

# JUDICIAL COUNCIL OF CALIFORNIA

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## INVITATION TO COMMENT

**W23-07**

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**Title**

Juvenile Law: New Disposition for Serious Offenses

**Action Requested**

Review and submit comments by January 20, 2023

**Proposed Rules, Forms, Standards, or Statutes**

Adopt Cal. Rules of Court, rules 5.804, 5.807, and 5.808; amend rules 5.663, 5.670, 5.790, and 5.820; repeal rule 5.805; approve form JV-733; revise forms JV-060-INFO, JV-618, JV-665, JV-667, JV-690, JV-692, JV-735, JV-751; revoke form JV-732

**Proposed Effective Date**

July 1, 2023

**Contact**

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**Proposed by**

Family and Juvenile Law Advisory  
Committee  
Hon. Stephanie E. Hulseley, Cochair  
Hon. Amy M. Pellman, Cochair

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### Executive Summary and Origin

The Family and Juvenile Law Advisory Committee proposes adopting three rules of court, amending four rules of court, and repealing one rule of court, as well as approving one optional form, revising eight forms, and revoking one form to reflect the closure of the Department of Juvenile Justice and create new procedures to assist courts in using the new secure youth treatment facility disposition. These revisions would become effective on July 1, 2023, to align with the closure of the Division of Juvenile Justice on June 30, 2023.

### Background

In 2020, the Governor and the Legislature reached agreement on a framework to close the Division of Juvenile Justice (DJJ) and reallocate funding to counties to allow them to meet the needs of youth who would previously have been committed to the DJJ in local or regional programs. The details of this framework were spelled out in Senate Bill 92 (Stats. 2021, ch. 18), which was enacted in May 2021. Senate Bill 92 adds a new article, Secure Youth Treatment Facilities, to the Welfare and Institutions Code that sets forth a new dispositional option for

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 It is circulated for comment purposes only.*

juveniles ages 14 and over who are adjudicated for a Welfare and Institutions Code section 707(b) offense and for whom a less restrictive alternative disposition is unsuitable.<sup>1</sup>

## **The Proposal**

The proposal would amend existing rules and forms to replace references to “Division of Juvenile Justice” with “secure youth treatment facility,” as appropriate. The proposal would also repeal the current rule of court and revoke the form used to commit a youth to the DJJ and replace them with a set of rules and an optional form to be used by the court for the new SYTF disposition.

### **Rule and form changes to reflect closure of Division of Juvenile Justice**

Numerous rules and forms currently refer to the Division of Juvenile Justice; those references must be removed and, where appropriate, replaced. In addition, with the closure of the DJJ, there will no longer be any juvenile sex offenses requiring registration, so those references must be deleted.

#### ***Rule 5.663***

Rule 5.663, which sets forth the duties of counsel in juvenile justice matters, would be amended consistent with the enactment of Welfare and Institutions Code section 634.3, which provides that counsel in these matters are to represent the expressed interests of the child through any postdispositional phase. Rule 5.663 is referenced on form JV-665, which is proposed to be revised, and thus the committee wants to ensure that rule 5.663 accurately reflects the current state of the law.

#### ***Rule 5.670***

This rule, which contains the factors for the court to consider at a detention hearing, would be revised to require the court to consider whether a youth had been committed to an SYTF rather than to the DJJ. In addition, the rule would be amended to update internal cross-references.

#### ***Rule 5.790***

Rule 5.790 would be amended to delete subdivision (i), concerning youths who were committed to the DJJ at the time of the disposition, and to re-letter the subsequent subdivision.

#### ***Rule 5.805***

The committee proposes that rule 5.805 (commitment to the DJJ) be repealed effective July 1, 2023, because the DJJ would no longer be a dispositional option for juvenile courts.

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<sup>1</sup> Another proposal to implement an offense-based classification matrix for setting SYTF baseline terms was circulated in 2022 in a special cycle and is also proposed to become effective on July 1, 2023; see *Juvenile Law: Secure Youth Treatment Facility Offense-Based Classification Matrix* (SP22-14), [www.courts.ca.gov/documents/sp22-14.pdf](http://www.courts.ca.gov/documents/sp22-14.pdf).

**Rule 5.820**

Rule 5.820 would be amended to replace a reference to a commitment to the DJJ with a reference to an SYTF commitment.

***Juvenile Justice Court: Information for Parents (form JV-060-INFO)***

This form would be revised to remove language about the DJJ and substitute information about the SYTF disposition. The form would also be revised to reflect recent statutory changes concerning the interrogation of juveniles and a requirement that the public defender be notified within two hours of a youth being taken into custody. Revisions concerning the role of appointed counsel reflect recent changes to the law described above with reference to rule 5.663. In addition, information about transfer to adult court would be updated to reflect that only youth 16 and older are eligible for transfer. In addition, a section is proposed to be added to the form to highlight that some juvenile adjudications will result in a prohibition on possessing firearms until age 30, as provided in Penal Code section 29820. Finally, all gendered pronouns and language would be made gender neutral consistent with the council’s efforts to remove gendered language from rules and forms where it is not required.

***Waiver of Rights—Juvenile Justice (form JV-618)***

Form JV-618 would be revised to remove references to the DJJ in item 4b and substitute a reference to the SYTF disposition. In addition, item f would be revised to delete the check box for sex offender registration because it applies only to commitments to the DJJ, which cannot occur after June 30, 2023.

***Disposition—Juvenile Delinquency (form JV-665)***

Form JV-665 would be revised to remove item 18, the check box for the court to require sex offender registration; to renumber the remaining items; and to revise the reference to attached form JV-732 (commitment to the DJJ) to substitute proposed new form JV-733 (commitment to an SYTF).

***Custodial and Out-of-Home Placement Disposition Attachment (form JV-667)***

Form JV-667 would be revised to replace a reference to commitment to the DJJ with commitment to an SYTF in item 9, revise item 6h to remove check boxes for “mother” and “father” as superfluous in this context, and remove gendered pronouns in item 7b.

***School Notification of Court Adjudication (Welfare & Institutions Code Section 827(b) and Education Code Section 48267) (form JV-690)***

Form JV-690 would be revised to delete the check box for the DJJ and substitute one for an SYTF in item 2b. In addition, gendered pronouns would be replaced by gender-neutral terms on the form.

***Notification to Sheriff of Juvenile Delinquency Felony Adjudication (Welfare & Institutions Code Section 827.2) (form JV-692)***

Form JV-692 would be revised to remove a check box for a DJJ commitment and add one for an SYTF commitment.

***Commitment to the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (form JV-732)***

The commitment form for the DJJ would be revoked and a new, optional form approved for commitment to an SYTF (see form JV-733).

***Juvenile Notice of Violation of Probation (form JV-735)***

Form JV-735 would be revised to replace a reference to the DJJ in item 3e with a reference to an SYTF. In addition, the notice to parents about financial liability would be revised to reflect recent changes in the law taking away financial liability for the cost of appointed counsel for a child and for the costs of the child's placement and supervision.

***Citation and Written Notification for Deferred Entry of Judgment—Juvenile (form JV-751)***

Form JV-751 would be revised to remove references to DJJ commitment as a possible consequence in items 8 and 9; delete item 10, concerning transfer to criminal court jurisdiction, because it is not an accurate statement of the law; and rewrite items 4a and 11 (to be renumbered as item 10) to remove gender-specific language.

***New rules and form to implement new SYTF disposition***

The committee proposes adopting three new rules (in addition to proposed rule 5.806 which contains the matrix for setting baseline terms and was circulated for comment previously in a special cycle) and one optional form to provide procedures and a commitment form to support the SYTF disposition option.

***Rule 5.804***

The committee proposes a new rule of court to replace the DJJ commitment rule. Proposed new rule 5.804 includes the findings the court must make when committing a youth to an SYTF, including an adjudication for an eligible offense, setting the baseline term and maximum confinement time for the youth, receiving and approving an individualized rehabilitation plan, and setting a progress review hearing for the youth no later than six months from the date of commitment.

***Rule 5.807***

The committee proposes a new rule of court setting forth the requirements for the court at each six-month progress review hearing, as well as the requirements when the court is considering transferring a youth from an SYTF to a less restrictive placement.

***Rule 5.808***

The committee proposes a new rule of court that provides the process for holding a discharge hearing at the end of the youth's baseline term of commitment, as well as the required findings for additional confinement if the youth poses a substantial risk of imminent harm at the time the baseline term is complete.

***Commitment to Secure Youth Treatment Facility (form JV-733)***

The committee proposes an optional form for courts to use when committing a youth to an SYTF disposition that includes the required information on the baseline term, maximum confinement time (which is identical to the similar item on form JV-732), and other essential information, as well as the ability to set a hearing to review the individualized rehabilitation plan and to order the first progress review hearing.

**Alternatives Considered**

The committee considered limiting the proposal solely to existing rules and forms that needed to be revised to reflect the closure of the DJJ and the new option of the SYTF disposition, but determined that rules for implementing the SYTF disposition would be of value to the courts as they implement the recently enacted statute. The committee is proposing also including rules and a form for the SYTF disposition based on feedback from juvenile courts that more direction and structure are needed. The committee also considered making the commitment form for the SYTF mandatory, but concluded that since these programs are run locally, it might be beneficial for courts to have the option to make a local form to accommodate the needs of their programs.

**Fiscal and Operational Impacts**

Courts that make copies of form JV-060-INFO available to parents on paper may incur additional costs to print the updated form. Training and case management system update costs to the courts are also anticipated.

### Request for Specific Comments

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

- Does the proposal appropriately address the stated purpose?
- Should the proposed commitment form JV-733 be mandatory or optional?
- Are new rules of court required to set forth the SYTF commitment process, or would it be preferable to rely on the statutory directives in Welfare and Institutions Code section 875?

