

Some 18-, 19-, and 20-year-olds can reopen their court case and return to foster care. This form explains:

- | The benefits of returning to foster care,
- | Who qualifies to return to foster care, and
- | How to ask to reopen your court case and return to a foster care placement.

### What benefits can I get if I return to foster care?

If you ask the court to reopen your court case and return to foster care as a nonminor dependent, you can get money to live in supervised foster care. You would be able to live in a:

- | Relative's home;
- | Home of a nonrelated extended family member (a person close to your family but not related to you);
- | Foster home;
- | Group home if you need to because of a medical condition;
- | You can also stay in a group home until your 19th birthday or until you finish high school, whichever one happens first; or
- | Supervised independent living setting, such as an apartment or college dormitory.

You can also get:

- | A clothing allowance,
- | Case management services, and
- | Independent Living Program services.

### Do I qualify to return to juvenile court jurisdiction and foster care?

You qualify if you meet these requirements:

#### **Q** Court Jurisdiction Requirements

- | You are now 18, 19, or 20 years old and either:
- | You were in foster care on your 18th birthday and your case was vacated (Pen. Code § 236.14); or,
- | You were in foster care on your 18th birthday;\*

#### **OR**

- | You were placed by the juvenile court in a guardianship or adoption; and
- m Your guardian(s) or adoptive parent(s) were receiving payments for your support on or after your 18th birthday; and

- m Your guardian(s) or adoptive parent(s) died on or after your 18th birthday, or they no longer support you and no longer receive payments for your support.

*\*Even if you were on the run, you can qualify if there was an order for you to be in foster care at the time.*

#### **Q** Work/School Requirements

You must plan to do one of the following:

- | Finish high school or get a high school equivalency (GED) certificate.
- | Attend college or community college.
- | Attend a vocational education program.
- | Attend a program or do activities that will help you get a job.
- | Get a job.

*Exception:* If you have a medical problem that makes you unable to do any of these things, you do not have to be in school, a program, or working.

#### **Q** Sign an Agreement to Return to Foster Care

You and a social worker (SW) or probation officer (PO) must have signed a Voluntary Reentry Agreement that says:

- | You want to return to foster care to be placed in a supervised setting.
- | The SW or PO will be responsible for your placement and care.
- | Together, you and the SW or PO will make a plan that helps you to learn how to live independently.
- | If you ask the SW or PO to file your court papers, you will cooperate with the SW or PO.
- | If your situation changes and you no longer qualify to stay in foster care, you will tell the SW or PO.

*Important!* Even if you are not sure you qualify, you should still apply.

### When can I get help to find housing?

As soon as you sign the agreement to return to foster care, your social worker or probation officer can help you find housing and other services you may need.

**How do I ask the juvenile court to reopen my court case and return to foster care?**

You must fill out and file the court form JV-466, *Request to Return to Juvenile Court Jurisdiction and Foster Care*. This form tells the court you want to reopen your court case and return to foster care. A SW at the child welfare department or a PO at the probation department that supervised you when you were in foster care can help you fill out the form and file it for you.

If you want to fill out the form yourself, you can find a lot of the information you need on form JV-365, *Termination of Juvenile Court Jurisdiction—Nonminor*, which the court gave you when you left foster care.

**Where can I get the form I need to fill out?**

The court may have already given you the form when your foster care ended. Or you can get the form at:

- | Your county's courthouse or law library, or
- | The California Courts website:  
[www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm).

**What if I need help with the form?**

If you want help to fill out the form, ask:

- | A SW at the child welfare department or a PO at the probation department that supervised you when you were in foster care,
- | The person who was your lawyer when you were in foster care, or
- | An adult that you trust.

**What do I do with my completed form?**

After you and the SW or PO have signed the Voluntary Reentry Agreement, you can:

- | File the form yourself, or
- | Ask the SW or PO to file the form for you.

*Note:* If you file it yourself, your court hearing will be about three weeks sooner.

**Where do I file my completed form?**

You can file it by mail or in person at the juvenile court clerk's office at the courthouse in the county where your court case was closed; or,

You can submit it by mail or in person at the juvenile court clerk's office in the county where you live. The clerk will send it to the juvenile court clerk's office at the courthouse in the county where your court case was closed.

If you file by mail because you live outside of California, you must send it to the juvenile court clerk's office at the courthouse in the county where your court case was closed.

*Important!* Keep a copy of all papers you file at court. If you file in person, the clerk can give you free copies.

**Do I have to pay to file the form?**

No. It's free.

**Do I have to fill out other court forms?**

No, unless you want to keep your contact information private. If so, do **not** put your address and other contact information on form JV-466. Instead, put it on form JV-468, *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care*.

**Who will decide if I can return to juvenile court jurisdiction and foster care?**

A judge with the court in the county where your court case was closed will decide if your court case should be reopened.

**The judge can decide that:**

- 1 **You do not qualify** because of your age. If this happens, you cannot file another request.
- 1 **The information you gave to the court** shows that you do not meet one of the eligibility requirements or the court needs more information to decide your case. If this happens, the court will deny your request and send you a letter explaining why your request was denied. The court will also send you a list of lawyers who can help you with your case. You can file another request that includes the information that was missing.
- 1 **The court has enough information** to decide your case and wants you to come to a court hearing. If this happens, you will get a notice telling you the date, time, and place of your hearing. The court will also assign a lawyer to speak for you at the hearing.

The court will send a copy of the notice and your papers to:

- The lawyer assigned to your case, and
- The office that supervised you when the juvenile court's jurisdiction was dismissed. That office must make a report about your eligibility to return to foster care.

If you ask for it on the form JV-466, the court can also send a notice to your parents or former legal guardian and the CASA office for your former CASA.

**When will the hearing happen?**

If you filed your court papers yourself and the court decides there is enough information to decide your case, the hearing will happen about three weeks after you filed your court papers.

If you asked a social worker or probation officer to file your court papers and the court decides there is enough information to decide your case, the hearing will happen about six weeks after you ask the social worker or probation officer to file your court papers.

**What happens at the hearing?**

At your hearing, the judge will review the evidence and decide your case.

If the court decides you meet the requirements, you will be allowed to return to foster care. You will also have to go back to court within 6 months to tell the court how you are doing. Your lawyer will also go with you to that hearing. If you used to be a dependent, you will be under the juvenile court's dependency jurisdiction.

If you used to be a ward, you will be under the juvenile court's transition jurisdiction.

If the court denies your request, you can file another request later if your situation changes so that you meet the requirements.