

Order After Hearing on Waiver of Presumptive Transfer

Clerk stamps date here when form is filed.

- 1 a. Hearing date: _____ Time: _____
Dept.: _____ Room: _____
- b. Judicial officer: _____
- c. Party (name): Present
 - (1) Child: _____
 - Attorney: _____
 - (2) Mother: _____
 - Attorney: _____
 - (3) Father-presumed: _____
 - Attorney: _____
 - (4) Father-biological: _____
 - Attorney: _____
 - (5) Father-alleged: _____
 - Attorney: _____
 - (6) Legal guardian: _____
 - Attorney: _____
 - (7) Indian custodian: _____
 - Attorney: _____
 - (8) De facto parent: _____
 - Attorney: _____
 - (9) County agency social worker: _____
 - Attorney: _____
 - (10) Tribal representative: _____
 - Attorney: _____
 - (11) Other (specify): _____
 - Attorney: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name and date of birth:

Child's/Nonminor's Name:

Date of Birth:

Court fills in case number when form is filed.

Case Number:

The Court Finds and Orders

- 2 The social worker / probation officer provided a report no later than two days after a hearing was granted. The report included the information as required by rule 5.647(d) of the California Rules of Court.
- 3 The court has read and considered the report.
- 4 The child or nonminor:
 - a. Is being placed in a county outside the county of original jurisdiction on (date): _____ .
 - b. Was placed in a county outside the county of original jurisdiction on (date): _____ .
- 5 A request for a waiver to presumptive transfer was made to the placing agency by: _____ .

Child s/Nonminor s name:

Case Number:

6. a. The placing agency has determined an exception to the presumptive transfer of the responsibility to provide for and arrange for the child's or nonminor's specialty mental health services:
- (1) The transfer would disrupt continuity of care or delay access to services provided to the child or nonminor.
 - (2) The transfer would interfere with family reunification efforts documented in the individual case plan.
 - (3) The child s or nonminor s placement in a county other than the county of original jurisdiction is expected to last less than six months.
 - (4) The child s or nonminor s residence is within 30 minutes of travel time to his or her established specialty mental health care provider in the county of original jurisdiction.
- b. The placing agency has determined that no exception applies to the presumptive transfer.
7. a. The placing agency consulted the child and family team and others who serve the child or nonminor as appropriate regarding the waiver determination.
- b. The placing agency s decision on the request for waiver of presumptive transfer was communicated by the placing agency to the child and family team on (date): _____ .
8. Notice of the placing agency s determination on the request to waive presumptive transfer of specialty mental health services was provided to the individual who requested waiver of presumptive transfer, and to all parties to the case.
9. a. After having considered the basis for the request for a hearing, the report provided for the hearing, and any other evidence presented at the hearing, the court finds that
- waiver of presumptive transfer presumptive transfer is in the child s or nonminor s best interests.
- If waiver applies, the mental health plan in the county of original jurisdiction has an existing contract with a specialty mental health care provider, or has demonstrated the ability to enter into a contract within 30 days of the waiver decision and to deliver timely specialty mental health services directly to the child or nonminor.

Date: _____

▶ _____
Judge (or Judicial Officer)