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

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would 1.5 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

### Attachments and Links

1. Cal. Rules of Court, rules 5.663, 5.670, 5.790, 5.804, 5.805, 5.807, 5.808, and 5.820, at pages 7–14
2. Forms JV-060-INFO, JV-618, JV-665, JV-667, JV-690, JV-692, JV-732, JV-733, JV-735, and JV-751, at pages 15–40
3. Link A: Welf. & Inst. Code, § 875,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=875.&lawCode=WIC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=875.&lawCode=WIC)
4. Link B: Welf. & Inst. Code, § 634.3,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=634.3.&lawCode=WIC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=634.3.&lawCode=WIC)

Rules 5.804, 5.807, and 5.808 of the California Rules of Court would be adopted, rules 5.663, 5.670, 5.790, and 5.820 would be amended, and rule 5.805 would be repealed, effective July 1, 2023, to read:

1 **Rule 5.663. Responsibilities of children’s counsel in delinquency proceedings**  
2 **(§§ 202, 265, 633, 634, 634.3 634.6, 679, 700)**

3  
4 (a) \*\*\*

5  
6 (b) **Responsibilities of counsel**

7  
8 A child’s counsel is charged ~~in general with defending the child against the~~  
9 ~~allegations in all petitions filed in delinquency proceedings and with advocating~~  
10 providing effective, competent, diligent, and conscientious advocacy and making  
11 rational and informed decisions founded on adequate investigation and preparation.  
12 Counsel must maintain a confidential relationship with the child and provide legal  
13 representation within the framework of the delinquency proceedings, that the child  
14 receive care, treatment, and guidance consistent with his or her best interest based  
15 on the child’s expressed interests.

16  
17 (c) **Right to representation**

18  
19 A child is entitled to have ~~the child’s~~ their interests represented by counsel at every  
20 stage of the proceedings, including in the postdispositional ~~hearings~~ phase. Counsel  
21 must continue to represent the child unless relieved by the court on the substitution  
22 of other counsel, or for cause.

23  
24 (d) \*\*\*

25  
26  
27 **Rule 5.760. Detention hearing; report; grounds; determinations; findings; orders;**  
28 **factors to consider for detention; restraining orders**

29  
30 (a)–(f) \*\*\*

31  
32 (g) **Factors—violation of court order**

33  
34 Regarding the ground for detention in (c)(1)(A), the court must consider:

35  
36 (1)–(8) \*\*\*

37  
38 (h) **Factors—escape from commitment**

39  
40 Regarding the ground for detention in (c)(~~2~~)(1)(B), the court must consider whether  
41 or not the child:

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- (1) Was committed to ~~the California Department of Corrections and Rehabilitation, Division of Juvenile Justice;~~ or a county juvenile home, ranch, camp, forestry camp, secure youth treatment facility, or juvenile hall; and
- (2) Escaped from the facility or the lawful custody of any officer or person in which the child was placed during commitment.

**(i) Factors—likely to flee**

Regarding the ground for detention in ~~(c)(3)(1)(C)~~, the court must consider whether or not:

~~(1)–(8) \*\*\*~~

**(j) Factors—protection of child**

Regarding the ground for detention in ~~(c)(4)(1)(D)~~, the court must consider whether or not:

~~(1)–(3) \*\*\*~~

**(k) Factors—protection of person or property of another**

Regarding the ground for detention in ~~(c)(5)(1)(E)~~, the court must consider whether or not:

~~(1)–(3) \*\*\*~~

**(l) \*\*\***

**Rule 5.790. Orders of the court**

**~~(a)–(h) \*\*\*~~**

**~~(i) California Department of Corrections and Rehabilitation, Division of Juvenile Justice~~**

~~If, at the time of the disposition hearing, the child is a ward of the California Department of Corrections and Rehabilitation, Division of Juvenile Justice (DJJ) under a prior commitment, the court may either recommit or return the child to the DJJ. If the child is returned to the DJJ, the court may:~~



- ~~(1) Recommend that the ward's parole status be revoked;~~
- ~~(2) Recommend that the ward's parole status not be revoked; or~~
- ~~(3) Make no recommendation regarding revocation of parole.~~

**(j)(i) Fifteen-day reviews (§ 737)**

If the child or nonminor is detained pending the implementation of a dispositional order, the court must review the case at least every 15 days as long as the child is detained. The review must meet all the requirements in section 737.

**Rule 5.804. Commitment to secure youth treatment facility**

**(a) Eligibility (§ 875(a))**

A youth may be committed to a secure youth treatment facility as defined in section 875 if:

- (1) The youth committed an offense listed in section 707(b) when the youth was 14 years of age or older; and
- (2) The offense is the most recent offense for which the youth has been adjudicated; and
- (3) The court finds on the record that a less restrictive alternative disposition is unsuitable for the youth after considering all relevant and material evidence, including the recommendations of counsel, the probation department, and any other agency or individual designated by the court to advise on the appropriate disposition of the case and evaluate the criteria in section 875(a)(1)–(3).

**(b) Setting baseline term (§ 875(b))**

The court must set a baseline term for the youth as provided in rule 5.806.

**(c) Setting the maximum term of confinement (§ 875(c))**

The court must set a maximum term of confinement as provided in section 875(c), including the application of the youth's precommitment credits to this term.

1 **(d) Individualized rehabilitation plan (§ 875(d))**

2  
3 The court must order the probation department to prepare an individualized  
4 rehabilitation plan for the youth as provided by section 875(d) and the court must  
5 approve a plan for the youth no later than 30 judicial days after the order of  
6 commitment. The court may set a hearing to review the individual rehabilitation  
7 plan if requested by any party or on its own motion provided that the plan is  
8 finalized and approved no later than 30 judicial days from the date of the  
9 commitment order.

10  
11 **(e) Setting the progress review hearing (§ 875(e))**

12  
13 The court must set a progress review hearing no later than six months from the date  
14 of the commitment order to evaluate the youth's progress in relation to the  
15 rehabilitation plan and must determine whether the baseline term of confinement is  
16 to be modified.

17  
18  
19 **Rule 5.805. California Department of Corrections and Rehabilitation, Division of**  
20 **Juvenile Justice, commitments [Repealed]**

21  
22 ~~If the court orders the youth committed to the California Department of Corrections and~~  
23 ~~Rehabilitation, Division of Juvenile Justice (DJJ):~~

- 24  
25 ~~(1) The court must complete Commitment to the California Department of Corrections~~  
26 ~~and Rehabilitation, Division of Juvenile Justice (form JV-732).~~  
27  
28 ~~(2) The court must specify whether the offense is one listed in section 707(b) or~~  
29 ~~subdivision (c) of Penal Code section 290.008.~~  
30  
31 ~~(3) The court must order the probation department to forward to the DJJ all required~~  
32 ~~medical information, including previously executed medical releases.~~  
33  
34 ~~(4) If the youth is taking a prescribed psychotropic medication, the DJJ may continue~~  
35 ~~to administer the medication for up to 60 days, provided that a physician examines~~  
36 ~~the youth on arrival at the facility, and the physician recommends that the~~  
37 ~~medication continue.~~  
38  
39 ~~(5) The court must provide to the DJJ information regarding the youth's educational~~  
40 ~~needs, including the youth's current individualized education program if one exists.~~  
41 ~~To facilitate this process, the court must ensure that the probation officer~~  
42 ~~communicates with appropriate educational staff.~~  
43

1 **Rule 5.807. Secure youth treatment facility progress review hearing**

2  
3 **(a) Application**

4  
5 This rule applies to progress review hearings held under section 875(e) for youth  
6 committed to secure youth treatment facility dispositions to evaluate the youth's  
7 progress in relation to the rehabilitation plan approved under rule 5.804(d).  
8

9 **(b) Findings and orders**

10  
11 At the progress review hearing, after having considered the recommendations of  
12 counsel, the probation department and any behavioral, educational, or other  
13 specialists having information relevant to the ward's progress, the court:  
14

- 15 (1) Must make a finding on the record as to whether the youth is to remain  
16 committed to the secure youth treatment facility for the remainder of the  
17 baseline term or if the baseline term is to be reduced by no more than six  
18 months after considering the progress of the youth in relation to the  
19 rehabilitation plan and the recommendations of probation concerning the  
20 youth's positive behavior in the secure youth treatment facility program as  
21 required by rule 5.806(c); and  
22  
23 (2) Must set a progress review hearing or, if the baseline term remaining is six  
24 months or less, a discharge hearing, no more than six months from the date of  
25 the current hearing.  
26

27 **(c) Transfer to a less restrictive placement**

- 28  
29 (1) The court may order that the youth be transferred from the secure youth  
30 treatment facility to a less restrictive placement at any progress review  
31 hearing. Upon a motion by the probation department or the youth, the court  
32 must consider such a transfer at the youth's next progress review hearing or  
33 may set a separately scheduled hearing to consider the motion. The moving  
34 party must serve the motion on the prosecution, the youth, and the probation  
35 department if they are not the moving party. In making its determination, the  
36 court must consider:  
37  
38 (A) The youth's overall progress in relation to the rehabilitation plan during  
39 the period of confinement in a secure youth treatment facility; and  
40  
41 (B) The programming and community transition services to be provided, or  
42 coordinated by the less restrictive program, including any educational,

1 vocational, counseling, housing, or other services made available  
2 through the program.

3  
4 (2) If the court orders the youth transferred to a less restrictive program:

5  
6 (A) The court must set the length of time the youth is to remain in a less  
7 restrictive program, not to exceed the remainder of the baseline or  
8 modified baseline term, prior to a discharge hearing; and

9  
10 (B) The court may require the youth to observe any conditions of  
11 performance or compliance with the program that are reasonable and  
12 appropriate in the individual case and that are within the capacity of the  
13 youth to perform.

14  
15 (3) If, after placement in a less restrictive placement, the court determines that  
16 the youth has materially failed to comply with the court-ordered conditions of  
17 placement in the program, the court may:

18  
19 (A) Modify the terms and conditions of placement in the program; or

20  
21 (B) Order the ward to be returned to a secure youth treatment facility for  
22 the remainder of the baseline term, or modified baseline term, subject  
23 to further progress review hearings as required in this rule.

24  
25 (4) If the court orders a youth returned to a secure youth treatment facility from a  
26 less restrictive placement the court must adjust the youth's baseline or  
27 modified baseline term to include credit for the time served by the ward in  
28 the less restrictive program.

29  
30  
31 **Rule 5.808. Discharge from secure youth treatment facility disposition**

32  
33 **(a) Application**

34  
35 This rule applies to any youth committed to a secure youth treatment facility  
36 disposition who has reached the end of their baseline term, including any  
37 modifications to that term made during progress review hearings. This rule also  
38 applies to any youth who has been transferred from a secure youth treatment  
39 facility to a less restrictive placement under rule 5.807(c) and section 875(f).

40  
41 **(b) Conduct of the hearing**

1 At the discharge hearing the court must review the progress of the youth toward  
2 meeting the goals of the individual rehabilitation plan and the recommendations of  
3 counsel, the probation department, and any other agencies or individuals having  
4 information the court deems necessary.

5  
6 **(c) Findings and orders**

7  
8 (1) The court must order that the youth be discharged to a period of probation  
9 supervision in the community under conditions approved by the court, unless  
10 the court finds that the youth poses a substantial risk of imminent harm to  
11 others in the community if released from custody.

