

Core: Legal Procedures and Responsibilities

Court Report Minute Order Activity Workbook

***Note:** The page numbers listed below can be located in the upper right hand corner of each page.
The page numbers at the bottom of each page correspond to each specific document.*

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<u>Removal Order from Custodial Parents</u>	<u>14</u>
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JV-410

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Any County CWS 123 Main St. Hometown, CA, 12345 TELEPHONE NO.: 9999999999 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Any County CWS	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Any County STREET ADDRESS: 9999 County Court Road MAILING ADDRESS: CITY AND ZIP CODE: Any Town, CA, 12345 BRANCH NAME: Superior Court Of California	CASE NUMBER: 000001
CHILD'S NAME: JAZMINE ISA INFANT	
FINDINGS AND ORDERS AFTER DETENTION HEARING (Welf. & Inst. Code, § 319)	

1. This matter came before the court on the
☒ original petition ☐ subsequent petition ☐ supplemental petition ☐ other (specify):
 filed on (date):

2. Detention hearing

- a. Date: **March 3, 2016**
 b. Department: **J1**
 c. Judicial officer (name): **Judge Markum**
 d. Court clerk (name): **Julie Brown**
 e. Court reporter (name): **Mary Smith**
 f. Bailiff (name): **Bob Smith**
 g. Interpreter (name and language): **None**

h. Party (name):

- (1) Child: **Jazmine Isa Infant**
 (2) Mother: **Sally Infant**
 (3) Father—presumed: **Tom Bennett**
 (4) Father—biological:
 (5) Father—alleged:
 (6) Legal guardian:
 (7) Indian custodian:
 (8) De facto parent:
 (9) County agency social worker: **Star Worker**
 (10) Tribal representative:
 (11) Other (specify):

Present

Attorney (name):

Julie Jones
James Jackson
Charles Yolo

Tammy Post

Present

Appointed today

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

i. Others present in courtroom:

- (1) Court Appointed Special Advocate (CASA) volunteer (name):
 (2) Other (name): **Maternal grandmother, Julie Infant, paternal aunt Denise Bennett**
 (3) Other (name):

3. The court has read and considered and admits into evidence:

- a. ☒ Report of social worker dated: **March 1, 2016**
 b. ☐ Report of CASA volunteer dated:
 c. ☐ Other (specify):
 d. ☐ Other (specify):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

4. a. ☒ Notice of the date, time, and location of the hearing was given as required by law.
 b. ☐ **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her 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.

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CHILD'S NAME: JAZMINE ISA INFANT	CASE NUMBER: 000001
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5. ☒ The attorney appointed to represent the child as the child's attorney of record is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
6. ☐ a. The child will not benefit from representation by an attorney and, for the reason stated on the record, the court finds:
- (1) the child understands the nature of the proceedings;
 - (2) the child is able to communicate and advocate effectively with the court, other counsel, other parties, including social workers, and other professionals involved in the case; and
 - (3) under the circumstances of the case, the child would not gain any benefit from being represented by counsel.
- b. A Court Appointed Special Advocate is appointed for the child, and that person is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
7. ☐ A Court Appointed Special Advocate is appointed for the child.
8. **Parentage**
- a. ☒ The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. ☐ The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
- (1) alleged parent (name):
 - (2) alleged parent (name):
 - (3) alleged parent (name):

Advisements and waivers

9. **The court has informed and advised the**

- | | | | |
|---|--|---|--------------------------------|
| <input checked="" type="checkbox"/> mother | <input type="checkbox"/> biological father | <input type="checkbox"/> legal guardian | <input type="checkbox"/> child |
| <input checked="" type="checkbox"/> presumed father | <input type="checkbox"/> alleged father | <input type="checkbox"/> Indian custodian | |
| <input type="checkbox"/> other (specify): | | | |

of the following:

- a. The right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.
- b. The right to be informed by the court of the following:
- the contents of the petition;
 - the nature of and possible consequences of juvenile court proceedings;
 - the reasons for the initial detention and the purpose and scope of the detention hearing if the child is detained;
 - the right to have a child who is detained immediately returned to the home of the parent, legal guardian, or Indian custodian if the petition is not sustained;
 - that if the petition is sustained and the child is removed from the care of the parent, legal guardian, or Indian custodian, the time for services will commence on the date the petition is sustained or 60 days from the date of the initial removal, whichever is earlier;
 - that the time for services will not exceed 12 months for a child aged three years or over at the time of the initial removal; and
 - that the time for services will not exceed 6 months for a child under the age of three years at the time of the initial removal or for the member of a sibling group that includes such a child if the parent, legal guardian, or Indian custodian fails to participate regularly and make substantive progress in any court-ordered treatment program.
- c. The right to a hearing by the court on the issues presented by the petition.
- d. The right to assert the privilege against self-incrimination; to confront and cross-examine the persons who prepared reports or documents submitted to the court by the petitioner and the witnesses called to testify against the parent, legal guardian; or Indian custodian; to subpoena witnesses; and to present evidence on one's own behalf.

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10. ☒ The ☒ mother ☐ biological father ☐ legal guardian ☐ child
☒ presumed father ☐ alleged father ☐ Indian custodian
☐ other (specify):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on one's own behalf.

11. ☐ **CHILD NOT DETAINED**

- a. ☐ Services that would prevent the need for further detention, including those set forth in item 13, are available.
b. ☐ The child is returned to the custody of
☐ mother ☐ biological father ☐ legal guardian ☐ other (specify):
☐ presumed father ☐ alleged father ☐ Indian custodian

12. ☒ **CHILD DETAINED**

- a. Services that would prevent the need for further detention are not available.
b. A prima facie showing has been made that the child comes within Welf. & Inst. Code, § 300.
c. Continuance in the parent's or legal guardian's home is contrary to the child's welfare AND (select at least one):
(1) ☒ there is a substantial danger to the physical health of the child or the child is suffering severe emotional damage, and there are no reasonable means by which the child's physical or emotional health may be protected without removing the child from the physical custody of the parent or legal guardian.
(2) ☐ there is substantial evidence that a parent, legal guardian, or custodian of the child is likely to flee the jurisdiction of the court.
(3) ☐ the child has left a placement in which he or she was placed by the juvenile court.
(4) ☐ the child has been physically abused by a person residing in the home and is unwilling to return home.
(5) ☐ the child has been sexually abused by a person residing in the home and is unwilling to return home.
d. The child is detained, and temporary placement and care of the child is vested with the county child and family services agency pending the hearing under Welf. & Inst. Code, § 355 or further order of the court.
e. The initial removal of the child from the home was necessary for the reasons stated on the record.
f. The facts on which the court bases its decision to order the child detained are stated on the record.
g. The child is placed in
(1) ☒ the approved home of a relative.
(2) ☐ an emergency shelter.
(3) ☐ other suitable licensed place.
(4) ☐ a place exempt from licensure designated by the juvenile court.
(5) ☐ the approved home of a nonrelative extended family member as defined in Welf. & Inst. Code, § 362.7.
h. Services, including those set forth in item 13, are to be provided to the family as soon as possible to reunify the child with his or her family.
i. ☒ Reasonable efforts were made to prevent or eliminate the need for removal from the home.
j. ☐ Reasonable efforts were not made to prevent or eliminate the need for removal from the home.
k. ☐ The child is removed from the Indian custodian or parent under applicable state law to prevent imminent physical damage or harm to the child.
l. ☐ There is a relative who is able, approved, and willing to care for the child.
m. ☒ A relative who is able, approved, and willing to care for the child is not available. *This is a temporary finding and does not preclude later placement with a relative under Welf. & Inst. Code, § 361.3.*

