

CHAPTER 7 - JUVENILE DEPENDENCY COURT

7.00 Court Appointed Special Advocate Program (CASA).

The Presiding Judge of the Juvenile Court may appoint a special advocate program, which shall adhere to the requirements set forth in California Rules of Court, rule 5.655. (Adopted 1/1/2013; revised 1/1/2022)

7.01 Right of CASA to Appear.

(A) A CASA volunteer shall have the right to be present and be heard at all court hearings, and shall not be subject to exclusion by virtue of the fact that they may be called to testify at some point in the proceedings. A CASA volunteer shall not be deemed to be a "party," as described in Title 3 of Part II of the Code of Civil Procedure. However, the court, in its discretion, shall have the authority to grant the CASA Advocate amicus curiae status, which includes the right to appear with counsel.

(B) CASA reports shall be filed with the court at least two days prior to the hearing. The CASA program shall also provide a copy of the report to all counsel, self-represented litigants, and any de facto parent at least two days before the hearing. (Adopted 1/1/2013; revised 1/1/2022)

7.02 Family Law Advocacy and CASA.

Should the Juvenile Court dismiss the dependency action and create family law orders pursuant to Welfare and Institutions Code section 362.4, the CASA volunteer's appointment may be continued in the family law proceedings. If ordered, the Juvenile Court order shall set forth the nature, extent and duration of the CASA volunteer's duties in the family law proceeding. (Adopted 1/1/2013; revised 1/1/2022)

7.03 Removal, Resignation, and Termination of CASA Volunteer.

(A) A CASA volunteer may resign from an individual case or the CASA program or may be removed from an individual case in accordance with California Rules of Court, rule 5.655(l).

(B) In order to involuntarily terminate a CASA volunteer from the CASA program, the CASA program director shall file a written application with the Presiding Judge of the Juvenile Court requesting termination of the volunteer, along with a proof of service showing service of the application on the volunteer. The volunteer may file a response to the application within 10 days of receipt of the application. The response must be filed with the Presiding Judge of the Juvenile Court and served on the CASA program director. The Presiding Judge of the Juvenile Court shall either rule on the application after a review of the application and response, if any, or set a hearing on the application.

(C) A CASA volunteer may file a grievance regarding the CASA program with the Presiding Judge of the Juvenile Court if the volunteer has exhausted the CASA program's grievance process and certifies that fact in the grievance filed with the Presiding Judge of the Juvenile Court. The Presiding Judge of the Juvenile Court shall investigate the grievance as they deem appropriate, respond in writing to the CASA volunteer and CASA Executive Director regarding the results of the investigation, and take any action the Presiding Judge of the Juvenile Court deems appropriate. (Adopted 1/1/2013; revised 1/1/2018; revised 1/1/2022)

7.04 Filings.

Unless otherwise noted in these rules or permitted, all motions and documents shall be filed directly with the dependency filing counter located on the 3rd floor of the William R. Ridgeway Family Relations Courthouse located at 3341 Power Inn Road, Sacramento, CA 95826. Documents filed on the day a matter is set for hearing shall be filed directly in the courtroom where the matter is being heard.

(Adopted 1/1/2013; revised 1/1/2017; revised 1/1/2018; revised 1/1/2022)

7.05 (Deleted effective 1/1/2022)

7.06 Counsel of Record and Self-Represented Litigants.

Whenever in these juvenile dependency rules a requirement is imposed on counsel, that requirement is equally applicable to a self-represented litigant.

(Adopted 1/1/2013; revised 1/1/2014)

7.07 Direct Calendaring, Calendar Call, and Appearances.

(A) Dependency departments are operated on a direct calendaring system. Counsel is referred to the Dependency Calendar Directory located on the court's website at <https://www.saccourt.ca.gov> for further information.

(B) Unless otherwise ordered by the court, each dependency department calls the calendar for the entire day at 8:30 a.m. Counsel with matters in a Juvenile Dependency Court shall appear by 8:30 a.m. unless excused by the court or arrangements are made for a substitute counsel to handle the matter. The substitute counsel shall be authorized and prepared to proceed with any matter.

(C) A counsel who does not appear on time for calendar call is required to inform the judicial officer of the reasons for not appearing on time. Counsel with a matter on the 1:30 p.m. calendar is required to appear at 8:30 a.m. unless that counsel has communicated to the court and all counsel their client's position on the matter by the 8:30 a.m. calendar call. All counsel shall keep the court advised of their whereabouts.