12  
13 (A) The court must determine the reasonable conditions of probation that  
14 are suitable to meet the developmental needs and circumstances of the  
15 youth and that will facilitate the youth's successful reentry into the  
16 community.

17  
18 (B) The court must periodically review the youth's progress under  
19 probation supervision and make any additional orders deemed  
20 necessary to modify the program of supervision in order to facilitate the  
21 provision of services or to otherwise support the youth's successful  
22 reentry into the community.

23  
24 (C) If the court finds that the youth has failed materially to comply with the  
25 reasonable orders of probation imposed by the court, the court may  
26 order that the ward be returned to a juvenile facility or to a less  
27 restrictive placement for a period not to exceed either the remainder of  
28 the baseline term, including any court-ordered modifications, or six  
29 months, whichever is longer, subject to the maximum confinement  
30 limits of section 875(c).

31  
32 (2) If the court finds that the youth poses a substantial risk of imminent harm to  
33 others in the community if released from custody, the court may order that  
34 the youth be retained in custody in a secure youth treatment facility for up to  
35 one additional year of confinement, subject to the maximum confinement  
36 provisions of section 875(c). If the court orders that the youth is to be  
37 confined, it must set a progress review hearing under rule 5.807, or if the  
38 period of confinement is six months or less, a discharge hearing under this  
39 rule for a date not to exceed six months from the date of the initial discharge  
40 hearing.

1 **Rule 5.820. Termination of parental rights for child in foster care for 15 of the last**  
2 **22 months**

3  
4 **(a) \*\*\***

5  
6 **(b) Calculating time in foster care (§ 727.32(d))**

7  
8 The following guidelines must be used to determine if the child has been in foster  
9 care for 15 of the most recent 22 months:

10  
11 (1)–(3) \*\*\*

12  
13 (4) Exclude time during which the child was detained in the home of a parent or  
14 guardian; the child was living at home on formal or informal probation, at  
15 home on a trial home visit, or at home with no probationary status; the child  
16 was a runaway or “absent without leave” (AWOL); or the child was out of  
17 home in a non-foster care setting, including juvenile hall; ~~California~~  
18 ~~Department of Corrections and Rehabilitation, Division of Juvenile Justice;~~ a  
19 ranch; a camp; a school; a secure youth treatment facility; or any other  
20 locked facility.

21  
22 (5)–(6) \*\*\*

**JV-060-INFO****Juvenile Justice Court: Information for Parents**

*Juvenile justice* court (sometimes called delinquency court) is a court that decides if a child broke the law. The juvenile justice court helps to protect, guide, and rehabilitate children. And it helps keep the community safe.

This information sheet answers common questions that many parents have. It has three sections:

1. What Happens When Your Child Is Arrested
2. Your Child's Court Hearings and Orders
3. How to Keep Your Child's Juvenile Court Records Private

This form describes the juvenile justice court process. **Some children who have contact with law enforcement or probation never need to go to court, even if it is believed that they broke the law.**

## 1 What Happens When Your Child Is Arrested

This section is about:

- What to expect when your child is arrested,
- What your child's legal rights are,
- What the *notice to appear* and the *petition* are,
- What it means to transfer your child to adult court, and
- What a *probation officer* does.

### My child was arrested. What happens next?

***Your child might be brought home or allowed to go home with you.***

You will be given or mailed a notice to appear that tells you the date, time, and place you and your child need to go to the probation department or juvenile court. You may want to talk to a qualified juvenile defense lawyer about your child's case. **You can call your local public defender's office before your child goes to court.** If your child has to go to court, the court will appoint a lawyer to represent your child at no cost to you if you do not hire a lawyer.

***Warning!*** You and your child *must* go to the meeting listed on the notice to appear even if no one contacts you again. Sometimes the meeting will be at probation. Sometimes the notice will order you to go to the juvenile court.

***Your child might NOT be sent home immediately after the arrest.***

If that happens, the officer who arrested your child may:

- Let your child go later, **without going to juvenile hall.**
- Take your child to juvenile hall and keep them there. This is called *in-custody detention*. If this happens, the arresting officer *must* try to contact you immediately to tell you where your child is and that your child is in custody.



### What are my child's legal rights after arrest?



Your child has the right to make at least **two phone calls** within **1 hour** of being arrested.

- One call must be a *completed* call to a parent, guardian, responsible relative, or employer.
- The other call must be a *completed* call to a lawyer.
- If your child is currently in court-ordered foster care, your child may also be allowed to call a foster parent or social worker.

### What if the police want to question my child?

If your child is under 18, and in custody, your child **must have a confidential consultation with an attorney.** **Your child cannot decide to answer questions or give up rights without first talking to a lawyer.** **This right to speak to an attorney cannot be given up.** **After that consultation, and before any officer asks your child about what happened, the officer must first tell your child about their child's *Miranda* rights:**



- You have the right to remain silent.
- Anything you say will be used against you in court.
- You have a right to have a lawyer with you during questioning.
- If you or your parents cannot afford a lawyer, one will be appointed for you.



### Does my child need a lawyer?

If a petition is filed, your child has a right to an *effective* and *prepared* lawyer, who must have specific education and training in juvenile justice cases. The lawyer will be appointed at your child's first hearing unless you hire an attorney for your child.



Your child's lawyer represents only your child, not you, even if you are paying for that lawyer. Your child's lawyer is required to have a confidential relationship with your child. That means the lawyer cannot talk to you about your child's case unless the child agrees and allows it.

### Do I need a lawyer for myself?

The court can order you to do things for your child and can order you to pay *restitution* to the *victim*. Some parents hire lawyers for legal advice about these issues.

**NOTE:** If you think you need your own lawyer and cannot afford to hire one, you can ask the court to appoint a lawyer for you. The court will decide whether to appoint you a lawyer. If it does, you might be ordered to pay back the cost of the lawyer if the court decides you can afford to pay that cost.

### If my child is required to meet with probation, how can we get ready?

It's a good idea to get legal advice. A defense lawyer who specializes in juvenile justice cases can help you understand your child's rights and know what to expect. Try to find school records and other information that shows what you and your child are doing to get back on track.

**At the meeting,** the probation officer will talk with you and your child about the next steps in your child's case.

**NOTE:** At this meeting, the probation officer must tell you and your child about the *Miranda* rights. Any information you or your child share with the probation officer might be shared with the court or the prosecuting attorney (D.A.).

- If the alleged offense is not serious or it's the first time your child has been accused of breaking the law, the probation officer might just tell your child what they did was wrong (reprimand them) and let your child go.

- The probation officer might offer to let your child do a special *diversion program* instead of going to court. Each county has different rules and different programs. If you and your child agree to the program and your child does everything the program requires, the juvenile court does not need to get involved.
- If the offense is more serious, the probation officer might refer your child's case to the prosecuting attorney (D.A.). If the prosecutor decides to file charges, they will file a petition in juvenile court. That's what the rest of this form is about.

### What happens if my child is taken to juvenile hall after getting arrested?

The probation officer can decide to:

- Keep your child in custody, or
- Let your child go home with you.

If the probation officer lets your child go, the officer may still:

- Ask the D.A. to file a petition, and
- Set limits on what your child is allowed to do while at home.

If the **probation** officer does *not* let your child go, the officer must notify the public defender that your child is in custody within two hours. If the D.A. decides to file charges, a petition *must* be filed within 48 hours of the arrest. A detention hearing must be held the next day the court is in session. The courts are closed on Saturdays, Sundays, and holidays. You and your child *must* be given a copy of the petition.

### How long can they keep my child in juvenile hall?

The judge will decide at the detention hearing. The judge may release your child or keep your child in juvenile hall until the next hearing or until the whole case is over.

### Can I visit my child in juvenile hall?

Yes, but before you go, contact the juvenile hall or the probation officer to find out how to set up a visit.

### What if the probation officer says a petition will be filed?

The petition states the things your child is accused of or charged with. It means your child's case will be sent to juvenile court. You have the right to receive a copy of the petition. If you have not received a copy of the petition, ask the probation officer or the court clerk for one.

The petition says your child did something against the law and asks the juvenile court to decide that what it says is true, but it does not prove anything.



**Read the Petition Carefully!** It is important to know what your child is accused of.

### Are all petitions the same?

No. Each petition is tailored to the child and the alleged offense. There are two kinds of petitions:

A **601 Petition** is filed when a child has:

- Run away,
- Skipped school a lot,
- Violated a curfew, or
- Regularly disobeyed a parent or guardian.

These petitions are filed by the probation department at the juvenile court. If the court decides the charges are true, your child can become a “ward” of the court. That means the court will supervise your child, and your child must obey the court’s orders.

A **602 Petition** is for a charge that would be a *misdemeanor* (like shoplifting or simple assault) or *felony* (like stealing a car, selling drugs, rape, or murder) if an adult had done it.

These petitions are filed by the prosecuting attorney (D. A.). If the court decides the charges are true, the judge can:

- Order your child put on probation,
- Make your child a “ward” of the court, and
- Order your child placed out of your home or committed (locked up) to a juvenile facility.

**NOTE:** If your family is involved with the child welfare system, talk with your lawyer about what your child’s arrest means for that case. Depending on everything that has happened, the court might decide that it’s best for your child to stay in the child welfare system, to be supervised in the juvenile justice system, or to be supervised and served in both systems.

### Can my child’s case be moved to adult court?

In cases with felony charges, the prosecuting attorney (D. A.) can ask the juvenile court to transfer your child’s case to adult criminal court. If that happens, talk to your child’s lawyer right away. Adult criminal cases are handled very differently and there may be very serious consequences for your child.

Your child’s case can only be transferred to adult court if your child is 16 years old or older, charged with a felony, and the court finds that the juvenile system cannot rehabilitate your child.

### What does the probation officer do?

Probation officers investigate children’s situations and backgrounds and write reports for the court. They also supervise children to see if they are doing what the court has ordered them to do.

### Why does the probation officer write reports?

The probation officer writes reports to give the court information about your child. The reports give the judge a description of your child’s situation, including life at home and school, the current charge(s), and any previous arrests or petitions. It can also include:

- Statements from your child, you, your family, and other people who know your child well;
- A school report;
- A statement by the victim; and
- Recommendations about what the court should do if the judge finds that your child did what the petition says.

### When does the judge see the reports?

The probation officer presents a report at the *detention hearing*, *disposition hearing*, and each *review hearing*. The judge uses the reports to help decide how to handle your child’s case.

