to give the child a stable and permanent living situation.

SEE WELF. & INST. CODE, § 366.26 FOR MORE INFORMATION

HOW DO I CHALLENGE THE COURT'S DECISION TO SET A HEARING TO MAKE A PERMANENT PLAN?

- File this Notice of Intent to File Writ Petition and Request for Record in the juvenile court within the time specified below in the next box. This will let the court know you intend to file a writ petition, and the court will prepare the record.
- You will be notified after the record is filed in the Court of Appeal, and you will get copies of the record. **You have 10 days after the record is filed in the Court of Appeal to file and serve your writ petition.**
- You may use the optional Judicial Council form *Petition for Extraordinary Writ* (form JV-825) to complete your writ petition, or, if you have an attorney, your attorney can write the writ petition for you.
- After you file a writ petition in the Court of Appeal, you must send copies of the petition to all of the parties in the case, to the child's CASA volunteer, to the child's present caregiver, and to any de facto parent who has standing to participate in the juvenile court proceedings. With your writ petition, you must file a Proof of Service confirming you have sent a copy of the petition to these people.

SEE WELF. & INST. CODE, § 366.26(f); CAL. RULES OF COURT, RULES 8.450–8.452

WHEN DO I HAVE TO FILE MY NOTICE OF INTENT TO FILE WRIT PETITION AND REQUEST FOR RECORD?

- If you were present when the court set the hearing to make a permanent plan, you must file the Notice of Intent within 7 days from the date the court set the hearing.
- If you were not present in court but were given notice by mail of the court's decision to set a hearing to make a permanent plan and you live in California, you must file the Notice of Intent within 12 days from the date the clerk mailed the notification.
- If you were not present in court but were given notice by mail of the court's decision to set a hearing to make a permanent plan and you live in a state other than California, you must file the Notice of Intent within 17 days from the date the clerk mailed the notification.
- If you were not present in court but were given notice by mail of the court's decision to set a hearing to make a permanent plan and you live outside the United States, you must file the Notice of Intent within 27 days from the date the clerk mailed the notification.
- If you are a party in a custodial institution you must give the Notice of Intent to custodial officials for mailing within the time specified in this box.

SEE CAL. RULES OF COURT, RULES 8.450, 5.540(c)

- If the order setting the hearing was made by a referee not acting as a temporary judge, you have an additional 10 days to file the Notice of Intent.

SEE WELF. & INST. CODE, §§ 248–252; CAL. RULES OF COURT, RULES 5.538, 5.540

WHO MUST SIGN THE NOTICE OF INTENT?

- Must be signed by the person who intends to file the writ petition, or
- By the attorney of record

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
NOTICE OF INTENT TO FILE WRIT PETITION AND REQUEST FOR RECORD TO REVIEW ORDER DESIGNATING OR DENYING SPECIFIC PLACEMENT OF A DEPENDENT CHILD AFTER TERMINATION OF PARENTAL RIGHTS (California Rules of Court, Rule 8.454)	CASE NUMBER:

NOTICE

The juvenile court has ordered or denied a specific placement for this child. If you want an appeals court to review the juvenile court's decision, you must first tell the juvenile court by filing a Notice of Intent. You may use this form as your Notice of Intent. In most cases, you have only 7 days from the court's placement decision to file a Notice of Intent. Please see page 2 for your specific deadline for filing this form.

If you are not the county welfare department, child, child's parent, or child's legal guardian, you may have a right to challenge a decision by the juvenile court, but only in very limited circumstances. You may need a court order granting you access to records in the juvenile case file. For more information, please see *Information on Requesting Access to Records for Persons With a Limited Right to Appeal* (form JV-291-INFO). You can get form JV-291-INFO at any courthouse or county law library or online at www.courts.ca.gov/forms.

1. Petitioner's name:
2. Petitioner's address:
3. Petitioner's phone number:
4. Petitioner is
 - a. child's caretaker (specify dates in your care):
 - b. child.
 - c. county welfare department.
 - d. legal guardian.
 - e. other (state relationship to child or interest in the case):
5. Child's name: _____ Child's date of birth: _____
6. a. On (date): _____ the juvenile court terminated parental rights under Welfare and Institutions Code section 366.26.
- b. On (date): _____ the court made a specific placement order or denied a specific placement request that the dependent child is to reside in, be retained in, or be removed from a specific placement. Petitioner intends to file a writ petition to challenge the specific placement order or the denial of a specific placement request made by the court on that date and requests that the clerk assemble the record.
7. Petitioner has been granted access to specified records in the juvenile case file, and the court's order under Welfare and Institutions Code section 827(a)(1)(Q), on *Order After Judicial Review on Petition for Access to Juvenile Case File* (form JV-574) if available, is attached.

PLEASE READ THE BACK OF THIS FORM FOR IMPORTANT INFORMATION AND DEADLINES

APPELLATE CASE TITLE:	APPELLATE CASE NUMBER:
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Date: _____

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER ATTORNEY)

The *Notice of Intent to File Writ Petition* must be signed by the person intending to file the writ petition or, by the attorney of record. See below for more information.

HOW DO I CHALLENGE THE COURT’S PLACEMENT DECISION AFTER TERMINATION OF PARENTAL RIGHTS?

- File this *Notice of Intent to File Writ Petition and Request for Record* in the juvenile court within the time listed below in the next box. This will let the court know you intend to file a writ petition, and the court will prepare the record.
- You will be notified after the record is filed in the Court of Appeal, and you will get a copy of the record. **You have 10 days after the record is filed in the Court of Appeal to file and serve your writ petition.**
- You may use the optional Judicial Council form JV-825 to complete your writ petition, or, if you have an attorney, your attorney can write the writ petition for you.
- After you file a writ petition in the Court of Appeal you must send a copy of the petition to all of the parties in the case, to the child’s CASA volunteer, to the child’s present caregiver, and to any de facto parent who has standing to participate in the juvenile court proceedings.

SEE CAL. RULES OF COURT, RULES 8.454–8.456

WHEN DO I HAVE TO FILE MY NOTICE OF INTENT TO FILE WRIT PETITION AND REQUEST FOR RECORD?

- If you were present when the court granted or denied the **specific** placement, you must file the *Notice of Intent* within 7 days from the date the court granted or denied the **specific** placement.
- If you were not present in court but were given notice by mail of the court’s decision to grant or deny the **specific** placement, you must file the *Notice of Intent* within 12 days from the date the clerk mailed the notification.
- If the order granting or denying the specific placement was made by a referee not acting as a temporary judge, you must file the *Notice of Intent* within 17 days from the date the court set the hearing.

WHO MUST SIGN THE NOTICE OF INTENT?

- **Must be signed:**
 - **By the person who intends to file the writ petition; or**
 - **By the attorney of record;**