

CHILD'S NAME: _____	CASE NUMBER: _____
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**DISPOSITIONAL ATTACHMENT:
REMOVAL FROM CUSTODIAL PARENT—PLACEMENT WITH NONPARENT
(Welf. & Inst. Code, §§ 361, 361.2)**

1. The child is a person described by Welf. & Inst. Code, § 300 (specify all that apply):
 300(a) 300(c) 300(e) 300(g) 300(i)
 300(b) 300(d) 300(f) 300(h) 300(j)

and is adjudged a dependent of the court.

Circumstances justifying removal from custodial parent

2. There is clear and convincing evidence of the circumstances stated in Welf. and Inst. Code, § 361 regarding the persons specified below (check all that apply):
- | | <u>361(c)(1)</u> | <u>361(c)(2)</u> | <u>361(c)(3)</u> | <u>361(c)(4)</u> | <u>361(c)(5)</u> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Mother | <input type="checkbox"/> |
| b. <input type="checkbox"/> Presumed father | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> |
| d. <input type="checkbox"/> Alleged father | <input type="checkbox"/> |
| e. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> |
| f. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> |
| g. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> |

3. The child is may be an Indian child, and, by clear and convincing evidence, continued physical custody by the following person is likely to cause the child serious emotional or physical damage:
- Mother Biological father Legal guardian
 Presumed father Alleged father Indian custodian
 Other (specify):

4. Reasonable efforts were were not made to prevent or eliminate the need for removal from the home.

5. The child is may be an Indian child, and,
- a. by clear and convincing evidence, active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family, and these efforts were unsuccessful.
- b. active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.

Custody of the child

6. **Physical custody is removed from (specify all that apply):**
- mother biological father legal guardian other (specify):
 presumed father alleged father Indian custodian

7. **Noncustodial parent**
- a. The mother presumed father biological father did not reside with the child at the time the petition was filed and does does not desire custody of the child.
- b. By clear and convincing evidence, placement with the following parent would be detrimental to the safety, protection, or physical or emotional well-being of the child:
 Mother Presumed father Biological father Other (specify):
- c. The factual basis for the findings in this item 7 is stated on the record.

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Reunification services

8. **Provision of reunification services to the biological father** will will not benefit the child.
9. **The mother is incarcerated** and is seeking to participate in the Department of Corrections community treatment program.
- a. Participation in the program is is not in the child's best interest.
- b. The program is is not suitable to meet the needs of the mother and child.
10. **The following person is incarcerated:**
- mother biological father legal guardian other (*specify*):
- presumed father alleged father Indian custodian
- and reasonable reunification services are
- a. granted.
- b. denied, because, by clear and convincing evidence, providing reunification services would be detrimental to the child.
11. **As provided in Welf. & Inst. Code, § 361.5(b), by clear and convincing evidence:**
- a. The mother legal guardian other (*specify*):
- presumed father Indian custodian
- is a person described in Welf. & Inst. Code, § (*specify*):
- 361.5(b)(3) 361.5(b)(7) 361.5(b)(9) 361.5(b)(11) 361.5(b)(13)
- 361.5(b)(4) 361.5(b)(8) 361.5(b)(10) 361.5(b)(12) 361.5(b)(15)
- and reunification services are
- (1) granted, because, by clear and convincing evidence, reunification is in the best interest of the child.
- (2) denied.
- b. The mother legal guardian other (*specify*):
- presumed father Indian custodian
- is a person described in Welf. & Inst. Code, § 361.5(b)(1), and a reasonably diligent search has failed to locate the person. Reunification services are denied.
- c. The mother legal guardian other (*specify*):
- presumed father Indian custodian
- is a person described in Welf. & Inst. Code, § 361.5(b)(2), and reunification services are
- (1) granted.
- (2) denied, because the person, even with the provision of services, is unlikely to be capable of adequately caring for the child within the statutory time limits.
- d. The mother legal guardian other (*specify*):
- presumed father Indian custodian
- is a person described in Welf. & Inst. Code, § 361.5(b)(5), and reunification services are
- (1) granted, because
- (a) reunification services are likely to prevent reabuse or neglect.
- (b) the failure to try reunification will be detrimental to the child because the child is closely and positively bonded to the person.
- (2) denied.
- e. The mother legal guardian
- presumed father Indian custodian
- other person who is a legal parent of the child (*name*):
- is a person described in Welf. & Inst. Code, § 361.5(b)(6), and reunification services are
- (1) granted, because, by clear and convincing evidence, reunification is in the best interest of the child.
- (2) denied, because the child or the child's sibling suffered severe sexual abuse or the infliction of severe physical harm by the person, and it would not benefit the child to pursue reunification with that person.
- (3) The factual basis for the findings in this item 11(e) is stated on the record.