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CHILD'S NAME: <div style="text-align: center; font-weight: bold;">JAZMINE ISA INFANT</div>	CASE NUMBER: <div style="text-align: center; font-weight: bold;">000001</div>
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13. ☒ The services below will be provided pending further proceedings:

Service	Mother	Presumed father	Biological father	Legal guardian	Indian custodian	Other (specify):
a. <input checked="" type="checkbox"/> Alcohol and drug testing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. <input checked="" type="checkbox"/> Substance abuse treatment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. <input checked="" type="checkbox"/> Parenting education	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. <input checked="" type="checkbox"/> (Specify): Homeless Service	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. <input type="checkbox"/> (Specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. <input type="checkbox"/> (Specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. ☒ **Contact with the child is ordered as stated in** (check appropriate boxes and attach indicated forms):

- a. ☒ Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400).
 b. ☐ Visitation Attachment: Sibling (form JV-401).
 c. ☐ Visitation Attachment: Grandparent (form JV-402).

15. ☒ The ☒ mother ☐ biological father ☐ legal guardian
☒ presumed father ☐ alleged father ☐ Indian custodian
☐ other (specify):

must disclose to the county agency social worker the names, residences, and any known identifying information of any maternal or paternal relatives of the child.

16. ☒ The ☒ mother ☐ biological father ☐ legal guardian
☒ presumed father ☐ alleged father ☐ Indian custodian
☐ other (specify):

must complete *Your Child's Health and Education* (form JV-225) or provide the necessary information for the county agency social worker to complete the form.

17. The ☒ mother ☐ biological father ☐ legal guardian
☒ presumed father ☐ alleged father ☐ Indian custodian
☐ other (specify):

were provided with a *Parental Notification of Indian Status* (form ICWA-020) and ordered to complete form ICWA-020 and to submit it to the court before leaving the courthouse today.

18. a. ☐ The child ☐ is or ☐ may be an Indian child and the county agency must provide, as required by law, notice of the proceeding and of the tribe's right to intervene in the proceeding to all identified tribes and to the Bureau of Indian Affairs if the identify or location of a parent, an Indian custodian, or a tribe cannot be determined. Proof of such notice must be filed with this court.
 b. ☐ There is reason to believe that the child may be of Indian ancestry, and the county agency must provide notice of the proceeding to the Bureau of Indian Affairs as required by law. Proof of such notice must be filed with this court.

19. ☐ **Other findings and orders:**

- a. ☐ See attached.
 b. ☐ (Specify):

20. ☒ The parents, legal guardians, and Indian custodians must keep the court, the agency, and their attorneys advised of their current addresses and telephone numbers and provide written notification of any changes to their mailing addresses. The parents, legal guardians, and Indian custodians present during the hearing who had not previously submitted a *Notification of Mailing Address* (form JV-140) or its equivalent were provided with and ordered to complete the form or its equivalent and to submit it to the court before leaving the courthouse today.

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CHILD'S NAME: JAZMINE ISA INFANT	CASE NUMBER: 000001
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21. ☒ The next hearing is scheduled as follows:

Hearing date: March 24, 2016	Time: 9:00 AM	Dept: J1	Room: J1
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- a. ☒ Jurisdictional hearing
- b. ☒ Dispositional hearing
- c. ☐ Settlement conference
- d. ☐ Mediation
- e. ☐ Other (specify):

22. All prior orders not in conflict with this order remain in full force and effect.

23. Number of pages attached: _____

Date: March 3, 2016

☒ JUDGE ☐ JUDGE PRO TEMPORE

Date:

☐ COMMISSIONER ☐ REFEREE

JV-412

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Any County CWS 123 Main St Hometown, CA, 12345 TELEPHONE NO.: 9999999999 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Any County CWS	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Any County STREET ADDRESS: 9999 County Court Road MAILING ADDRESS: CITY AND ZIP CODE: Any Town, CA, 12345 BRANCH NAME: Superior Court of California CHILD'S NAME: Jazmine Isa Infant	CASE NUMBER: 000001
FINDINGS AND ORDERS AFTER JURISDICTIONAL HEARING (Welf. & Inst. Code, § 356)	

1. This matter came before the court on the
☒ original petition ☐ subsequent petition ☐ supplemental petition ☐ other (specify):
 filed on (date): March 2, 2016

2. **Jurisdictional hearing**

- a. Date: March 24, 2016
 b. Department: J1
 c. Judicial officer (name): Judge Markum
 d. Court clerk (name): Julie Brown
 e. Court reporter (name): Mary Smith
 f. Bailiff (name): Bob Smith
 g. Interpreter (name and language):

h. Party (name):

- (1) Child: Jazmine Isa Infant
 (2) Mother: Sally Infant
 (3) Father—presumed: Tom Bennett
 (4) Father—biological:
 (5) Father—alleged:
 (6) Legal guardian:
 (7) Indian custodian:
 (8) De facto parent:
 (9) County agency social worker: Star Worker
 (10) Tribal representative:
 (11) Other (specify):

Present Attorney (name):

- ☒ Julie Jones
☒ James Jackson
☒ Charles Yolo

☐
☐
☐
☐
☐
☒ Tammy Post
☐
☐

Present Appointed today

- ☒ ☐
☒ ☐
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☐ ☐
☐ ☐
☒ ☐
☐ ☐
☐ ☐

i. Others present in courtroom:

- (1) Court Appointed Special Advocate (CASA) volunteer (name):
 (2) Other (name): Maternal Grandmother, Julie Infant and Paternal Aunt, Denise Bennett
 (3) Other (name):

3. **The court has read and considered and admits into evidence:**

- a. ☒ Report of social worker dated: March 21, 2016
 b. ☐ Report of CASA volunteer dated:
 c. ☒ Case plan dated: March 15, 2016
 d. ☐ Other (specify):
 e. ☐ Other (specify):

BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

4. a. ☒ Notice of the date, time, and location of the hearing was given as required by law.
 b. ☐ **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her 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.