## 2 Your Child's Court Hearings and Orders

If a petition is filed in your child's case, you and your child will have to go to juvenile court. Each time you go to court is called a "hearing." You may have to go to several court hearings. This section is about:

- What happens at the different court hearings,
- What happens after the hearings,
- What happens if your child becomes a ward of the court, and
- What your duties and responsibilities as a parent are.

### Get Ready for Court

#### When is the first court hearing?

*If your child is in custody*, the first hearing, called the detention hearing, must take place on the court day immediately after the petition is filed. The probation officer or prosecuting attorney (D.A.) must tell you when and where the hearing will be. You will also get a copy of the petition. At this hearing, the court decides only whether your child can go home or needs to stay in custody until the next hearing.

*If your child is not in custody*, the first hearing, often called the initial hearing or "arraignment," must take place no more than 30 days after the petition is filed. In addition to the notice described earlier, you and your child will get a copy of the petition at least 10 days before the date of this hearing.

#### How will I find out about other court hearings?

*If your child is in custody*, both you and your child will get notice at least 5 days before the hearing. Someone will deliver it personally or by certified mail.

*If your child is not in custody*, both you and your child will get notice of each court hearing at least 10 days before the date of the hearing. Someone will deliver it personally, by first-class mail, or, if you agree, electronically.

#### Can I go to my child's court hearings?

Yes. In fact, the law says you *must* go. The judge decides what is best for your child. Depending on the charges, if you can show that your child will listen to you and follow your rules, and that you will hold your child accountable and be supportive at home, the judge may let your child go home with you.

#### How many times will we have to go to court?

You and your child will probably need go to court several times. There will be different kinds of hearings where the court makes different decisions. *See page 8 for a table of different hearing types.*

#### Do we have the right to an interpreter?

Both you and your child have a right to an interpreter if needed. Ask for one if you do not speak English well and don't understand everything being said in court.

#### Can I speak at the court hearings?

Yes. You may speak when:

- The judge asks you questions,
- You are called as a witness, or
- The judge gives you permission.

#### Who else speaks at the court hearings?

Your child's lawyer will speak for your child. The prosecuting attorney (D.A.) will speak for the government. The probation officer may speak for the probation department.

#### Can the victim go to the hearings?

Yes. A crime victim has a right to go to and speak at any court hearing about the effect the crime had on them. The victim and the victim's parents (if the victim is under 18) will get notice of the hearing. Do not talk to the victim unless your lawyer tells you to.

#### What is a jurisdiction hearing?

The jurisdiction hearing or "trial" is when the judge decides if your child actually did what it says in the petition. Before a jurisdiction hearing the judge may set a pre-jurisdiction hearing to decide if your child's case can be resolved without a contested jurisdiction hearing.

*Here's what to expect:*

- The judge will ask your child to *admit* or *deny* the charges listed in the petition.
- Your child's lawyer will consider the evidence and the possible outcomes, and then advise your child what to do.
- If your child *admits* some or all of the charges, your child gives up the right to a trial. The judge will decide that the petition is true.
- If your child *denies* the charges, there will be a trial (called a *contested hearing*). The court may hold the trial on another day to give your child's lawyer time to get ready.

### What happens at the “trial”?

At the trial, the prosecuting attorney (D.A.) will call witnesses and present evidence to prove the charges. Then your child’s lawyer may call witnesses and present evidence in your child’s defense. The judge will consider all the evidence and decide if the charges are true “beyond a reasonable doubt.”

***If there is not enough proof to decide the charges are true***, the judge will dismiss individual charges or the entire case. If your child is in custody and the entire case is dismissed, your child will be let go. If this happens, skip ahead to section 3 of this form.

***If the judge decides some or all of the charges are true***, there will be a disposition hearing. That’s when the judge will say what your child will need to do and where your child will live. Sometimes this hearing is right after the jurisdiction hearing, but usually it is 2–4 weeks later.

***If your child is in custody***, the judge can order your child to stay in custody or be released until the disposition hearing.

***If you live in a different county***, the court can transfer the case to your local court for the disposition hearing.

### What happens at the disposition hearing?

The judge will decide what orders to make to protect and rehabilitate your child and to protect the community.

The judge might order your child to:

- Live at home and obey informal probation rules for up to six months.
- Live at home, be supervised by a probation officer, and obey rules set by the judge.
- Live at a relative’s home, a foster family home, a private group home, or a residential treatment program; be supervised by a probation officer; and obey rules set by the judge.
- Spend time in a county camp, home, ranch, juvenile hall, or secure youth treatment facility (in custody) and on probation.

The judge may also order *you*, the parent, to get counseling or parent training or do other activities.

### What if the judge puts my child on probation?

If your child is put on probation, the probation officer will supervise and work with your child to make sure that your child follows:

- The law,
- The court’s orders, and
- All the rules of probation.

The probation officer will also encourage your child to do well in school and participate in job training, counseling, and community programs.

### How often will the probation officer see my child?

Each case is different. The probation officer will meet regularly with your child during their case.

### What if the judge makes my child a ward of the court?

The juvenile law uses special language. Children who have committed offenses may become wards of the court, but are not “convicted.” If your child becomes a ward of the court, that means the court is in charge of some of your child’s care and conduct. The court does this to protect your child and the community.

### What if the judge orders my child placed in foster care?

If the judge orders suitable out-of-home or foster placement, the probation officer may place your child in:

- An adult relative’s home,
- An approved foster family home,
- A licensed private group home, or
- A residential treatment program.

### What if the court sends my child to a secure county facility?

Most wards of the court who need secure confinement are sent to county facilities, like a ranch, camp, or juvenile hall, where they can be close to their families and local rehabilitative services. Ask the probation department about your child’s program and how you can visit, stay in touch, and help your child’s rehabilitation.

Some of these secure confinement programs may be for an extended period of time and may be located in another county. They are called secure youth treatment facilities and can hold your child until age 25 or up to two years from the date your child was sent to the secure youth treatment facility, if that is later.

**If my child's case was moved to adult court, can my child be sent to adult prison?**

Yes, but between the ages of 16 and 18, your child must stay at a juvenile facility even if sentenced to adult prison.

**Important! If your child's case gets moved to adult court, talk to your child's lawyer right away.**

**Do I have to pay for what my child did?**

The court may order you to pay fines or penalties.

If the court decides that the victim is entitled to restitution, you and your child are equally responsible for paying the victim back. *Restitution* is money that pays the victim to make up for the damage or harm your child caused.

Restitution can pay the victim back for:

- Stolen or damaged property,
- Medical expenses, and
- Lost wages.

If restitution is not completely paid when your child's case is closed, it will become a *civil judgment*, which can affect your credit score.

**Do I have to pay fees for services my child receives from the court or county?**

No. You do not have to pay fees or pay back the cost of services, support, or an attorney *given to your child* by the county or court as part of this case.

**What are my responsibilities as a parent?**

Your parental duties do not end when the court gets involved. Your child may need you now more than ever.

If the judge decides the charges in the petition are true, you may be ordered to do things to:

- Help make up for harm your child caused, and
- Keep your child out of trouble in the future.

The court may order you to:

- Take classes,
- Go to counseling, or
- Do other activities that will help you and your child.

**What if my child is in foster care or in custody?**

Wherever your child goes, stay in touch as much as you can, however you can. Visit your child as often as you can. Support your child's programs and activities.

Encourage your child to obey the court's orders and not to leave the placement without permission.

Find out what is happening in your child's life so that you can get ready for your child to return home. Learn how to make a protective and supportive environment for your child's return to school or work. Develop plans to hold your child accountable for their actions.

**Where can I find parenting resources?**

Contact your child's probation officer. Ask for referrals to community organizations, such as parents' groups or counseling services, that can help you. Your school district and local hospital or mental health department may also have useful programs.

If you have any questions that have not been answered, you may want to contact a lawyer for help.

### 3 How to Keep Your Child's Juvenile Court Records Private

#### Will anyone be able to look at my child's juvenile records?

Maybe. Although most juvenile court records are confidential, the law sometimes allows government officials to look at them.

However, in many cases the court will "seal" your child's juvenile records. Once the records are sealed, the law treats the arrest and court case as if they never happened. That means your child can truthfully say that your child does not have a criminal or juvenile record.

**Exception:** If your child wants to join the military, get a federal security clearance, or become a law enforcement officer your child may need to disclose information about the juvenile record. Your child's lawyer can provide advice about that.

#### How can I seal my child's juvenile records?

It depends on your child's situation.

**Sealing at dismissal.** If the juvenile court dismisses your child's case without making your child a ward of the court, the court must seal your child's records.

If the court does make your child a ward and later dismisses the case because your child has satisfactorily completed probation, the court will also seal your child's records and send your child copies of the sealing order and form JV-596-INFO, *Sealing of Records for Satisfactory Completion of Probation*.

If your child completes a probation diversion program, the probation department will seal those records and give notice to your child.

**Sealing on request.** If your child does *not* satisfactorily complete probation or the probation diversion program, the court **may** *not* dismiss the case and your child's records will not be automatically sealed. Your child can either:

- Ask the court to review the probation department's decision and order the records sealed, or
- Ask the court later to seal the records. (See form JV-595-INFO, *How to Ask the Court to Seal Your Records*, for more information.)

If your child is made a ward for an offense listed in Welfare and Institutions Code section 707(b), your child can ask the court to seal the records at age 18.

Even sealed records can be viewed by the prosecuting attorney (D.A.) in some cases.

#### Can my child's juvenile court record be used against them as an adult?

Under the three-strikes law, some serious or violent felonies committed by a child at age 16 or 17 can be counted as strikes and used against the child in the future.

#### Will my child's right as an adult to possess a firearm be restricted?

If your child is made a ward of the court for certain offenses, your child is not allowed to have a firearm until reaching age 30. The Department of Justice can look at your child's sealed records to prevent your child from buying a firearm.



## Court Hearings in Juvenile Justice Court

You and your child may have to go to court several times. Each time you go is called a “hearing.” Depending on your case, there may be different kinds of hearings where the judge makes different decisions. Here are some of them. Each time you have to go to court, you and your child (if 18 or older) will get a notice. The notice will tell you the date, time, and place to go.