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11. f. The mother legal guardian other (*specify*):
 presumed father Indian custodian
 is a person described in Welf. & Inst. Code, § 361.5(b)(14). The court advised the person of any right to services and the possible consequences of a waiver. The person executed the *Waiver of Reunification Services (Juvenile Dependency)* (form JV-195), and the court accepts the waiver, the person having knowingly and intelligently waived the right to services. Reunification services are denied.
12. a. **The agency must provide reunification services**, and the following must participate in the reunification services set forth in the case plan:
 Mother Biological father Legal guardian Other (*specify*):
 Presumed father Alleged father Indian custodian
- b. **The likely date** by which the child may be returned to and safely maintained in the home or placed for adoption, in legal guardianship, or in an identified placement with a specific goal is (*specify*):

Placement

13. **Placement with the child's relative, (name):**
 has been independently considered by the court and is denied for the reasons stated on the record.
14. **The care, custody, control, and conduct of the child is under the supervision of the agency for placement**
 a. in the approved home of a relative.
 b. in the approved home of a nonrelative extended family member.
 c. in the foster home in which the child was placed before an interruption in foster care because that placement is in the child's best interest and space is available.
 d. with a foster family agency for placement in a foster family home.
 e. in a suitable licensed community care facility.
 f. in a home or facility in accordance with the federal Indian Child Welfare Act.
15. **The statutory preference order for placement in a suitable Indian home is modified for good cause as**
 a. stated on the record.
 b. described in the social worker's report.
 c. other (*specify*):
16. **The child's out-of-home placement is necessary.**
17. **The child's current placement is appropriate.**
18. **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
 a. The matter is continued to the date and time indicated in JV-415, item 16 for a written oral report by the county agency on the progress made in locating an appropriate placement.
 b. Other (*specify*):
19. **The child is placed outside the state of California and that out-of-state placement**
 a. does continue to be the most appropriate placement for the child and is in the best interest of the child.
 b. does not continue to be the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in JV-415, item 16 for a written oral report by the county agency on the progress made toward
 (1) returning the child to California and locating an appropriate placement within California.
 (2) locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.
 (3) other (*specify*):

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Siblings

20. **The child does not have siblings under the court's jurisdiction.**
21. **The child does have siblings under the court's jurisdiction.**
- a. The nature of the relationship between the child and the child's siblings is
- (1) stated on the record.
- (2) described in the social worker's report.
- (3) other (*specify*):
- b. (1) Developing or maintaining the sibling relationship with the siblings named below is appropriate.
- (a) (*name*): (d) (*name*):
- (b) (*name*): (e) (*name*):
- (c) (*name*): (f) (*name*):
- (2) Developing or maintaining the sibling relationship with the siblings named below is not appropriate.
- (a) (*name*): (d) (*name*):
- (b) (*name*): (e) (*name*):
- (c) (*name*): (f) (*name*):
- (3) The basis for the finding in this item b. is
- (a) stated on the record.
- (b) described in the social worker's report.
- (c) other (*specify*):
- c. The impact of the sibling relationships on the child's placement and planning for legal permanence is
- (1) stated on the record.
- (2) described in the social worker's report.
- (3) other (*specify*):
22. **The child and all of the child's siblings under the court's jurisdiction are placed together in the same home.**
23. **The child and all of the child's siblings under the court's jurisdiction are not placed together in the same home.**
- a. Efforts are being made to place the child and the following siblings together.
- (1) Child's siblings:
- (a) (*name*): (d) (*name*):
- (b) (*name*): (e) (*name*):
- (c) (*name*): (f) (*name*):
- (2) The reasons the child and these siblings are not placed together and the efforts being made to do so are
- (a) stated on the record.
- (b) described in the social worker's report.
- (c) other (*specify*):
- b. Efforts to place the child with the following siblings are not appropriate.
- (1) Child's siblings:
- (a) (*name*):
- (b) (*name*):
- (c) (*name*):
- (2) The reasons that efforts to place the child with these siblings are not appropriate are
- (a) stated on the record.
- (b) described in the social worker's report.
- (c) other (*specify*):
- c. The frequency and nature of the visitation between the child and child's siblings who are not placed together are
- (1) stated on the record.
- (2) described in the social worker's report.
- (3) other (*specify*):

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Health and education

24. The mother biological father Indian custodian
 presumed father legal guardian other (*specify*):
 is unable unwilling unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county child and family services agency.