(Adopted 1/1/2013; revised 1/1/2018; revised 1/1/2022)

7.08 Detention Hearing or Initial Appearance.

At the detention hearing or initial appearance, counsel shall be prepared to do the following:

(A) Parent's counsel shall assist in completing and filing the Notification of Mailing Address (Judicial Council form JV-140) with the clerk of the court, and subsequently complete and file an updated Judicial Council form JV-140, reflecting any changes in mailing address. A copy of the updated Judicial Council form JV-140 will be provided to the Department of Child, Family and Adult Services.

(B) Parent's counsel shall advise the court whether the parents have any Native American heritage, and file the Parental Notification of Indian Status (Judicial Council form ICWA-020);

(C) All counsel shall advise the court regarding paternity issues.

(Adopted 1/1/2013; revised 1/1/2014; revised 1/1/2018; revised 1/1/2019)

7.09 Contact with Parties Prior to Hearing (In/Out of Custody).

(A) Cases involving in-custody parties have priority on the court's calendar. Counsel representing in-custody parties shall give priority to interviewing these parties.

(B) A counsel representing a party whether or not in custody shall make every reasonable effort to contact and interview the party prior to the next scheduled hearing date. Counsel shall make every reasonable effort to discover their client's position and shall inform the court whether the matter can proceed in the client's absence. Counsel shall be prepared to state on-the-record the efforts made to contact the client.

(Adopted 1/1/2013; revised 1/1/2022)

7.10 Jurisdictional/Dispositional Hearings.

In all submitted jurisdictional hearings, counsel shall assist the parent in completing the Waiver of Rights-Juvenile Dependency (Judicial Council form JV-190).

(Adopted 1/1/2013; revised 1/1/2018)

7.11 (Deleted effective 1/1/2022)

7.12 Ex Parte Orders.

(A) Ex parte applications may be submitted on Juvenile Ex Parte Application and Declaration Re Notice (local form JC/E-335), a copy of which is available on the court's website at <https://www.saccourt.ca.gov>.

(B) Applications and supporting documents shall be submitted to the clerk of the department in which the matter is pending, by appointment only.

(C) An applicant for an ex parte order shall give a minimum of 24 hours' notice to interested parties, absent a showing of exceptional circumstances. An ex parte application that does not contain a statement concerning notice may be summarily denied.

(D) If an order issues after an ex parte application, then the applicant shall provide an endorsed filed copy of the ex parte application and order to all parties and their counsel.

(Adopted 1/1/2013; revised 1/1/2022)

7.13 Orders to Produce Incarcerated Parties/Individuals in Dependency Cases.

(A) Initial Detention Hearing

If Counsel for the incarcerated parent requests a continuance of the Initial/Detention Hearing which is granted by the Court, Counsel shall prepare and submit an Order for Prisoner's Appearance at Hearing Affecting Parental Rights (form JV-450) and Prisoner's Statement Regarding Appearances at Hearing Parental Rights (form JV-451) to the assigned department prior to the continued hearing date within the timeframe ordered by the Court.

(1) The submitted form JV-450 shall identify the specific type of hearing at which the incarcerated parent's attendance is requested.

(2) Counsel for the incarcerated parent shall attach a declaration to the JV-450 that demonstrates good cause for the attendance of the incarcerated parent, including a recitation of facts and/or a statement from the incarcerated parent indicating that the incarcerated parent has expressed a desire to be present.

(3) If ordered by the Court, the clerk will return a copy of the signed order to all counsel and Department of Child, Family and Adult Services (DCFAS) within two (2) court days.

(4) If ordered by the Court, the clerk shall attach a copy of the signed form JV-450 and form JV-451 to the Notice of Hearing served on the incarcerated parent and institution.

(5) If the institution provides the completed JV-451 to the Court, the clerk will return a copy of the JV-451 to all counsel and DCFAS within two (2) court days.

(6) If ordered by the Court, Counsel for the incarcerated parent shall make reasonable efforts to check with the Litigation Coordinator at the designated institution prior to the date and time for the noticed hearing to ascertain if the form JV-450 and form JV-451 was received and if the parent will be appearing for the hearing.