Kind of hearing	What happens at this hearing
Detention	The judge will decide if your child can go home or must stay in custody until the next hearing.
Transfer to criminal court	The juvenile court judge will decide if the case of a child who is 16 or older should be transferred to adult criminal court. Children under 16 cannot have their cases transferred to adult court. This hearing usually happens for very serious or violent charges and only if the prosecuting attorney (D.A.) asks for the transfer.
Pre-jurisdiction (pretrial or settlement conference)	<p>The judge, lawyers, and probation officer try to resolve the case without having a trial. The D.A. may make an “offer” to reduce or dismiss some of the charges. The judge will ask your child to <i>admit</i> or <i>deny</i> the charges listed in the petition. Your child’s lawyer will consider the evidence and possible outcomes, and then advise your child what to do. Whether to admit a charge is your child’s decision.</p> <p>If your child <b>admits</b> the charges, your child will give up the right to a trial. The judge will decide that the petition is true.</p> <p>If your child <b>denies</b> the charges, there will be a trial, usually a week or two later.</p>
Jurisdiction (trial)	<p>At the trial, the prosecuting attorney will present evidence to prove the charges. Then your child’s lawyer will decide whether to present evidence in your child’s defense. The law does not require a defense to be presented. The judge will consider all the evidence and decide if the charges are true “beyond a reasonable doubt.”</p> <p>– <b><i>If there is not enough proof to decide the charges are true</i></b>, the judge will dismiss the case. If your child is in custody, your child will be let go.</p> <p>– <b><i>If the judge decides the charges are true</i></b>, there will be a disposition hearing.</p>
Disposition	This happens <i>only</i> if the judge decides that one or more charges in the petition are true. The judge then decides what orders to make for your child. This hearing is sometimes right after the jurisdiction hearing but is often postponed for another day.
Hearing on motions	The court decides legal questions that affect the case.
Review hearings	This hearing provides a way for the court to check how your child is doing on probation or in placement. If your child is placed in foster care, the court must hold a review hearing at least once every six months.

## GLOSSARY OF TERMS

**Civil judgment:** A court order requiring a person to pay money to another person.

**Detention hearing:** The first court hearing after an arrest if the child is detained in custody.

**Felony:** An action that would be a serious crime if committed by an adult.

**In-custody detention:** Keeping a person in a secure place and not letting them go free or go home.

**Juvenile delinquency:** See *juvenile justice*, below.

**Juvenile justice:** The legal system designed to guide, rehabilitate, and protect children who break the law, and to keep the community safe. Also known as “juvenile delinquency.”

**Miranda:** The U.S. Supreme Court case that requires law enforcement to tell persons detained in custody their rights before asking them questions.

**Misdemeanor:** An action that would be a less serious crime if committed by an adult.

**Notice to appear:** A paper telling you and your child to meet with a probation officer or go to juvenile court at a specific time and place.

**Notice of hearing:** A paper telling you the date, time, and place of a court hearing, and what will happen there.

**Petition:** A paper filed with the court that says your child did something against the law.

**601 petition:** A petition filed by the probation officer that accuses your child of something that’s against the law for a child to do, for example, skipping school or breaking curfew.

**602 petition:** A petition filed by the prosecuting attorney that accuses your child of doing something that would be a crime if an adult did it.

**Probation officer:** A law enforcement officer who advises the court about the orders the child needs to protect and rehabilitate the child, and supervises the child as ordered by the court.

**Restitution:** Money owed to the victim of an act to make up for the damage or harm done.

**Terms or terms and conditions of probation:** Court orders that tell a person on probation what they must and must not do.

**Ward:** A child whom the court has decided to supervise because the child did something against the law.

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER:    STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY   <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b> <b>JV-618.v3.111722.cz</b>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CHILD'S NAME:		
<b>WAIVER OF RIGHTS—JUVENILE JUSTICE</b>		CASE NUMBER:
<b>Read this form carefully. The judge will ask you if you understand each right and if you want to give up that right.</b>		

1. I am the child in this case. My attorney's name is:
2. I have talked with my attorney about what happened in my case and why I am being charged in this case. I have been told what the district attorney would have to prove at a trial and the possible ways to fight my case. I want to
  - a.  admit the charge(s), which means that I am agreeing that I did what the petition says.
  - b.  plead no contest, which means that I do not want to fight my case at a trial, but I'm not agreeing that I did what the petition says I did. I am letting the judge decide whether the charges are true and know that the judge will probably find them true.
3.  The charge(s) I am admitting or pleading no contest to are:

**For the items below, write your initials on each line that applies to your case. If you have a question about an item, ask your attorney or the judge before you initial that item.**

4. **I understand the following consequences of my admission:**

	<i>Initial</i>
a. If I plead no contest or submit the petition on the report, the court will probably find that the petition is true.	_____
b. The most that I can be punished for my admitting to these charges is a commitment (to be locked up) to a secure youth treatment facility or a local confinement facility like juvenile hall or ranch for (months/years):	_____
c. If I am not a United States citizen, my admission or no contest plea may mean that I will have to leave the country (be deported) and never allowed to return (exclusion) and/or never be allowed to become a United States citizen.	_____
d. If I am declared a ward of the court, a violation of: _____ will prohibit me from owning, possessing, or having in my custody or control any gun or firearm until I am 30 years old. (Pen. Code, § 29820.)	_____
e. The court may order that my driver's license be restricted, delayed, or suspended.	_____
f. <input type="checkbox"/> I may be required to register under Penal Code section 186.30 (gang).	_____
g. My parents or legal guardians and I may have to pay for the things I did that hurt others and caused them to lose money, including paying for things I took, broke, or damaged. We may also have to pay fines.	_____
5. **Waiver of Rights.** I understand that I have all of the rights below and that by admitting the charge(s) in the petition, or pleading no contest, I will not have a trial or hearing and I will give up all of these rights:
 

	<i>Initial</i>
a. The right to a speedy court trial or hearing where the judge would listen to all the evidence and decide if the district attorney has enough evidence to prove that I did what the petition says I did.	_____
b. The right to see, hear, and have my attorney question witnesses, including the officer who wrote the report, and any of the people who provided information that is written in the report.	_____
c. The right to testify or speak up for myself in court.	_____
d. The right to be silent and not say anything that might hurt myself or my case.	_____
e. The right to have witnesses come to court, even if they don't want to, and talk to the judge about my case.	_____
f. The right to appeal, or ask another court to look at, decisions by the judge that I disagree with.	_____



CHILD'S NAME:

CASE NUMBER:

6. My attorney has explained that when I admit to: \_\_\_\_\_, listed Count(s) as: \_\_\_\_\_, I will have crime(s) on my record that are "strike" offenses under the three-strikes Law. I have talked with my attorney about what this could mean in my future and how I may have to spend much more time in jail or prison if I get in trouble again because I am admitting to these offenses today.

Initial \_\_\_\_\_

7. I have talked to my lawyer about the charge(s) in the petition, the facts of what happened, and any possible defenses. We have talked about what could happen if I admit, including what could happen if I break the rules of probation.

I declare under penalty of perjury, which means that I am guilty of a crime if I am lying, that my attorney has gone over this form with me, explained what it means, and answered my questions. I understand the rights I am giving up, I know what could happen because of my admission, and I am admitting to doing what the petition says because I want to and not because someone is forcing me to do this.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF CHILD)

**DECLARATION OF INTERPRETER**

The primary language of the child is

- Spanish.
- other (specify): \_\_\_\_\_

I certify that I interpreted this form for the parent or legal guardian in that person's primary language to the best of my ability.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF INTERPRETER)

**DECLARATION OF ATTORNEY**

I am the attorney for the child. I have explained and discussed with my client the above rights, the facts of my client's case, possible defenses, and the consequences of my client's decision to enter an admission. Based on my conversation with the minor, I am satisfied that my client's admission to the petition is knowingly, intelligently, and voluntarily made, and I consent to the admission.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF ATTORNEY)

**ORDER AND FINDING**

I have spoken with the child, reviewed the waiver form, and find that the child has been fully informed of the constitutional rights and the consequences of the admission in this case and understands them. I further find that the child has knowingly, intelligently, and voluntarily waived their rights and that there is a factual basis for the minor's admission.

IT IS ORDERED that the minor's admission be accepted and entered in the minutes of this court. This executed waiver of rights form is filed in the records of this court and incorporated in the above-numbered case by reference.

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

CHILD'S NAME:	CASE NUMBER:
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**DISPOSITION—JUVENILE DELINQUENCY**

- The court has read and considered the social study prepared by the probation officer and any other relevant evidence.
- The child has been detained and is at risk of entering foster care. The probation officer believes that child will be able to return home, and the social study includes a case plan as described in Welfare and Institutions Code section 636.
- The probation officer has recommended initial or continuing placement in foster care, and the social study includes a case plan as described in Welfare and Institutions Code section 706.6.

**THE COURT FINDS AND ORDERS**

- 1.  Notice has been given as required by law.
- 2.  The court takes judicial notice of all prior findings, orders, and judgments in this proceeding.
- 3.  The court previously sustained the following counts. As to any offense that could be considered a misdemeanor or a felony, the court is aware of and exercises its discretion to determine the offense as follows:

Count number	Statutory violation	Misdemeanor	Felony	Enhancement ( <i>specify</i> )
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	

- 4.  The child resides in (*specify*): \_\_\_\_\_ County.
- 5.  The case is transferred to (*specify*): \_\_\_\_\_ County for disposition. *Juvenile Court Transfer-Out Orders* (form JV-550) will be completed and transmitted.
- 6.  For the reasons stated on the record, the petition is dismissed  in the interests of justice  because the child does not need treatment or rehabilitation.
- 7.  The child is placed on probation for up to six months under Welfare and Institutions Code section 725(a) under conditions described in an attachment to this form.
- 8.  Deferred entry of judgment is  granted  denied.
- 9.  The child is  declared  continued as a ward of the court.
- 10.  The recommended findings and orders contained in the probation report dated \_\_\_\_\_ at pages \_\_\_\_\_ are adopted  as modified by the court as its own, a copy of which is attached and incorporated herein.
- 11.  The child is declared a ward and placed on probation
  - a.  under the supervision of the probation officer  without probation supervision
  - b. in the custody of
    - (1)  parent (*name*): \_\_\_\_\_  mother  father
    - (2)  parent (*name*): \_\_\_\_\_  mother  father
    - (3)  legal guardian (*name*): \_\_\_\_\_
    - (4)  probation for out-of-home placement or confined commitment. Form JV-667, *Custodial or Out-of-Home Placement Disposition Attachment*, is completed and attached.
  - c.  under terms and conditions described on the attached form.
- 12.  The child and legal parent are to pay a restitution fine  of \$ \_\_\_\_\_  as specified on the attached form.
- 13.  The child, with their parent, is to pay restitution
  - as described on the attached restitution order.
  - to each victim (*name each*):
  - a. \_\_\_\_\_ c. \_\_\_\_\_
  - b. \_\_\_\_\_ d. \_\_\_\_\_
  - in the amount of \$ \_\_\_\_\_  in the amount and manner determined by the probation office, with the opportunity for review by the court if disputed by the child or the parents.

CHILD'S NAME:	CASE NUMBER:
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- 14.  The child, with the child's parents, is to pay a fine in the amount of \$ \_\_\_\_\_, plus a penalty assessment in the amount of \$ \_\_\_\_\_, for a total of \$ \_\_\_\_\_.
- 15.  Terms regarding vehicles. The child must
  - a.  participate in and successfully complete (*specify*):
  - b.  only drive to and from school, work, and/or counselling programs.
  - c.  surrender license to  court  probation officer.
- 16.  The child's driver's license is
  - suspended.
  - revoked.
  - delayed
    - for a period of \_\_\_\_\_ months \_\_\_\_\_ years.
    - until the child attains 18 years of age.
- 17.  The court will notify the Department of Motor Vehicles of the judgment. The DMV has independent authority to suspend, revoke, or delay driving privileges.
- 18.  The child is ordered to submit to DNA collection under Penal Code section 296.
- 19.  Other (*specify*):

20.  **The next hearing will be:**

Date:	Time:	Dept:
Date:	Time:	Dept:

- 21.  The child is ordered to return to court on the above date and time.
- 22.  The child is advised of their right to appeal.
- 23.  The child is advised that their appointed attorney has a continuing obligation to represent them on this case, until counsel is relieved by the court under California Rules of Court, rule 5.663.
- 24.  All prior orders not in conflict, including any terms and conditions of probation, remain in full force and effect.

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

The following attachments are incorporated by reference as findings and orders:

- Custodial and Out-Of-Home Placement Disposition Attachment (JV-667)*
- Terms and Conditions (JV-624)*
- Juvenile Court Transfer-Out Orders (JV-550)*
- Notice of Hearing and Temporary Restraining Order—Juvenile (JV-250)*
- Commitment to Secure Youth Treatment Facility (JV-733)***
- Order for Victim Restitution (CR-110/JV-790)*
- Order Regarding Application for Psychotropic Medication (JV-223)*
- Order Designating Educational Rights Holder (JV-535)*
- Parentage—Findings and Judgment (JV-501)*

Additional attachments:

- Indian Child Welfare Act
- Order for Repayment of Cost of Legal Services (JV-135)*
- Responses from tribes or BIA
- Victim Identification Form
- Probation officer's case plan approved by the court
  - As submitted
  - As amended and stated on the record
- Other (*specify*):

CHILD'S NAME:

CASE NUMBER:

CUSTODIAL AND OUT-OF-HOME PLACEMENT DISPOSITION ATTACHMENT

THE COURT FINDS AND ORDERS

- 1. [ ] The maximum time the child may be confined
a. [ ] in secure custody for the offenses sustained in the petition before the court is (specify):
b. [ ] in the petition before the court, with the terms of all previously sustained petitions known to the court aggregated, is (specify):
2. [ ] The child is committed to (specify): days months in juvenile hall
a. [ ] and is remanded forthwith. Continuance in the home is contrary to the child's welfare.
b. [ ] and is to report to (name): by [ ] a.m. [ ] p.m. on (date):
c. [ ] with credit for (specify): days served.
3. [ ] The welfare of the child requires that physical custody be removed from the parent or guardian. (Check only if applicable):
a. [ ] The child's parent or guardian has failed or neglected to provide, or is incapable of providing, proper maintenance, training, and education for the child.
b. [ ] The child has been on probation in the custody of the parent or guardian and has failed to reform.
c. Continuance in the home is contrary to the child's welfare.
4. [ ] Probation is granted the authority to authorize medical, surgical, or dental care under Welfare and Institutions Code section 739.
5. [ ] Reasonable efforts to prevent or eliminate the need for removal
a. [ ] have been made.
b. [ ] have not been made.
6. a. [ ] The probation officer will ensure provision of reunification services, and the following are ordered to participate in the reunification services specified in the case plan:
[ ] Mother [ ] Biological father [ ] Legal guardian [ ] Presumed father
[ ] Alleged father [ ] Indian custodian [ ] Other (specify):
b. [ ] Reunification services do not need to be provided to (name): because the court finds by clear and convincing evidence that (check one)
(1) [ ] reunification services were previously terminated for that parent or not offered under section 300 et seq. of the Welfare and Institutions Code.
(2) [ ] that parent has been convicted of [ ] murder of another child of the parent [ ] voluntary manslaughter of another child of the parent [ ] aiding, abetting, attempting, conspiring, or soliciting to commit murder or manslaughter of another child of the parent [ ] felony assault resulting in serious bodily injury to the child or another child of the parent.
(3) [ ] the parental rights of that parent regarding a sibling of the child have been terminated involuntarily.
c. [ ] The child is [ ] ordered to [ ] continued in the care, custody, and control of the probation officer for placement in a suitable relative's home or in a foster or group home.
d. [ ] The following are ordered to meet with the probation officer on a monthly basis:
[ ] Mother [ ] Biological father [ ] Legal guardian [ ] Presumed father
[ ] Alleged father [ ] Indian custodian [ ] Other (specify):
e. [ ] The child is ordered to obey all reasonable directives of placement staff and probation. The child is not to leave placement without the permission of probation or placement staff.

CHILD'S NAME:	CASE NUMBER:
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6. f.  The child is to be placed out of state at the following (*name and address*):
- (1)  In-state facilities are unavailable or inadequate to meet the needs of the child.
- (2)  The state Department of Social Services or its designee has performed initial and continuing inspection of the facility and has certified that it meets all California licensure standards, or has granted a waiver based on a finding that there is no adverse impact to health and safety.
- (3)  The requirements of the Family Code section 7911.1 are met.
- g.  Pending placement, the child is detained in juvenile hall. If being housed in another county, please specify county:
- h.  The child is placed on home supervision in the home of
- (1)  parent (*name*):
- (2)  parent (*name*):
- (3)  legal guardian (*name*):
- (4)  other (*name and address*):
- and is subject to electronic monitoring.
- i.  The parent or legal guardian must cooperate in the completion and signing of necessary documents to qualify the child for any medical or financial benefits to which the child may be entitled.
- j.  The county is authorized to pay for care, maintenance, clothing, and incidentals at the approved rate.
- k.  The likely date by which the child may be returned to and safely maintained in the home or another permanent plan selected is (*specify date*):
- l.  The right of the parent or guardian to make educational decisions for the child is specifically limited. *Order Designating Educational Rights Holder* (form JV-535) will be completed and transmitted.
7.  The child has been ordered into a placement described by title IV-E of the Social Security Act.
- a.  The date the child entered foster care is: \_\_\_\_\_, which is 60 days after the day the child was removed from his or her home.
- b.  An exception applies to the standard calculation of the date the child entered foster care because
- (1)  the child has been detained for more than 60 days. Therefore, the date **the child** entered foster care is today's date of:
- (2)  the child has been in a ranch, camp, or other institution for more than 60 days and is now being ordered into an eligible placement. The date the child enters foster care will be the date the child is moved into the eligible placement facility, which is anticipated to be:
- (3)  at the time the wardship petition was filed, the child was a dependent of the juvenile court and in an out-of-home placement. Thus, the date entered foster care is unchanged from the date the child entered foster care in dependency court. That date is:
8.  The child is committed to the care, custody, and control of the probation office for placement in the county juvenile ranch camp, forestry camp, or:
- a.  for: \_\_\_\_\_ months \_\_\_\_\_ days.
- b.  until the requirement of the program has been satisfactorily completed.
- c.  if being housed in another county, please specify:
9.  **The child is committed to a secure youth treatment facility and *Commitment to Secure Youth Treatment Facility* (form JV-733) or similar local form will be completed.**
10.  The minor is placed in a short-term residential therapeutic program. A hearing to review the placement under Welfare and Institutions Code section 727.12 was held on or is set for (*date*):

Date:

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 JUDICIAL OFFICER

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF**

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

**SCHOOL NOTIFICATION OF COURT ADJUDICATION  
(Welfare & Institutions Code Section 827(b) and Education Code Section 48267)**

**TO SUPERINTENDENT:**

SCHOOL DISTRICT:

MAILING ADDRESS:

CITY, STATE, ZIP CODE:

1. YOU ARE HEREBY NOTIFIED that (*child's name*): \_\_\_\_\_, born on: \_\_\_\_\_, is currently enrolled in your public school and that under:

- a.  Education Code section 48267, the child is in a grade 7 thru 12 and is described by **Welfare & Institutions Code** section 602, and a condition of probation requires that the minor attend a school program approved by the probation officer.
- b.  Welfare & Institutions Code section 827(b), the child is in a grade kindergarten to grade 12 and was found by a court of competent jurisdiction to have committed a felony or misdemeanor involving:
  - (1)  gambling (*code section, optional*):
  - (2)  alcohol (*code section, optional*):
  - (3)  drugs (*code section, optional*):
  - (4)  graffiti (*code section, optional*):
  - (5)  carrying of weapons (*code section, optional*):
  - (6)  a sex offense listed in section 290 of the Penal Code (*code section, optional*):
  - (7)  assault or battery (*code section, optional*):
  - (8)  larceny (*code section, optional*):
  - (9)  vandalism (*code section, optional*):
  - (10)  distribution of tobacco products (*code section, optional*):

2. THE COURT-ORDERED DISPOSITION of the child's case is (*complete only for Welf. & Inst. Code, § 827(b)*):

- a.  wardship probation
- b.  **Secure Youth Treatment Facility**
- c.  nonwardship probation
- d.  Other:

Date: \_\_\_\_\_  
CLERK OF THE SUPERIOR COURT

For more information, contact the probation officer for the child.

**WARNING: UNLAWFUL DISSEMINATION OF THIS INFORMATION IS A MISDEMEANOR**

**Any information received from this court is to be kept in a separate confidential file at the school of attendance. This record must be destroyed upon the child's graduating from high school, reaching the age of 18, or being released from court jurisdiction, whichever occurs first.**

## FURTHER INSTRUCTIONS

This form serves two purposes. It is primarily designed to provide the notice required by Welfare and Institutions Code section 827(b). The form can also be used to provide notice under Education Code section 48267. In addition, the form can be used to provide notice under both. If the form is providing notice for both section 827(b) and section 48267, the rules of section 827(b) on its dissemination, listed below, should be followed.