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CHILD'S NAME: Jazmine Isa Infant	CASE NUMBER: 000001
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5. a. ☐ The child ☐ is ☐ may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
- b. ☐ There is reason to believe that the child may be of Indian ancestry, and notice of the proceedings was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
6. ☒ The attorney appointed to represent the child as the child's attorney of record is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
7. ☐ a. The child will not benefit from representation by an attorney and, for the reason stated on the record, the court finds:
- (1) the child understands the nature of the proceedings;
 - (2) the child is able to communicate and advocate effectively with the court, other counsel, other parties, including social workers, and other professionals involved in the case; and
 - (3) under the circumstances of the case, the child would not gain any benefit from being represented by counsel.
- b. A Court Appointed Special Advocate is appointed for the child, and that person is also appointed as the child's Child Abuse Prevention and Treatment Act guardian ad litem.
8. ☐ A Court Appointed Special Advocate is appointed for the child.
9. The child's county of residence is: Any County
10. The child's date of birth is (specify): January 5, 2016

11. Parentage

- a. ☒ The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
- b. ☐ The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
- (1) alleged parent (name):
 - (2) alleged parent (name):
 - (3) alleged parent (name):

Advisements and waivers

12. a. ☐ The petition was read to those present at the beginning of this jurisdictional hearing.
- b. ☒ Reading of the petition was waived by all those present at the beginning of this jurisdictional hearing.

13. The court has informed and advised the

- ☒ mother ☐ biological father ☐ legal guardian ☐ child
- ☒ presumed father ☐ alleged father ☐ Indian custodian
- ☐ other (specify):

of the following:

- a. The right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.
- b. The right to be informed by the court of the following:
- the contents of the petition;
 - the nature of and possible consequences of juvenile court proceedings;
 - the reasons for the initial detention and the purpose and scope of the detention hearing if the child is detained;
 - the right to have a child who is detained immediately returned to the home of the parent, legal guardian, or Indian custodian if the petition is not sustained;
 - that if the petition is sustained and the child is removed from the care of the parent, legal guardian, or Indian custodian, the time for services will commence on the date the petition is sustained or 60 days from the date of the initial removal, whichever is earlier;

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CHILD'S NAME: Jazmine Isa Infant	CASE NUMBER: 000001
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13. b. • that the time for services will not exceed 12 months for a child aged three years or over at the time of the initial removal; and
• that the time for services will not exceed 6 months for a child under the age of three years at the time of the initial removal or for the member of a sibling group that includes such a child if the parent, legal guardian, or Indian custodian fails to participate regularly and make substantive progress in any court-ordered treatment program.
- c. The right to a hearing by the court on the issues presented by the petition.
- d. The right to assert the privilege against self-incrimination; to confront and cross-examine the persons who prepared reports or documents submitted to the court by the petitioner and the witnesses called to testify against the parent, legal guardian, or Indian custodian; to subpoena witnesses; and to present evidence on one's own behalf.

14. ☐ On the motion of the petitioner, the following allegations are stricken:

15. ☒ The ☒ mother ☐ biological father ☐ legal guardian ☐ child
☒ presumed father ☐ alleged father ☐ Indian custodian
☐ other (specify):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

16. ☒ The ☒ mother ☐ biological father ☐ legal guardian
☒ presumed father ☐ alleged father ☐ Indian custodian
☐ other (specify):

understands the nature of the conduct alleged in the petition and the possible consequences of his or her admission, plea of no contest, or submission.

17. ☒ Party
- | | Admits | Submits | Pleads no contest | To petition as amended on
(specify date): |
|--|--------------------------|-------------------------------------|--------------------------|--|
| a. <input checked="" type="checkbox"/> Mother | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| b. <input checked="" type="checkbox"/> Presumed father | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| d. <input type="checkbox"/> Alleged father | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| e. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| f. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |
| g. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="text"/> |

18. ☒ There is a factual basis for the admission.

19. ☒ By a preponderance of the evidence, the allegations stated below are true:
b1, b2

- a. ☒ as stated in the petition as originally filed.
b. ☐ as stated in the petition as amended on (date):
(1) ☐ by agreement of the parties.
(2) ☐ by the court to conform to proof.

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CHILD'S NAME: Jazmine Isa Infant	CASE NUMBER: 000001
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20. ☐ The allegations (*specify*):

as stated in the petition ☐ as amended on (*date*):

are not proven and are ordered stricken.

21. ☐ The allegations of the petition are not sustained.

22. ☒ The petition is sustained under, and the child is a person described by, Welf. & Inst. Code, § 300 (*check all that apply*):

☐ 300(a) ☐ 300(c) ☐ 300(e) ☐ 300(g) ☐ 300(i)
☒ 300(b) ☐ 300(d) ☐ 300(f) ☐ 300(h) ☐ 300(j)

23. ☐ The previous disposition has not been effective in the protection of the child.

24. ☐ The county agency is ordered to immediately return the child to the

☐ mother ☐ biological father ☐ legal guardian
☐ presumed father ☐ alleged father ☐ Indian custodian
☐ other (*specify*):

25. ☐ The child and the

☐ mother ☐ biological father ☐ legal guardian
☐ presumed father ☐ alleged father ☐ Indian custodian
☐ other (*specify*):

are placed under the supervision of the county agency for a minimum of six months under their voluntary agreement to informal supervision and the provision of services designed to keep the family together as stated in the family's case plan.

26. ☒ **Contact with the child is ordered as stated in** (*check appropriate boxes and attach indicated forms*):

- a. ☒ Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400)
b. ☐ Visitation Attachment: Sibling (form JV-401)
c. ☐ Visitation Attachment: Grandparent (form JV-402)

27. **All prior orders not in conflict with this order remain in full force and effect.**

28. ☐ **Other findings and orders:**

- a. ☐ See attached.
b. ☐ (*Specify*):

29. ☐ **The next hearing is scheduled as follows:**

Hearing date:	Time:	Dept:	Room:
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- a. ☐ Dispositional hearing
b. ☐ Settlement conference
c. ☐ Mediation
d. ☐ Other (*specify*):

30. ☐ **The petition is dismissed.** Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

31. Number of pages attached: _____

Date: March 24, 2016

JUDICIAL OFFICER

JV-415

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Any County CWS 123 Main St. Hometown, CA, 12345 TELEPHONE NO.: 9999999999 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Any County CWS	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Any County STREET ADDRESS: 9999 County Court Rd MAILING ADDRESS: CITY AND ZIP CODE: Any Town, CA, 12345 BRANCH NAME: Superior Court of California	
CHILD'S NAME: Jazmine Isa Infant	
FINDINGS AND ORDERS AFTER DISPOSITIONAL HEARING (Welf. & Inst. Code, § 361 et seq.)	CASE NUMBER: 000001

1. This matter came before the court on the
☒ original petition ☐ subsequent petition ☐ supplemental petition ☐ other (specify):
 filed on (date): **March 2, 2016**

2. Dispositional hearing

- a. Date: **March 24, 2016**
 b. Department: **J1**
 c. Judicial officer (name): **Judge Markum**
 d. Court clerk (name): **Julie Brown**
 e. Court reporter (name): **Mary Smith**
 f. Bailiff (name): **Bob Smith**
 g. Interpreter (name and language):

h. Party (name):

- (1) Child: **Jazmine Isa Infant**
 (2) Mother: **Sally Infant**
 (3) Father—presumed: **Tom Bennett**
 (4) Father—biological:
 (5) Father—alleged:
 (6) Legal guardian:
 (7) Indian custodian:
 (8) De facto parent:
 (9) County agency social worker: **Star Worker**
 (10) Tribal representative:
 (11) Other (specify):

Present

Attorney (name):

Julie Jones
James Jackson
Charles Yolo

Tammy Post

Present

Appointed

Today

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

i. Others present in courtroom:

- (1) Court Appointed Special Advocate (CASA) volunteer (name):
 (2) Other (name): **Maternal Grandmother, Julie Infant, and Paternal Aunt, Denise Bennett**
 (3) Other (name):

3. The court has read and considered and admits into evidence:

- a. ☒ Report of social worker dated: **March 21, 2016**
☐ For the purposes of establishing a guardianship, the report of the social worker includes an assessment as specified in Welf. & Inst. Code, §§ 360(a), 361.5(g).
☒ In the case of an Indian child, the report of the social worker includes an assessment in consultation with the Indian child's tribe, as specified in Welf. & Inst. Code, § 358.1(j), whether tribal customary adoption is an appropriate permanent plan for the child if reunification is unsuccessful.
 b. ☐ Report of CASA volunteer dated:
 c. ☒ Case plan dated: **March 15, 2016**
 d. ☐ Other (specify):
 e. ☐ Other (specify):
 f. ☐ Testimony of qualified expert under the Indian Child Welfare Act

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BASED ON THE FOREGOING AND ON ALL OTHER EVIDENCE RECEIVED, THE COURT FINDS AND ORDERS:

4. a. ☒ Notice of the date, time, and location of the hearing was given as required by law.
b. ☐ **For child 10 years of age or older who is not present:** The child was properly notified under Welf. & Inst. Code, § 349(d) of his or her 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.
5. a. ☐ The child ☐ is ☐ may be an Indian child, and notice of the proceeding and the right of the tribe to intervene was provided as required by law. Proof of such notice was filed with this court.
b. ☐ There is reason to believe that the child may be of Indian ancestry, and notice of the proceeding was provided to the Bureau of Indian Affairs as required by law. Proof of such notice was filed with this court.
6. ☐ A Court Appointed Special Advocate is appointed for the child.
7. **Parentage**
a. ☒ The court inquired of the child's parents present at the hearing and other appropriate persons present as to the identity and addresses of all presumed or alleged parents of the child. All alleged parents present during the hearing who had not previously submitted a *Statement Regarding Parentage (Juvenile)* (form JV-505) were provided with and ordered to complete form JV-505 and submit it to the court.
b. ☐ The clerk of the court is ordered to provide the notice required by Welf. & Inst. Code, § 316.2 to
(1) alleged parent (*name*):
(2) alleged parent (*name*):
(3) alleged parent (*name*):

Advisements and waivers

8. **The court informed and advised the**

- ☒ mother ☐ biological father ☐ legal guardian ☐ child
☒ presumed father ☐ alleged father ☐ Indian custodian
☐ other (*specify*):

of the following: the right to assert the privilege against self-incrimination; the right to confront and cross-examine the persons who prepared the reports or documents submitted to the court by the petitioner and the witnesses called to testify at the hearing; the right to subpoena witnesses; the right to present evidence on one's own behalf; and the right of the child and each parent, legal guardian, and Indian custodian to be present and to be represented by counsel at every stage of the proceedings. The court may appoint counsel subject to the court's right to seek reimbursement, if an individual is entitled to appointed counsel and the individual is financially unable to retain counsel.

9. ☒ The ☒ mother ☐ biological father ☐ legal guardian ☐ child
☒ presumed father ☐ alleged father ☐ Indian custodian
☐ other (*specify*):

has knowingly and intelligently waived the right to a court trial on the issues, the right to assert the privilege against self-incrimination, the right to confront and cross-examine adverse witnesses, the right to subpoena witnesses, and the right to present evidence on his or her own behalf.

10. ☐ **Sibling group**

The child and the child's siblings listed below form a sibling group in which at least one child in the sibling group was under the age of three years at the time of the initial removal and all children in the sibling group were removed from parental custody at the same time.

Sibling (*name*):

- a.
b.
c.
d.
e.
f.

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11. Disposition is ordered as stated in (check appropriate box and attach indicated form):

- a. ☒ Dispositional Attachment: Dismissal of Petition With or Without Informal Supervision (Welf. & Inst. Code, § 360(b)) (form JV-416), which is attached and incorporated by reference.
- b. ☐ Dispositional Attachment: In-Home Placement With Formal Supervision (Welf. & Inst. Code, § 361) (form JV-417), which is attached and incorporated by reference.
- c. ☐ Dispositional Attachment: Appointment of Guardian (Welf. & Inst. Code, § 360(a)) (form JV-418), which is attached and incorporated by reference.
- d. ☐ Dispositional Attachment: Removal From Custodial Parent—Placement With Previously Noncustodial Parent (Welf. & Inst. Code, §§ 361, 361.2) (form JV-420), which is attached and incorporated by reference.
- e. ☐ Dispositional Attachment: Removal From Custodial Parent—Placement With Nonparent (Welf. & Inst. Code, §§ 361, 361.2) (form JV-421), which is attached and incorporated by reference.

12. The child's rights under Welf. & Inst. Code, § 388 and the procedure for bringing a petition under Welf. & Inst. Code, § 388, including the availability of appropriate and necessary forms, was provided to the child as follows:

- a. ☒ Child under the age of 12 years, through the child's attorney of record or guardian ad litem
- b. ☐ Child 12 years of age or older who was present at the hearing, on the record and in writing by handing the child Child's Information Sheet—Request to Change Court Order (form JV-185)
- c. ☐ Child 12 years or older who was not present at the hearing, in writing by mailing the child a copy of Child's Information Sheet—Request to Change Court Order (form JV-185)

13. ☒ Contact with the child is ordered as stated in (check appropriate box and attach indicated form):

- a. ☒ Visitation Attachment: Parent, Legal Guardian, Indian Custodian, Other Important Person (form JV-400).
- b. ☐ Visitation Attachment: Sibling (form JV-401).
- c. ☐ Visitation Attachment: Grandparent (form JV-402).

14. The child's medical, dental, mental health, and educational information required by Welfare and Institutions Code section 16010 was provided by the ☒ mother ☐ biological father ☐ legal guardian ☐ presumed father ☒ alleged father ☐ Indian custodian ☐ other (specify):

15. All prior orders not in conflict with this order remain in full force and effect.

16. ☒ Other findings and orders:

- a. ☐ See attached.
- b. ☒ (Specify):
Social worker is to assist with housing

17. ☐ The next hearing is scheduled as follows:

Hearing date: 9/24/2016	Time: 9:00	Dept: J1	Room: J1
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- a. ☐ In-home status review hearing (Welf. & Inst. Code, § 364)
- b. ☒ Six-month prepermanency hearing (Welf. & Inst. Code, § 366.21(e))
- c. ☐ Selection and implementation hearing (Welf. & Inst. Code, § 366.26)
- d. ☐ Postpermanency hearing (Welf. & Inst. Code, § 366.3)
- e. ☐ Other (specify):

18. ☐ The petition is dismissed. Jurisdiction of the court is terminated. All appointed counsel are relieved of the duty to provide further representation.

19. Number of pages attached: _____

Date: March 24, 2016

☒ JUDGE ☐ JUDGE PRO TEMPORE

Date:

☐ COMMISSIONER ☐ REFEREE

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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 (check all that apply):
- | | | | | |
|--|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| <input type="checkbox"/> 300(a) | <input type="checkbox"/> 300(c) | <input type="checkbox"/> 300(e) | <input type="checkbox"/> 300(g) | <input type="checkbox"/> 300(i) |
| <input checked="" type="checkbox"/> 300(b) | <input type="checkbox"/> 300(d) | <input type="checkbox"/> 300(f) | <input type="checkbox"/> 300(h) | <input type="checkbox"/> 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 checked="" type="checkbox"/> Mother | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. <input checked="" type="checkbox"/> Presumed father | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

3. ☐ The child ☐ is ☐ may be an Indian child, and, by clear and convincing evidence, including testimony of a qualified expert witness, 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 ☐ 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,
- ☐ 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.
 - ☐ active efforts were not made to provide remedial services and rehabilitative programs designed to prevent the breakup of this Indian family.
 - ☐ there has been consultation with the child's identified Indian tribe regarding whether tribal customary adoption is an appropriate permanent plan for the child if reunification is unsuccessful.

6. **Based on the facts stated on the record, continuance in the home is contrary to the child's welfare and physical custody is removed from (check all that apply):**

☒ mother ☐ biological father ☐ legal guardian
☒ presumed father ☐ Indian custodian
☐ other (specify):

Family finding and engagement

7. a. ☒ The county agency has made diligent efforts to identify, locate, and contact the child's relatives.
b. ☐ The county agency has not made diligent efforts to identify, locate, and contact the child's family members.
- ☐ The county agency is ordered to make such diligent efforts, except for individuals the agency has determined to be inappropriate to contact because of their involvement with family or domestic violence.
 - ☐ The county agency must submit a report to the court on or before (date):
detailing the diligent efforts made and the results of such efforts.

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Case plan development

8. a. ☒ The county agency solicited and integrated into the case plan the input of the ☐ child ☒ mother ☒ father
☐ representative of child's identified Indian tribe ☐ other (specify):
- b. ☐ The county agency did not solicit and integrate into the case plan the input of the ☐ child ☐ mother ☐ father
☐ representative of child's identified Indian tribe ☐ other (specify):
and the agency is ordered to do so and submit an updated case plan within 30 days of the date of this hearing.
- c. ☐ The county agency did not solicit and integrate into the case plan the input of the ☐ child ☐ mother ☐ father
☐ representative of child's identified Indian tribe ☐ other (specify):
and the county agency is not required to do so because these persons are unable, unavailable, or unwilling to participate.

Custody and placement

9. ☐ 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.
- a. ☒ 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
- b. The factual basis for the findings in this item is stated on the record.
10. ☒ **The care, custody, control, and conduct of the child is under the supervision of the county 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.
11. ☒ **Placement with the child's relative, (name): Denise Bennett**
has been independently considered by the court and is denied for the reasons stated on the record.
12. ☐ **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):
13. ☒ **The child's out-of-home placement is necessary.**
14. ☒ **The child's current placement is appropriate.**
15. ☐ **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 form JV-415, item 17 for a ☐ written ☐ oral report by the county agency on the progress made in locating an appropriate placement.
- b. ☐ Other (specify):

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16. ☐ **The child is placed outside the state of California and that out-of-state placement**
- a. ☐ continues to be the most appropriate placement for the child and is in the best interest of the child.
- b. ☐ is not 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 form JV-415, item 17 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):

Reunification services

17. ☒ **Provision of reunification services to the biological father** ☒ will ☐ will not benefit the child.
18. ☐ **The mother is incarcerated** and is seeking to participate in the Department of Corrections and Rehabilitation 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.
19. ☐ **The following person is incarcerated:**
☐ mother ☐ legal guardian ☐ other (specify):
☐ presumed 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.
20. ☐ **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.

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20. 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 is stated on the record.
- 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.
21. ☒ a. **The county agency must provide reunification services**, and the following must participate in the reunification services stated in the case plan:
☒ Mother ☐ Biological father ☐ Legal guardian ☐ Other (specify):
☒ Presumed 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): September 24, 2016

Efforts

22. **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.
23. **The following persons have made the indicated level of progress toward alleviating or mitigating the causes necessitating placement:**
- | | None | Minimal | Adequate | Substantial | Excellent |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a. <input checked="" type="checkbox"/> Mother | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. <input checked="" type="checkbox"/> Presumed father | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. <input type="checkbox"/> Biological father | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. <input type="checkbox"/> Legal guardian | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. <input type="checkbox"/> Indian custodian | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. <input type="checkbox"/> Other (specify): | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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Siblings

24. ☒ The child does not have siblings under the court's jurisdiction.
25. ☐ The child has siblings under the court's jurisdiction. *Sibling Attachment: Contact and Placement* (form JV-403) is attached and incorporated by reference.