(B) Jurisdiction and Disposition Hearings

- (1) Counsel for the incarcerated parent shall prepare and submit an Order for Prisoner's Appearance at Hearing Affecting Parental Rights (form JV-450) and Prisoner's Statement Regarding Appearances at Hearing Parental Rights (form JV-451) to the assigned department at least 28 days prior to the scheduled hearing.
- (2) The submitted form JV-450 shall identify the specific type of hearing at which the incarcerated parent's attendance is requested.
- (3) The clerk will return a copy of the signed form JV-450 to all counsel and Department of Child, Family and Adult Services (DCFAS) within two (2) court days.
- (4) The clerk shall attach a copy of the signed form JV-450 and form JV-451 to the Notice of Hearing served on the incarcerated parent and institution.
- (5) If the institution provides the completed JV-451 to the Court, the clerk will return a copy of the JV-451 to all counsel and DCFAS within two (2) court days.
- (6) Counsel for the incarcerated parent shall make reasonable efforts to check with the Litigation Coordinator at the designated institution prior to the date and time for the noticed hearing to ascertain if the form JV-450 and form JV-451 were received and if the parent will be appearing for the hearing.

(C) Status Review and Other Hearings

- (1) Counsel for the incarcerated parent shall prepare and submit an Order for Prisoner's Appearance at Hearing Affecting Parental Rights (form JV-450) and Prisoner's Statement Regarding Appearances at Hearing Parental Rights (form JV-451) to the assigned department at least 28 days prior to the scheduled hearing.
- (2) Counsel for the incarcerated parent shall attach a declaration to the JV-450 that demonstrates good cause for the attendance of the incarcerated parent, including a recitation of facts and/or a statement from the incarcerated parent indicating that the incarcerated parent has expressed a desire to be present.
- (3) The clerk will return a copy of the signed order to all counsel and the Department of Child, Family and Adult Services (DCFAS),
- (4) DCFAS will attach a copy of the signed form JV-450 and form JV-451 to the Notice of hearing served on the incarcerated parent and institution.
- (5) If the institution provides the completed JV-451 to the Court, the clerk will return a copy of the JV-451 to all counsel and DCFAS within two (2) court days.
- (6) Counsel for the incarcerated parent shall make reasonable efforts to check with the Litigation Coordinator at the designated institution prior to the date and time for the noticed hearing to ascertain if the form JV-450 and form JV-451 was received and if the parent will be appearing for the hearing.

(D) Hearings under Welfare and Institutions Code Section 366.26

- (1) Department of Child, Family and Adult Services (DCFAS) shall prepare and submit an Order for Prisoner's Appearances at Hearing Affecting Parental Rights (form JV-450) and blank Prisoner's Statement Regarding Appearances at Hearing Parental Rights (form JV-451) at the Welfare and Institutions Code Section 366.26 Status Review Hearing when termination of parental rights is or may be at issue.
- (2) The submitted form JV-450 shall identify the specific type of hearing at which the incarcerated parent's attendance is requested.
- (3) The clerk will return a copy of the signed order to all counsel and DCFAS within two (2) court days.

(4) DCFAS will attach a copy of the signed form JV-450 and form JV-451 to the Notice of Hearing served on the incarcerated parent and institution.

(5) If the institution provides the completed JV-451 to the Court, the clerk will return a copy of the JV-451 to all counsel and DCFAS within two (2) court days.

(6) Counsel for the incarcerated parent shall make reasonable efforts to check with the Litigation Coordinator at the designated institution prior to the date and time for the noticed hearing to ascertain if the form JV-450 and form JV-451 was received and if the parent will be appearing for the hearing.

(E) State Prisoner Testimony

(1) In situations where California Rule of Court, Rule 5.530(f), and form JV-450 and form JV-451 are not applicable, an Order to Produce State Prisoner to Testify (local form JC-E 331), shall be submitted at least 28 days prior to the scheduled hearing.

(2) Requests for an Order to Produce State Prisoner to Testify shall be submitted to the assigned department. The application shall contain:

(a) The specific type of hearing at which the witness's attendance is requested, and

(b) A declaration showing the testimony is material and necessary.

(3) The clerk will return a copy of the signed order to all counsel and DCFAS within two (2) court days.

(4) Counsel for the requesting party shall serve a copy of the JC-E 331 on the incarcerated witness and institution.

(5) Counsel for the requesting party shall make reasonable efforts to check with the Litigation Coordinator at the designated institution prior to the date and time for the noticed hearing to ascertain if the JCE 331 was received and if the incarcerated witness will be appearing for the hearing.

(Adopted 1/1/2013; revised 1/1/2014; revised 1/1/2018; revised 1/1/2022;_revised 1/1/2024)

7.14 Pre-Trial Statement and Pre-Trial Conference.

The Juvenile Court adopts the policy that pre-trial statements and good faith efforts to settle dependency proceedings are an essential part of the Juvenile Court process, and that good faith efforts to settle shall be made during the pre-trial conference in conformity with the rules of this chapter. Unless otherwise ordered by the court, no trial date shall be set unless a pre-trial has been set or has been completed.