25. The right of the mother biological father legal guardian
 presumed father alleged father Indian custodian
 other (*specify*):
 to make educational decisions for the child is limited as set forth in the *Order Limiting Parent's Right to Make Educational Decisions for the Child and Appointing Responsible Adult as Educational Representative—Juvenile* (form JV-535) filed in this matter.

Efforts

26. **The county agency**

- a. has
- b. has not

complied with the case plan by making reasonable efforts to return the child to a safe home through the provision of reasonable services designed to aid in overcoming the problems that led to the initial removal and continued custody of the child, and by making reasonable efforts to complete any steps necessary to finalize the permanent placement of the child.

27. **The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:**

	<u>None</u>	<u>Minimal</u>	<u>Adequate</u>	<u>Substantial</u>	<u>Excellent</u>
a. <input type="checkbox"/> Mother	<input type="checkbox"/>				
b. <input type="checkbox"/> Presumed father	<input type="checkbox"/>				
c. <input type="checkbox"/> Biological father	<input type="checkbox"/>				
d. <input type="checkbox"/> Legal guardian	<input type="checkbox"/>				
e. <input type="checkbox"/> Indian custodian	<input type="checkbox"/>				
f. <input type="checkbox"/> Other (<i>specify</i>):	<input type="checkbox"/>				

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

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

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Advisements

29. **Child under the age of three years or member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(3)**
The court informed all parties present at the time of the hearing and further advises all parties that, because the child was under the age of three years on the date of initial removal or is a member of a sibling group:
- a. **Failure to participate regularly and make substantive progress in court-ordered treatment programs may result in the termination of reunification services** for all or some members of the sibling group at the hearing scheduled on a date within six months from the date the child entered foster care under Welf. & Inst. Code, § 366.21(e).
- Six-month hearing date:**
- b. **At the six-month hearing** under Welf. & Inst. Code, § 366.21(e), the court will consider the following factors in deciding whether to limit reunification services to six months for all or some members of the sibling group:
- Whether the sibling group was removed from parental care as a group;
 - The closeness and strength of the sibling bond;
 - The ages of the siblings;
 - The appropriateness of maintaining the sibling group;
 - The detriment to the child if sibling ties are not maintained;
 - The likelihood of finding a permanent home for the sibling group;
 - Whether the sibling group is currently placed in the same preadoptive home or has a concurrent plan goal of legal permanency in that home;
 - The wishes of each child whose age and physical and emotional condition permits a meaningful response; and
 - The best interest of each child in the sibling group.
- c. **At the six-month hearing** under Welf. & Inst. Code, § 366.21(e), if the child is not returned to the custody of a parent, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and the adoption of the child and other members of the sibling group.**
30. **Child three years of age or older and not a member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(3)**
The court informed all parties present at the time of the hearing and further advises all parties that, because the child was three years of age or older with no siblings under the age of three years at the time of initial removal, if the child is not returned to the custody of a parent at the Welf. & Inst. Code, § 366.21(f) permanency hearing set on a date within 12 months from the date the child entered foster care, the case may be referred to a selection and implementation hearing under Welf. & Inst. Code, § 366.26. The selection and implementation hearing **may result in the termination of parental rights and the adoption of the child.**
- Twelve-month permanency hearing date:**
31. a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**
- b. By clear and convincing evidence reasonable services have been provided or offered to the child's parents, legal guardian, or Indian custodian.
- c. The agency and the licensed county adoption agency or the California Department of Social Services acting as an adoption agency will prepare and serve an assessment report as described in Welf. & Inst. Code, § 361.5(g).
- d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record, Rule 8.450* (form JV-820) and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ, Rules 8.452, 8.456 (Juvenile Dependency)* (form JV-825). A copy of each form is available in the courtroom. The court further advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court is directed to provide written notice as set forth in rule 5.695(f)(18) of the California Rules of Court to any party not present.

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31. e. The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below who is a mother, a presumed father, or an alleged father who has relinquished the child for adoption and the relinquishment has been accepted and filed with notice under Family Code, § 8700, or an alleged father who has denied paternity and has executed section 1 of *Statement Regarding Paternity* (form JV-505).
- (1) *(name)*:
 - (2) *(name)*:
 - (3) *(name)*:
 - (4) *(name)*:
- f. **The likely date** by which the child may be placed for adoption, for legal guardianship, or in an identified placement with a specific goal is *(specify date)*: