

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	
<b>ORDERS UNDER WELFARE AND INSTITUTIONS CODE          SECTIONS 366.24, 366.26, 727.3, 727.31</b>	CASE NUMBER:

Child's name: Date of birth:	Age:
Parent's name (if known): Parent's name (if known):	

1. a. Hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
 b. Judicial officer:  
 c. Parties and attorneys present:
2.  The court has read and considered the assessment prepared under Welfare and Institutions Code section 361.5(g), 366.21(i), 366.22(c), 366.25(b), or 727.31(b) and the report and recommendation of the  
 social worker       probation officer       and other evidence.
3.  The court has considered the wishes of the child, consistent with the child's age, and all findings and orders of the court are made in the best interest of the child.

**THE COURT FINDS AND ORDERS**

4. a.  Notice has been given as required by law.  
 b.  This case involves an Indian child, and the court finds that notice has been given to the parents, Indian custodian, Indian child's tribe, and the Bureau of Indian Affairs (BIA) in accordance with Welfare and Institutions Code section 224.3; the original certified mail receipts, return cards, copies of all notices, and any responses to those notices are in the court file.
5.  **For child 10 years of age or older who is not present:** The child was properly notified under Welfare and Institutions Code section 349(d) of the right to attend the hearing, was given an opportunity to be present, and there is no good cause for a continuance to enable the child to be present.
6.  The court takes judicial notice of all prior findings, orders, and judgments in this proceeding.
7.  The court previously made a finding denying or terminating reunification services under Welfare and Institutions Code section 361.5, 366.21, 366.22, 366.25, 727.2, or 727.3, for  
 parent (name):  
 parent (name):



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8. a.  The court finds, by clear and convincing evidence, that it is likely the child will be adopted.
- b.  The child is an Indian child or  there is reason to know that the child is an Indian child, and
- (1)  The court has heard and considered all relevant, admissible evidence, including:
- (A)  Qualified expert witness testimony was provided by \_\_\_\_\_ ; and  
(Name of Witness)
- (B)  Evidence regarding the prevailing social and cultural practices of the child's tribe; and
- (2)  The court finds beyond a reasonable doubt that continued physical custody by the  mother  father  
 Indian custodian  other (name and relationship to child):  
 is likely to result in serious emotional or physical damage to the child.
9. The parental rights of
- a.  parent (name):
- b.  parent (name):
- c.  alleged fathers (names):
- d.  unknown mother  all unknown fathers  
 are terminated, adoption is the child's permanent plan, and the child is referred to the California Department of Social Services or a local licensed adoption agency for adoptive placement.
- e. **The adoption is likely to be finalized by (date):**  
 (If item 9 is completed, skip items 10–16 and go directly to item 17.)
10. This case involves an Indian child. The parental rights of
- a.  parent (name):
- b.  parent (name):
- c.  Indian custodians (names):
- d.  alleged fathers (names):
- e.  unknown mother  all unknown fathers  
 are modified in accordance with the tribal customary adoption order of the (specify): \_\_\_\_\_ tribe,  
 dated \_\_\_\_\_ and comprising \_\_\_\_\_ pages, which is accorded full faith and credit and fully incorporated herein.  
 The child is referred to the California Department of Social Services or a local licensed adoption agency for tribal customary adoptive placement in accordance with the tribal customary adoption order.  
 (If item 10 is completed, skip items 11–16 and go directly to item 17.)
11.  The child is living with a relative who is unable or unwilling to adopt the child because of circumstances that do not include an unwillingness to accept legal or financial responsibility for the child, but who is willing and capable of giving the child a stable and permanent home through legal guardianship. Removal of the child from the custody of this relative would be detrimental to the child's emotional well-being. (If item 11 is checked, skip items 12–14 and go directly to item 15 (guardianship).)
12.  Termination of parental rights would be detrimental to the child for the following reasons: (If item 12 is checked, check the applicable reasons below, skip items 13–14, and go directly to item 15 (guardianship) or 16 (continued foster care).)
- a.  The parents or guardians have maintained regular visitation and contact with the child, and the child would benefit from continuing the relationship.
- b.  The child is 12 years of age or older and objects to termination of parental rights.
- c.  The child is placed in a residential treatment facility, adoption is unlikely or undesirable, and continuation of parental rights will not prevent a permanent family placement if the parents cannot resume custody when residential care is no longer needed.
- d.  The child is living with a foster parent or Indian custodian who is unable or unwilling to adopt the child because of exceptional circumstances that do not include an unwillingness to accept legal or financial responsibility for the child, but who is willing and capable of providing the child with a stable and permanent environment. Removal of the child from the physical custody of the foster parent or Indian custodian would be detrimental to the emotional well-being of the child.  
 NOTE: Do not check item 12d if the child is either:  
 (1) under the age of 6; or  
 (2) a member of a sibling group, at least one member of which is under the age of 6, that is or should be placed together.
- e.  There would be substantial interference with the child's sibling relationship.

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12. f.  The child is an Indian child, and there are compelling reasons for determining that termination of parental rights would not be in the best interest of the child, including, but not limited to:
- (1) Termination of parental rights would substantially interfere with the child's connection to the tribal community or the child's tribal membership rights.
  - (2) The child's tribe has identified guardianship or another permanent plan for the child.

13.  Termination of parental rights would not be detrimental to the child, but the child is difficult to place for adoption and there is no identified or available prospective adoptive parent for the child because the child (*check the applicable reason or reasons below and complete item 14*):
- a.  is a member of a sibling group that should stay together.
  - b.  has a diagnosed medical, physical, or mental disability.
  - c.  is 7 years of age or older.