### PURPOSE AND DISSEMINATION UNDER EDUCATION CODE SECTION 48267

Education Code section 48267 requires that if the child is in a grade from 7 to 12, the juvenile court must notify the superintendent of the child's school district when the child is described by Welfare & Institutions Code section 602 and a condition of probation requires attendance in a school program approved by the probation officer.

If the form is being used to provide notice under Education Code section 48267, the juvenile court must provide the written notice to the superintendent of the school district of attendance within seven days of the disposition order, which must be expeditiously transmitted to the principal or to one person designated by the principal of the school that the minor is attending. The principal or the principal's designee must not disclose this information to any other person except as otherwise required by law.

### PURPOSE AND DISSEMINATION UNDER WELFARE AND INSTITUTIONS CODE SECTION 827(b)

Welfare and Institutions Code section 827(b) requires that when a child is found to have committed a felony or misdemeanor for certain offenses, the court must send this form to inform the school of the underlying offense and the outcome of the case. The form is intended to encourage communication between the courts, law enforcement, and schools to ensure rehabilitation of the child and to promote public safety.

Juvenile court proceedings and information related to the case are confidential, and disclosure of this form is governed by the rules of confidentiality found in Welfare and Institutions Code section 827. Information related to a child's juvenile case is strictly confidential; the disclosure on this form is a limited exception. It is to be provided only to select individuals in the child's school district. An intentional violation of these rules is a misdemeanor.

Welfare and Institutions Code section 827(b) provides specific instructions for the school on how the form should be disseminated when it is sent by the court:

- The court will send this form to the district superintendent of the child's school district.
- The district superintendent must expeditiously transmit it to the principal at the school of attendance.
- The principal must then expeditiously disseminate the information to those counselors directly supervising or reporting on the behavior or progress of the child. In addition, the principal must disseminate the information to any teachers or administrators directly supervising or reporting on the behavior or progress of the child, if the principal believes they need the information to work with the child in an appropriate fashion or to promote school safety.

Any information received from the court by a teacher, counselor, or administrator must be received in confidence for the limited purpose of rehabilitating the child and protecting students and staff.

A teacher, counselor, or administrator who receives the information in the form must *not* disclose the information or disseminate the form unless it is communication with the child, the child's parents or guardians, law enforcement personnel, or the juvenile probation officer and is necessary to effectuate the child's rehabilitation or to protect students and staff.

An intentional violation of the confidentiality provisions of Welfare and Institutions Code section 827(b) is a misdemeanor punishable by a fine not to exceed \$500.

If a child is removed from public school because of the court's finding described in this form, the superintendent must maintain the information in a confidential file and must defer transmitting the form received from the court until the child is returned to public school. If the child is returned to a school district other than the one from which the child came, the parole or probation officer having jurisdiction over the child must notify the superintendent of the last district of attendance, who must transmit the notice received from the court to the superintendent of the new district of attendance.

The form is required to be destroyed when the child graduates from high school, reaches the age of 18, or is released from court jurisdiction, whichever occurs first. At any time after the form is required to be destroyed, the child or the child's parent or guardian has the right to make a written request to the principal of the school to review the child's school records to verify that the form has been destroyed. After this requested review, the principal or the principal's designee must respond in writing to the written request and either confirm or deny that the form has been destroyed, or explain why destruction has not yet occurred.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF:**

MAILING ADDRESS:  
CITY AND ZIP CODE:  
BRANCH NAME:

**NOTIFICATION TO SHERIFF OF  
JUVENILE DELINQUENCY  
FELONY ADJUDICATION  
(Welfare & Institutions Code Section 827.2)**

**TO THE SHERIFF OF THE COUNTY OF:**

MAILING ADDRESS:  
CITY AND ZIP CODE:

**ATTENTION, COUNTY SHERIFF:**

Pursuant to Welfare & Institutions Code section 827.2, you are hereby notified that

CHILD'S NAME:

CHILD'S DATE OF BIRTH :

was found by a court of competent jurisdiction to have committed at least one offense which would have been a felony if committed by an adult. The child was found to have committed the following felony offenses:

*(List statutory violations)*

YOU ARE BEING NOTIFIED BECAUSE *(Check all that apply)*

- The offenses occurred in your county
- The child is a resident of your county.
- The child's disposition has been modified.

THE COURT-ORDERED DISPOSITION of the child's case is:

- Wardship probation
- Nonwardship probation
- Secure youth treatment facility commitment
- Other:

Date: \_\_\_\_\_

Clerk of the Superior Court: \_\_\_\_\_

**WARNING: UNLAWFUL DISSEMINATION OF THIS INFORMATION IS A MISDEMEANOR**

Any information received from this court is to be received in confidence for the limited law enforcement purpose for which it was provided and shall not be further disseminated except as provided by the provisions of Welfare and Institutions Code section 827.2. An intentional violation of the confidentiality provisions of this section is a misdemeanor.



ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b> <b>JV-732.v1.91422.cz</b> <b>REVOKED</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY: ZIP CODE: BRANCH NAME:	
YOUTH'S NAME:	
<b>COMMITMENT TO THE CALIFORNIA DEPARTMENT OF          CORRECTIONS AND REHABILITATION,          DIVISION OF JUVENILE FACILITIES</b>	CASE NUMBER: JUVENILE:

1. a. Youth's name: \_\_\_\_\_
- b. Youth's date of birth: \_\_\_\_\_
- c. Parent's/guardian's name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_
- d. Educational rights/developmental rights holder (if applicable): \_\_\_\_\_
2. a. Date of hearing: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_
- b. Judicial officer (name): \_\_\_\_\_
- c. Persons present
 

<input type="checkbox"/> Youth	<input type="checkbox"/> Youth's attorney	<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Guardian	<input type="checkbox"/> Deputy district attorney
<input type="checkbox"/> Others as reflected on the attached minute order					

**THE COURT FINDS AND ORDERS:**

3. The youth was under the age of 18 years at the time of the commission of the offense for which the youth is being committed to the Division of Juvenile Facilities.
4. The mental and physical condition and qualifications of this youth render it probable that the youth will benefit from the reformatory discipline or other treatment provided by the Division of Juvenile Facilities.
5. a.  The youth is committed to the Division of Juvenile Facilities for acceptance.
- b.  The youth is returned to the Division of Juvenile Facilities for a modification, as a sanction for a serious violation or a series of repeated violations of the conditions of supervision, under Welfare and Institutions Code section 1767.35. The court-ordered release date is: \_\_\_\_\_
- c.  The youth is committed to the Division of Juvenile Facilities for a 90-day period of observation and diagnosis.
6. The youth has been declared a ward of the court and is committed based on the most recent offense(s) listed in Welfare and Institutions Code section 707(b) or Penal Code section 290.008:

Code section	with a max term of:	Enhancements (code section and max. term)	Total
Principal felony:		+	=
	<u>Sentencing options</u>		
Subordinate offense(s):	<input type="checkbox"/> Felony	+	=
	<input type="checkbox"/> Felony	+	=
	<input type="checkbox"/> Felony	+	=
	<input type="checkbox"/> Misdemeanor	+	=
	<input type="checkbox"/> Misdemeanor	+	=

Continued on attachment 6.

The maximum period of imprisonment that could be imposed on an adult convicted of the offense or offenses that brought the youth before the court is:


7. After having considered the individual facts and circumstances of the case under section 731(c), the court orders that the maximum period of confinement is:

(If lower than the total in number 6, the court has used its discretion to modify the maximum confinement period under section 731(c).)

YOUTH'S NAME:	CASE NUMBER:  JUVENILE:
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8.  The youth has credit for time served at the Division of Juvenile Facilities of (number): \_\_\_\_\_ days.  
 The youth has credit for time served at a local holding facility of (number): \_\_\_\_\_ days.
9. The youth is ordered to pay a restitution fine of: \$ \_\_\_\_\_
10.  The youth is ordered to pay victim restitution as stated on attachment 10.
11. Exceptional needs (a, b, or c must be checked)
- a.  The youth has been identified as an individual with exceptional needs under Welfare and Institutions Code section 1742 and has an individualized education program under Education Code 56340 et seq. which (check one)
- (1)  is included as attachment 11a.  
(2)  will be furnished to the Division of Juvenile Facilities upon delivery of the youth.
- b.  The youth is not an individual with exceptional needs.
- c.  No determination has been made regarding whether the youth has any exceptional needs.
12.  The court requests that a copy of the Clinical Summary Report be sent to the youth's attorney (name and address of attorney): \_\_\_\_\_
13. The probation officer is directed to forward a copy of the youth's medical records to the Division of Juvenile Facilities before delivery.
14. The youth  has  has not been prescribed psychotropic medication. If form JV-220 has been completed for the youth, it is attached on attachment 14. Such psychotropic medication, if still necessary based on an evaluation by a Division of Juvenile Facilities physician, may be continued for a period not to exceed 60 days from the date of delivery of the youth to the Division of Juvenile Facilities reception center and clinic.  
If no form JV-220 accompanies this form, the types and dosages of medication is/are (specify): \_\_\_\_\_
- Continued on attachment 14.
15. The youth is ordered to submit to AIDS testing
- a.  under Welfare and Institutions Code section 1768.9.  
b.  under Penal Code section 1202.1 due to a sustained offense listed in Penal Code section 1202.1(e).
16.  The youth was committed for a sex offense under Penal Code section 290.008 requiring registration as a sex offender:
- a.  The youth was 18 years of age or older at the time of assessment, 15 years of age or younger at the time of the offense, or is a female; no SARATSO tool was ordered.  
b.  The appropriate SARATSO score, selected under Penal Code section 290.04(d) or (e), was used to assess the youth. The court has read and considered the following risk assessment and received it into evidence:
- (1)  The youth was under 18 at the time of assessment and offense; the JSORRAT-II was considered.  
(2)  The youth was 18 years of age at the time of assessment and 16 or 17 at the time of the offense; the Static-99 was considered.
17.  The court has determined that the youth has been in at least one foster care or other title IV-E eligible placement (Part E of subchapter IV of chapter 7 of title 42 of the United States Code) during the course of a dependency or delinquency case.
18.  Other findings and orders
- a.  See attachment 18a  
b.  (Specify): \_\_\_\_\_

Date: \_\_\_\_\_

 \_\_\_\_\_  
JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER:  NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY   <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b> <b>JV-733.v6.111722.cz</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
YOUTH'S NAME:	
<b>COMMITMENT TO SECURE YOUTH TREATMENT FACILITY</b>	CASE NUMBER:

1. a. Youth's name:
- b. Youth's date of birth:
- c. Parent's or guardian's name:  
     Address: Phone No.:
- d. Educational rights or developmental rights holder (if applicable):
2. a. Date of hearing: Dept: Room:
- b. Judicial officer (name):
- c. Persons present  
      Youth    Youth's attorney    Mother    Father    Guardian    Deputy district attorney  
      Others as reflected on the attached minute order

**THE COURT FINDS AND ORDERS:**

3.  The youth was at least 14 years of age, and under the age of 18, at the time of the commission of the offense for which the youth is being committed to a secure youth treatment facility.
4.  That a less restrictive, alternative disposition for the youth has been considered and is found to be unsuitable.
5.  The youth is committed to a secure youth treatment facility.
6.  The youth has been declared a ward of the court and is committed based on the most recent offense(s) listed in Welfare and Institutions Code section 707(b):

a. Commitment offense:	Category:	Baseline term:
b. Calculation of maximum confinement time:		
<u>Code section</u>	<u>Sentencing options</u>	<u>Enhancements (code section and middle term)</u>
Principal felony:	with a max term of:	<u>Total</u>
		+ =
Subordinate offense(s):	<input type="checkbox"/> Felony	+ =
	<input type="checkbox"/> Felony	+ =
	<input type="checkbox"/> Felony	+ =
	<input type="checkbox"/> Misdemeanor	+ =
	<input type="checkbox"/> Misdemeanor	+ =

Continued on Attachment 6.

The maximum period of imprisonment that could be imposed on an adult convicted of the offense or offenses that brought the youth before the court is:

YOUTH'S NAME:	CASE NUMBER:
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7. After having considered the individual facts and circumstances of the case under Welfare & Institutions Code section 875(c), the court orders that the maximum period of confinement is:  
 (If lower than the total in item 6, the court has used its discretion to modify the maximum confinement period under section 875(c).)
8.  The youth has credit for time served of (number): \_\_\_\_\_ days.
9.  The youth is ordered to pay a restitution fine of: \$ \_\_\_\_\_
10.  The youth is ordered to pay victim restitution as stated on Attachment 10.
11. Exceptional needs (check a, b, or c)
- a.  The youth has been identified as an individual with exceptional needs and has an individualized education program under Education Code section 56340 et seq., which (check one)
- (1)  is included as Attachment 11a.
- (2)  will be furnished to the secure youth treatment facility upon delivery of the youth.
- b.  The youth is not an individual with exceptional needs.
- c.  No determination has been made regarding whether the youth has any exceptional needs.
12. The court orders that an individualized rehabilitation plan be developed and submitted to the court by (date): \_\_\_\_\_  
 A hearing on the individualized rehabilitation plan is set for (date): \_\_\_\_\_ (time): \_\_\_\_\_ in \_\_\_\_\_ Department:
13. The youth  has  has not \_\_\_\_\_ been prescribed psychotropic medication. If form JV-220, *Application for Psychotropic Medication*, has been completed for the youth, it is attached as Attachment 13.  
 If no form JV-220 accompanies this form, the types and dosages of medication are (specify): \_\_\_\_\_
- Continued on Attachment 13.
14.  The youth is ordered to submit to AIDS testing under Penal Code section 1202.1 due to a sustained offense listed in Penal Code section 1202.1(e).
15.  The court has determined that the youth has been in at least one foster care or other title IV-E-eligible placement (Part E of subchapter IV of chapter 7 of title 42 of the United States Code) during the course of a dependency or delinquency case.
16.  Other findings and orders
- a.  See Attachment 16.
- b.  (Specify)
17.  A progress review hearing is set for (date): \_\_\_\_\_ (time): \_\_\_\_\_ (location): \_\_\_\_\_

Date: \_\_\_\_\_



\_\_\_\_\_  
JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER:          <b>FOR COURT USE ONLY</b>          <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b> <b>JV-735.v4.111722.cz</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: CHILD'S NAME:	
<b>JUVENILE NOTICE OF VIOLATION OF PROBATION</b> <input type="checkbox"/> § 725 <input type="checkbox"/> § 777(a)	CASE NUMBER:

1. Petitioner on information and belief alleges the following:

a. <input type="checkbox"/> Under a previous order of this court, dated _____, the child was declared a ward under Welfare and Institutions Code section <input type="checkbox"/> 601(a) <input type="checkbox"/> 601(b) <input type="checkbox"/> 602.			
b. <input type="checkbox"/> Under a previous order of this court, dated _____, the child was NOT declared a ward and was placed on summary probation under Welfare and Institutions Code section 725(a).			
c. Child's name and address	d. Age:	e. Date of birth:	f. Sex:
g. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	h. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged		
i. Name: <input type="checkbox"/> mother Address: <input type="checkbox"/> father <input type="checkbox"/> guardian <input type="checkbox"/> unknown  If mother or father (check all that apply): <input type="checkbox"/> legal <input type="checkbox"/> biological <input type="checkbox"/> presumed <input type="checkbox"/> alleged	j. Other (state name, address, and relationship to child):  <input type="checkbox"/> No known parent or guardian resides within this state. This adult relative lives in this county or is closest to this court.		
k. Attorney for child (if known): Address:   Phone number:	l. Child is <input type="checkbox"/> not detained <input type="checkbox"/> detained  Date and time of detention (custody): Current place of detention (address):		

(See important notice on page 2.)

CHILD'S NAME:	CASE NUMBER:
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2. The child is a  probationer or  ward of the court under Welfare and Institutions Code section  601  602  725(a) and the child has violated a condition of probation or order of the court. (State supporting facts concisely, and number them 1, 2, etc.)
- See Attachment 2.

3. The recommended  modification  consequence is:
- a.  Removal from the custody of a  parent  guardian  relative  friend
  - b.  Placement in a foster home or relative's home
  - c.  Commitment to a private institution
  - d.  Commitment to a county institution
  - e.  Commitment to a secure youth treatment facility
  - f.  To be determined
  - g.  Other (specify):

4.  The child violated nonwardship probation. Petitioner requests a hearing be set under Welfare and Institutions Code section 725(a) to decide if the child should be a ward and determine the appropriate disposition.

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

**TO PARENTS OR OTHERS LEGALLY  
RESPONSIBLE FOR THE SUPPORT OF THE CHILD**

You and the estate of your child may be jointly and severally liable for the cost of legal services for you by a court-appointed attorney if one is appointed to represent you, and the cost of any restitution owed to the victim.

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<i>FOR COURT USE ONLY</i>  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b> <b>JV-751.v3.111722.cz</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
<b>CITATION AND WRITTEN NOTIFICATION          FOR DEFERRED ENTRY OF JUDGMENT—JUVENILE</b> <input type="checkbox"/> Notice of Hearing	CASE NUMBER:

**CITATION**

TO (Name of youth):  
 (Name of custodial parent, guardian, or caregiver):  
 (Address):

1. The district attorney has determined that this youth is eligible to be considered by the juvenile court for a deferred entry of judgment on the offense or offenses alleged in the petition filed (date):
2. **YOU ARE ORDERED TO APPEAR AT A HEARING**

on (date):	at (time):	in Dept.:	Room:
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located at:  courthouse address above  other (specify address):

At the hearing the court will consider whether or not to grant a deferred entry of judgment.

<p><b>NOTICE</b></p> <p><b>To Parent and Others Legally Responsible for          the Care and Support of the Youth</b></p> <p><b>If the court grants a DEFERRED ENTRY OF JUDGMENT, you may be required to participate          in a counseling or education program with the youth.</b></p>
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YOUTH'S NAME:

CASE NUMBER:

**WRITTEN NOTIFICATION**

3. A DEFERRED ENTRY OF JUDGMENT will mean that the youth will be on probation for a specific length of time (between 12 and 36 months). Upon successful completion of probation:
  - a. The petition that has been filed will be dismissed.
  - b. The arrest for the offenses will be considered to NEVER have occurred.
  - c. All records in the court, probation department, and law enforcement agencies regarding the petition will be sealed, although the district attorney and the probation department may have access for the limited purpose of determining future eligibility for deferred entry of judgment.
4. If the court grants a DEFERRED ENTRY OF JUDGMENT instead of normal court proceedings, the youth will be required to do all of the following:
  - a. To admit that they committed the offense or offenses alleged to have been committed.
  - b. To agree to postpone the final determination of the case.
  - c. To satisfactorily complete a program of probation.
  - d. To obey all laws, follow all of the orders of the court, and the directions of the probation officer.
5. At the hearing, the court will consider the information provided by the district attorney, any report by a probation officer, and other evidence presented. The youth or the youth's attorney may submit written or oral evidence or statements.
6. If the court grants a DEFERRED ENTRY OF JUDGMENT, it must impose the following probation condition: Submission to a search of the youth's person, residence, and property under the youth's control, without a warrant, by a police or probation officer.
7. The court may also consider imposing other conditions of probation, such as:
  - a. A curfew.
  - b. Regular attendance at school or an education or training program, or employment.
  - c. Prohibiting the consumption or possession of alcoholic beverages, controlled substances, and tobacco and requiring submission to chemical tests to determine the use of any of these items, if appropriate.
  - d. Restitution to a victim.
  - e. Any other orders the court finds would assist the youth and protect the community, including orders for the parent, guardian, or caregiver of the youth to participate in a counseling or education program.
  - f. Counseling or treatment that the court finds will benefit the youth.
8. IF AT ANY TIME DURING THE PERIOD OF PROBATION
  - a. the youth is found to have committed a felony,
  - b. the youth is found to have committed misdemeanor offenses on more than one occasion, or
  - c. the district attorney or the probation officer notifies the court that the youth is not complying with the conditions of probation, or the orders are not benefiting the youth,

the court will lift the deferred entry of judgment and set a hearing to conclude the case, with consideration of all possible consequences under the law.
9. IF AT ANY TIME DURING THE PERIOD OF PROBATION the youth is found to have committed one misdemeanor or more on only one occasion, the court may set a hearing to determine if the deferred entry of judgment should be lifted and other orders, including punishment, should be made, or if the deferred entry of judgment should be continued with additional or different conditions of probation. If the court terminates the deferred entry of judgment, the court will then conclude the case, with consideration of all possible consequences.
10. During this proceeding, the youth will be represented by an attorney acting on the youth's behalf. The district attorney will act for the state, prosecuting the case. The probation department will supervise the youth during the period of the deferred entry of judgment. The court's role is to ensure that the procedures are properly followed.