Health and education

26. ☒ 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 agency.
27. a. ☐ A limitation on the right of the parents to make educational decisions for the child is **not** necessary. The parents hold educational rights and responsibilities in regard to the child's education, including those described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
- b. ☐ A limitation on the right of the parents to make educational decisions for the child is necessary and those rights are limited as stated in *Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs* (form JV-535) filed in this matter. The educational rights and responsibilities of the educational representative are described in rule 5.650(e)–(f) of the California Rules of Court. A copy of rule 5.650(e)–(f) may be obtained from the court clerk.
28. a. The child's educational needs ☒ are ☐ are not being met.
- b. The child's physical needs ☒ are ☐ are not being met.
- c. The child's mental health needs ☒ are ☐ are not being met.
- d. The child's developmental needs ☒ are ☐ are not being met.
29. ☐ The additional services, assessments, and/or evaluations the child requires to meet the unmet needs specified in item 28 or other concerns are:
- a. ☐ stated in the social worker's report.
- b. ☐ specified here:
30. ☐ The following persons are ordered to take the steps necessary for the child to begin receiving the services, assessments, and/or evaluations identified in item 29:
- a. ☐ Social worker.
- b. ☐ Parent (name):
- c. ☐ Surrogate parent (name):
- d. ☐ Educational representative (name):
- e. ☐ Other (name):
31. ☐ The child's education placement has changed since the date the child was physically removed from the home.
- a. ☐ The child's educational records, including any evaluation regarding a disability, were requested by the child's new school within two business days of the request to enroll, and those records were provided by the child's former school to the child's new school within two business days of the receipt of the educational records request.
- b. ☐ The child is enrolled in school.
- c. ☐ The child is attending school.

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32. ☐ **Child 16 years of age or older:**

- a. ☐ The services stated in the case plan include those needed to assist the child in making the transition from foster care to independent living.
- b. ☐ The services stated 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 county agency must add to the case plan and provide the services
- (1) ☐ stated on the record.
- (2) ☐ as follows:

Advisements

33. ☒ **Child under the age of three years or member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(1)(C)**
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: September 24, 2016

- 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 the same 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 adoption of the child and other members of the sibling group or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child and other members of the sibling group.**

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34. ☐ **Child three years of age or older who is not a member of a sibling group as described in Welf. & Inst. Code, § 361.5(a)(1)(C).** 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 adoption of the child or, in the case of an Indian child for whom tribal customary adoption under section 366.24 is selected as the permanent plan goal, modification of parental rights and the adoption of the child.**

Twelve-month permanency hearing date:

35. ☐ 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, the court found that reunification services were not to be provided to the to the child's parents, legal guardian, or Indian custodian under Welf. & Inst. Code, § 361.5(b).
- c. The county 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* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (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 stated in rule 5.695(f)(19) of the California Rules of Court to any party not present.
- 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 and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Fam. Code, § 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).
- (1) (name):
- (2) (name):
- (3) (name):
- (4) (name):
- f. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or in an identified placement with a specific goal is *(specify date)*:

Any County CWS /
 123 Main Street
 Hometown, CA, 12345

Star Worker
 999-999-9999

**SUPERIOR COURT OF CALIFORNIA
 ANY COUNTY**

9999 County Court Road, Any Town, California 99999

STATUS REVIEW REPORT

<u>Hearing Date</u>	<u>Hearing Time</u>	<u>Dept./Room</u>	<u>Hearing Type/Subtype</u>
09/24/2016	8:00 a.m.	J-1	6 Month Review

IN THE MATTER OF

<u>Name</u>	<u>Date of Birth</u>	<u>Age</u>	<u>Sex</u>	<u>Court Number</u>
Jazmine Isa Infant	1/5/2016	9 mo.	F	0000001

SUMMARY RECOMMENDATION

The Department respectfully recommends;

- 1) The child, Jazmine Infant, be continued as a Dependent of the Juvenile Court pursuant to sections 300 (b) of the Welfare and Institutions Code.
- 2) Reunification Services to the mother, Sally Infant, be continued, as to the child, Jazmine.
- 3) Reunification Services to the father, Tom Bennett, be continued, as to the child, Jazmine.
- 4) The child, Jazmine, remain in foster care.
- 5) Authorization to return the child, Jazmine, to the parents Sally Infant and Tom Bennett upon obtaining suitable housing, continued participation in substance abuse treatment, and their continued testing negative of all controlled substances.

Jazmine I. Infant

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- 6) Visits between the child and the mother and father continue as directed by DPSS but only continue if both parents are not under the influence of a controlled substance.

CHILD'S WHEREABOUTS

The child, Jazmine Infant, remains placed in the care of the Paternal Aunt, Denise Bennett.

PARENTS

<u>Name/ Birthdate</u>	<u>Address/ Phone</u>	<u>Relationship/ To Whom</u>
Sally Infant 01/03/1985	145 Main Street Any Town, Ca (999)999-9991	Mother/Jazmine
Tom Bennett 12/29/1981	145 Main Street Any Town, Ca (999)999-9991	Father /Jazmine

OTHERS

ATTORNEYS

<u>Name</u>	<u>Address/ Phone</u>	<u>Representing</u>
James Jackson	9999 County Court Road Any Town, CA 12345 (999) 999-1111	Mother

Jazmine I. Infant

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Charles Yolo

9999 County Court Road
 Any Town, CA 12345
 (999) 999-1111

Father

Julie Jones

9999 County Court Road
 Any Town, CA 12345
 (999) 999-1111

Child/Jazmine

Tammy Post

9999 County Court Road #1
 Any Town, CA, 12345

Child Welfare

INDIAN CHILD WELFARE ACT STATUS

The Indian Child Welfare Act does not apply.

On December 16, 2015, at the Jurisdiction/Disposition Hearing, the ICWA 020 Parental Notification of Indian Status was filed and both the mother, Sally Infant and the father, Tom Bennett, denied any Native American Heritage, therefore, the Court ordered that the Indian Child Welfare Act does not apply.

NOTICES

<u>Name</u>	<u>Relationship</u>	<u>Method</u>	<u>Notice Date</u>
Sally Infant	Mother	U.S. Mail	9/1/2016
Tom Bennett	Father	U.S. Mail	9/1/2016
James Jackson	Attorney for mother	U.S. Mail	9/1/2016
Charles Yolo	Attorney for father	U.S. Mail	9/1/2016
Julie Jones	Attorney for child	U.S. Mail	9/1/2016
Tammy Post	County Counsel	U.S. Mail	9/1/2016

On August 27, 2016, the mother, Sally Infant, stated she would be present at the Court Hearing.

Jazmine I. Infant

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On August 27, 2016, I contacted the father, Tom Bennett, stated that he would be present at the Court Hearing.

SEARCH RESULTS/HISTORY

Due Diligence Report is not applicable.

The whereabouts of each parent is known to the Department.

LEGAL HISTORY

300 WIC Subsections

(b)

Initial Removal

Jazmine-02/29/2016

Initial Detention Order

Jazmine – 3/3/2016

Initial Jurisdiction Finding

Jazmine – 3/24/2016

Initial Disposition Order

Jazmine – 3/24/2016

Initial 364 FM Review

Second 364 FM Review

Initial 366.21(e) – 6 Month FR Review

Initial 366.21(f) – 12 Month FR Review

Initial 366.22 – 18 Month FR Review

Initial 366.25 – 24 Month/PP Review

Initial 366.3 PP Review

Initial NMD Review

FR Services Terminated

Non-Reunification Ordered

Initial Permanent Plan: Type/ Date Ordered

Current Permanent Plan: Type/ Date Ordered

Additional Legal History

There is no additional legal history for this family.