14. a.  Termination of parental rights is not ordered at this time. Adoption is the permanent plan, and efforts are to be made to locate an appropriate adoptive family. A report to the court is due by (*date, not to exceed 180 days from the date of this order*):
- (*Do not check item 14a for a tribal customary adoption. If item 14a is checked, provide for visitation in items 14b and 14c, as appropriate, skip items 15 and 16, and go directly to item 17.*)

- b.  Visitation between the child and
- parent (*name*):
  - parent (*name*):
  - legal guardian (*name*):
  - other (*name*):
- is scheduled as follows (*specify*):

- c.  Visitation between the child and (*names*):
- is detrimental to the child's physical or emotional well-being and is terminated.

15.  The child's permanent plan is legal guardianship.
- (*Name*):
- is appointed guardian of the child's person  and estate. The clerk is ordered to issue *Letters of Guardianship* once the appointed guardian has signed the required oath or affirmation. This appointment is not effective until letters have issued.
- (*Do not check item 15 for a tribal customary adoption. If item 15 is checked, provide for visitation in items 15a and 15b, as appropriate, complete item 15c or 15d, then skip item 16 and go directly to item 17.*)

- a.  Visitation between the child and
- parent (*name*):
  - parent (*name*):
  - legal guardian (*name*):
  - other (*name*):
- is scheduled as follows (*specify*):

- b.  Visitation between the child and (*names*):
- is detrimental to the child's physical or emotional well-being and is terminated.

- c.  Dependency  Wardship jurisdiction is terminated.
- (*If the child is a dependent and the appointed guardian is a relative or nonrelative extended family member whose home has been approved as a resource family home for at least six months, the court must terminate dependency unless the guardian objects or the court makes a finding of exceptional circumstances.*)

The juvenile court retains jurisdiction over the guardianship under Welfare and Institutions Code section 366.4 or 728(f).

- d.  Dependency  Wardship jurisdiction is not terminated. Dependency or wardship jurisdiction is likely to be terminated by (*date*): \_\_\_\_\_ .

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16. a.  The child remains placed with (*name of placement*):  
with a permanent plan of (*specify*):
- |  |   |
|--|---|
| (1) <input type="checkbox"/> Returning home            | (5) <input type="checkbox"/> Permanent placement with a fit and willing relative  |
| (2) <input type="checkbox"/> Adoption                  | (6) <input type="checkbox"/> Independent living with identification of a caring adult to serve as a lifelong connection |
| (3) <input type="checkbox"/> Tribal customary adoption |   |
| (4) <input type="checkbox"/> Legal guardianship        |   |
- The barriers to achieving the child's permanent plan are (*specify*):

**The child's permanent plan is likely to be achieved by (*date*):**  
(If item 16a is checked, provide for visitation in items 16b and 16c, as appropriate, and go to item 17.)

- b.  Visitation between the child and  
 parent (*name*):  
 parent (*name*):  
 legal guardian (*name*):  
 other (*name*):  
is scheduled as follows (*specify*):
- c.  Visitation between child and (*names*):  
is detrimental to the child's physical or emotional well-being and is terminated.
17.  The child is an Indian child. The court finds that the child's permanent plan complies with the placement preferences because:
- a.  The permanent plan is not adoption, and (*choose one*):
- (1)  The child is placed with a member of the child's extended family, as defined by Welf. & Inst. Code, § 224.1(c); or
  - (2)  A diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or
  - (3)  A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, the efforts are documented in detail in the record, and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
  - (4)  A diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe or an Indian foster home licensed or approved by an authorized non-Indian licensing authority, the efforts are documented in detail in the record, and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or
  - (5)  The child is placed in accordance with the preferences established by the tribe; or
  - (6)  The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.
- b.  The permanent plan is adoption, and (*choose one*):
- (1)  The child is placed with a member of the child's extended family; or
  - (2)  A diligent search was made for a placement with a member of the child's extended family, those efforts are documented in detail in the record, and the child is placed with other members of the child's tribe; or
  - (3)  A diligent search was made for a placement with a member of the child's extended family or other member of the child's tribe, those efforts are documented in detail in the record, and the child is placed with another Indian family; or
  - (4)  The child is placed in accordance with the preferences established by the tribe; or
  - (5)  The court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in detail in the record.

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- 18.  The child's placement is necessary.
- 19.  The child's placement is appropriate.
- 20.  The agency has complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent plan.
- 21.  The child is an Indian child, and active efforts, as detailed in the record,  were  were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family.  
If active efforts were made, those efforts have proved  successful  unsuccessful.
- 22.  The child remains a  dependent  ward of the court. *(Do NOT check item 22 if item 15c is checked.)*
- 23.  All prior orders not in conflict with this order remain in full force and effect.
- 24.  Other *(specify):*

25.  Next hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_
- a.  Continued hearing under section 366.26 for receipt of report on attempts to locate an appropriate adoptive family
  - b.  Continued hearing under section 366.24(c)(6) for receipt of the tribal customary adoption order
  - c.  Six-month postpermanency review
  - d.  Other *(specify):*

26. The
- a.  Parent *(name):*
  - b.  Parent *(name):*
  - c.  Indian custodian *(name):*
  - d.  Child
  - e.  Other *(name):*
- have been advised of their appeal rights under Cal. Rules of Court, rule 5.590.

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

\_\_\_\_\_

JUDICIAL OFFICER