REASON FOR HEARING

On February 20, 2016 a referral was received by Any County CPS, which indicated that the child Jazmine Isa Infant, 1 month old, was in danger of neglect. The referral indicated that the mother, Sally Infant, and the father, Tom Bennett, were seen panhandling with the baby in the pouring rain. The report further stated that the parents were homeless after being kicked out of a relative's home for using drugs.

1 Jazmine I. Infant

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2 On February 28, 2016, the social worker responded to last known address of the parents, and
3 the parents were not at the address. The last known address was the residence of the paternal aunt,
4 Denise Bennett. Ms. Bennett stated that the parents had lived with her, until she suspected that they
5 were abusing methamphetamine and asked them to leave the residence. Ms. Bennett stated that the
6 parents come to her home daily at 8:00 AM.

7 On February 29, 2016, the emergency response social worker arrived at the paternal aunt's
8 residence, and both the mother, Sally Infant, and the father, Tom Bennett, were visiting the aunt.
9 Both the mother and father admitted to using methamphetamine that morning, and were currently
10 under the influence. When asked where the child, Jazmine, was when they used methamphetamine,
11 both parents stated that she was with them. Both parents admitted that they were homeless, and living
12 on the streets. The emergency response social worker offered to find a homeless shelter for them to
13 go to, and they refused to go to a shelter. They had been told since they were not married they could
14 not stay in the shelter together, and they were not going to be separated. The aunt, Ms. Bennett,
15 refused to allow them to stay in the home as they were currently under the influence. The emergency
16 response social worker asked if there was any place else they could stay, and both parents said "no".
17 The emergency response social worker asked if the child, Jazmine, could stay with the paternal aunt,
18 Ms. Bennett or the maternal grandmother, Ms. Infant, while the parents went to substance abuse
19 treatment and found a place to live. The parents refused to allow the child, Jazmine, to stay with the
20 relatives, both expressed fears of "not getting Jazmine back" if they left her with anyone. The social
21 worker expressed concern due to the very cold and wet weather, lack of formula, and provisions for
22 Jazmine. The parents became upset and refused to continue to speak to the social worker. The child,
23 Jazmine, was then placed in protective custody.

24 On February 29, 2015, the paternal aunt, Denise Bennett, was assessed for relative placement,
25 and the child, Jazmine, was placed in her care.

26 On March 2, 2016, a petition for Dependency was filed on behalf of the newborn, Jazmine,
27 pursuant to sections 300 (b) of the Welfare and Institutions Code. On March 3, 2016, at the Detention
28

1 Jazmine I. Infant

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2 Hearing, the Court detained the child, Jazmine, from the mother, Sally Infant, and the father,
3 Tom Bennett. The court found that the father, Tom Bennett, is the presumed father of the child, Jazmine.

4 The court ordered the child to be placed in suitable relative/ foster care. The court ordered that the
5 parents participate in substance abuse treatment, testing, and parenting pending the
6 Jurisdiction/Disposition Hearing. The court also ordered the Department to assist the parents with
7 homeless services.

8 On March 24, 2016 at the Jurisdiction/Disposition Hearing, the allegations were found true by a
9 preponderance of the evidence. The child, Jazmine, was declared a Dependent of the Juvenile Court
10 pursuant to sections 300 (b) of the Welfare and Institutions Code. The Court ordered Family
11 Reunification Services for the mother, Sally Infant, and the father, Tom Bennett. The court approved
12 the case plan of substance abuse treatment, testing, and parenting classes. The court ordered the
13 Department to assist the parents with housing.

14 The Hearing calendared for the date of September 24, 2016, is a Six Month Review Hearing as
15 to the child, Jazmine Infant.

16
17
18 **PATERNITY/LEGAL RELATIONSHIPS**

19 On March 3, 2016, at the detention hearing, the mother, Sally Infant, stated that Tom Bennett
20 was the child, Jazmine's father. He was present when she was delivered. The father, Tom Bennett,
21 stated that he was the child, Jazmine's, father, and he was present at the birth of his daughter.

22 In March 2016, the court received a copy of the birth certificate and Tom Bennett is listed
23 as the father on the birth certificate.

24
25 **FAMILY LAW STATUS**

26 There are no Family Law Court Orders as to Jazmine.

Jazmine I. Infant

RIJ000001

FAMILY ASSESSMENT UPDATE

Current Family Circumstances

The mother, Sally Infant, initially admitted using methamphetamine on and off during her pregnancy with Jazmine. As she approached the time for delivery she became more and more tired, and started to use more often. The mother, Sally Infant, and father, Tom Bennett, were kicked out of the paternal aunt's home when she became aware the mother was still using methamphetamine. The mother stated that since the child, Jazmine, was taken into protective custody she has struggled, and admitted to using methamphetamine the first couple of months, but stated that she was clean now. The mother still does not have a place to live, but would be willing to move into a shelter if it would mean getting the child, Jazmine back.

The mother has been testing negative for drugs for approximately two months. However, the mother did not complete her court ordered case plan to participate in substance abuse treatment. The mother has been appropriate and consistent during her supervised visits with her child, and is nurturing during the visits.

The father, Tom Bennett, stated that he has abused drugs on and off most of his life, and had been sober, but lost his job, house, and then ran into some old friends. He started using a little, but then fell into the same pattern of using a lot. He stated that initially it was difficult to stop using, but he was able to. He feels he is doing well in his treatment program, and is willing to enter a homeless shelter if it means getting Jazmine back. He stated that he has called several shelters and there is none that will take Sally and he together since they are not married.

Evaluation of Child

Regarding: Jazmine (Nine months old)

Medical:

Jazmine I. Infant

RIJ000001

The child, Jazmine, had her most recent medical examination on May 22, 2016, with Dr. Dong. The medical office is in Any Town, CA, 12345 the phone number is (999) 999-9999. Jazmine, is doing well and is growing as expected. Dr. Dong did not express any concerns. The child, Jazmine, is current on her immunizations.

Developmental:

The child, Jazmine, appears to be developmentally on target for her age. She is a petite baby, she smiles often, is able to push herself up, and can sometimes sit up. She is very observant to her environment, surroundings, and people around her. Jazmine babbles, as if she is trying to formulate words. At times she can hold her bottle, and she is able to hold on to various toys. She enjoys being held and having people sing to her. She is able to roll over. Jazmine also enjoys walking.

Educational:

Jazmine, is too young for formal school. The caregiver provides the child with educational books and toys, and sings and talks to her frequently, to stimulate intellectual growth.

Mental & Emotional Status:

Jazmine, is a happy, alert, and non-fussy baby. She is easily comforted, and enjoys being held. On May 28, 2016, a Mental Health Screening Tool (MHST) was completed on behalf of the child, and the Disposition is pending.

**OUT OF HOME PLACEMENT
Placement History:**

<u>Child's Name</u>	<u>Date of Original Placement</u>	<u>Date of Current Placement</u>	<u>Total Number of Placements</u>	<u>Child Ever Return Home</u>
Jazmine Infant	2/29/2016	2/29/2016	1	No

1 Jazmine I. Infant

RIJ000001

2 Jazmine, is being provided with exceptional care and supervision by the paternal aunt, Denise
3 Bennett. The caregiver ensures the child's medical, physical, emotional and educational needs are
4 being met. The caregiver also arranges for the child to be available for consistent and frequent visits
5 with the mother and father.
6

7
8 **SERVICES PROVIDED/FAMILY COMPLIANCE**

9 **Mother- Sally Infant**

10 **Substance Abuse Treatment Program/Testing/Parenting Class.**

11 The mother has started Substance Abuse Treatment at the clinic at the County Mental Health
12 Clinic. She has not completed her treatment program, and it is not known when she will.

13 The mother has been participating in random drug testing.

14 The mother has enrolled in Positive Parenting classes at the YMCA and stated that she loves
15 attending this class. I spoke with the counselor and she stated that the mother is participating and
16 doing well.

17 **Father- Tom Bennett**

18 **Substance Abuse Treatment Program/Testing/Parenting Class.**

19 The father immediately enrolled in substance abuse treatment, and should be completed by
20 October 15, 2016. In addition, he is attending NA meetings weekly. His therapist, Jan Thomas, stated
21 that he is doing very well in treatment, and is actively working on his recovery.

22 The father, Tom Bennett, struggled during the first-two months of testing and tested positive
23 for methamphetamine use three times. For the past four months he has since tested clean of all
24 substances, and says that when he feels like using he calls his sponsor or attends a meeting.

25 The father has enrolled in parenting classes, but is having a difficult time with transportation.
26 He has been offered and accepted a bus pass for transportation, and will attend again on September
27 29, 2016.

28 The father, has found a room to rent, and he and the mother will be moving in soon. They
need \$200.00 more for the deposit.

1 Jazmine I. Infant

RIJ000001

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3 **VISITATION**

4 The mother, Sally Infant, and father, Tom Bennett, visit Jazmine, several times a week in the
5 home of the paternal aunt, Denise Bennett. The aunt, Denise Bennett, stated that Jazmine is excited
6 to see her parents, and claps her hands when they arrive. She often cries when they leave. Both
7 parents take on the responsibility of parenting when they are visiting, by changing diapers,
8 feeding her, and putting Jazmine down for naps.

9
10 **CONTACTS**

11 During this reporting period, I maintained monthly contact with the mother, Sally Infant, and the
12 father, Tom Bennett.

13 During this reporting period I maintained monthly face to face contact with the child, Jazmine
14 Infant, and caretaker on the following dates; March 24, 2016, April 17, 2016, May 2, 2016, June 30,
15 2016, July 16, 2016, and August 18, 2016. The child, Jazmine, is doing well in placement, and there
16 were no concerns noted during visits.

17
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19 **FAMILY'S PERCEPTION OF THEIR NEEDS**

20 The mother, Sally Infant, believes she needs to successfully complete substance abuse
21 treatment, but does not like to attend. She knows that completing treatment is important to having
22 Jazmine returned to her care. She has enrolled in and stopped two different substance abuse
23 treatment programs. She has now enrolled in parenting classes and is attending; she is excited
24 about attending.

25 The father, Tom Bennett, stated that he feels he will reunify with Jazmine soon, and is
26 committed to staying clean. He stated that he has found a room to rent, and will not allow the mother
27

1 Jazmine I. Infant

RIJ000001

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3 to live there if it jeopardizes having Jazmine returned to his care. He is hoping Sally is committed to
4 the new treatment program and that they can all reunify.

5 **DETRIMENT & PROGNOSIS OF RETURNING THE CHILD HOME**

6 The prognosis for the child, Jazmine, to be returned home to the mother, Sally Infant, is good,
7 but somewhat guarded. The mother has enrolled, but has not completed substance abuse treatment.
8 She has however, been testing clean of all substances and is doing well in her parenting program and
9 is expected to graduate soon.

10 The prognosis for the child, Jazmine, to be returned to the home of the father, Tom Bennett, is
11 good. The father will complete substance abuse treatment next month, is testing clean, and is
12 attending NA meetings. He has a clear relapse prevention plan. He has enrolled in parenting class,
13 and has transportation.

14 **CONCURRENT PLANNING**

15 On the dates of March 18, 2016, April 28, 2016, and May 27, 2016, I advised the mother, Sally
16 Infant, and the father, Tom Bennett, of their rights to voluntarily relinquish their parental rights to
17 the child, Jazmine. Both parents expressed their desire to reunify with Jazmine.

18 On April 17, 2016, I spoke with the paternal aunt, Denise Bennett, and she loves Jazmine and
19 would be willing to adopt her.

20 **ASSESSMENT/EVALUATION**

21 Before the Court is the child, Jazmine Infant, who has been a Dependent child of the Any
22 County Juvenile Court for the past six months. The mother, Sally Infant, has made progress in her
23 parenting program, and is testing clean. She has started, but has not completed substance abuse
24 treatment. The mother has maintained positive, consistent and successful visits with her child,
25 Jazmine, during this reporting period. The mother appears to be committed to reunifying with
26 Jazmine.
27

1 Jazmine I. Infant

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3 The father, Tom Bennett, is doing very well in his substance abuse treatment program. He is
4 attending NA meetings, and is testing clean. He has enrolled in a parenting class. He is committed to
5 reunifying with the child, Jazmine, and is in the process of obtaining a room to rent. Mr. Bennett has
6 stated that he would like the mother, and he to reunify with Jazmine, but if the mother is not able to
7 reunify, he will be willing to reunify alone. The father has maintained positive, consistent and
8 successful visits with his child, Jazmine, during this reporting period.

9 Both the mother and the father, have family support now that they are showing progress in
10 their case plan and are testing clean.

11 **CASE PLAN**

12 On May 27, 2016, the mother, Sally Infant, and the father, Tom Bennett, assisted in the
13 development of the attached case plan.
14

15 **ATTACHMENTS**

16 The attachments identified in this report are attached hereto and incorporated herein by this reference.

17 A) Recommendations.
18
19

20 **Respectfully Submitted,**

21 Director of Any County,
22 Any County, CPS

23 **By**

24 I declare under penalty of perjury that the foregoing is true and correct dated this 28th day of
25 August, 2016.
26
27

1	Jazmine R. Infant	RIJ000001
2		
3	Star Worker	Date
4		
5	Star Supervisor	Date
6		
7	<i>I have read and considered the above report.</i>	
8		
9		
10	Judicial Officer	
11	Date	
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28	Status Review Report 09/16/2015	13