(Adopted 1/1/2013)

7.15 Pre-Trial Statement.

The Pre-Trial Statement shall be in writing and shall address the issues as set forth in the Pre-Trial Statement (local form JC\E-305) located on the court's website at <https://www.saccourt.ca.gov> and at the Juvenile Dependency Court filing counter. Use of the proposed form is encouraged but not required. The statement shall be sufficiently detailed to enable the judicial officer to conduct a meaningful pre-trial conference.

(Adopted 1/1/2013; revised 1/1/2018)

7.16 Pre-Trial Conference Procedures.

(A) Unless otherwise ordered by the court, any time a matter is scheduled for a pre-trial, each party shall prepare,

serve and file a pre-trial statement in conformity with the rules of this chapter.

(B) The pre-trial statement shall be filed with the court and served upon the parties at least two judicial days prior to the date set for the pre-trial conference.

(C) All adult parties and counsel whose consent is required to effect a binding settlement shall be personally present at the pre-trial conference unless excused by the Juvenile Court

(D) In the pre-trial conference, all counsel shall be prepared to address pre-trial issues and settlement proposals. (Adopted 1/1/2013; revised 1/1/2022)

7.17 Meet and Confer.

(A) Unless otherwise ordered by the court, counsel for the parties in each dependency matter and any self-represented litigant shall meet and confer with each other and, where applicable, with the Department of Child, Family and Adult Services (DCFAS) and with the Court Appointed Special Advocate (CASA), as set forth herein, prior to seeking a court order on those matters described in this rule. Failure to meet and confer in good faith may be a basis for imposition of sanctions.

(B) Issues Subject to Meet and Confer

- (1) Parent-Child Visitation;
- (2) Discovery;
- (3) Services to be provided to a parent or child by DCFAS;
- (4) Home evaluation or placement with a relative; and
- (5) Any other issue in the discretion of the judicial officer.

(C) Duties of Counsel and Self-Represented Litigants Prior to the Court Hearing

(1) Not later than two days prior to the scheduled hearing, advise all parties of the order requested, to allow opposing sides time to prepare and respond.

(2) Meet in person with CASA before the time designated for the hearing. If acceptable to all parties, the meeting may be by means other than in person.

(3) The moving party shall ascertain which parties agree to or oppose the proposed order.

(4) If an agreement is reached that requires a court order, the parties shall determine the exact wording of the order.

(5) Counsel and any self-represented litigant may prepare and submit the Stipulation and Request for Order Following Meet and Confer (local form JC\E-324) and Order on Stipulation and Request for Order Following Meet and Confer (local form JC\E-324_Order) to obtain an appropriate order.

(D) Duties of Counsel and Parties Not Represented by Counsel at the Court Hearing

(1) At calendar call, the moving party shall inform the court whether the parties have (a) met and conferred and (b) reached an agreement.

(2) In cases where an agreement has been reached prior to the court hearing, the moving party shall convey the agreed upon language to the judicial officer, without further comment or argument by any party.

(3) In cases where an agreement has not been reached prior to the court hearing, the parties shall be prepared to argue the matter on the record.

(E) Judicial Modification

The above rules shall not prevent any judicial officer to whom a case is assigned from modifying, changing or supplementing an order as may appear necessary or appropriate.
(Adopted 1/1/2013; revised 1/1/2017; revised 1/1/2018; revised 1/1/2019 revised 1/1/2022)

7.18 Hospitalizations for Mental Health Evaluation and Treatment.

(A) Involuntary Psychiatric Hospitalizations of Dependent Minor

(1) 72-Hour Psychiatric Hold. Upon notice of a dependent minor's 72-hour hold for evaluation and treatment pursuant to Welfare and Institutions Code section 5585 et seq., the Department of Child, Family and Adult Services (DCFAS) shall provide notice to the court and minor's counsel and parties of the name, address and phone number of the facility or person responsible for the minor's care. Such notice shall be provided immediately, and in any event no later than the close of business the day following DCFAS's receipt notice of the 72-hour hold. Such notice may be provided through the Notice of Psychiatric Hospitalization and/or Release of Minor (local form JC\E-311).

(2) 14-Day Psychiatric Hold. Upon completion of the initial evaluation, DCFAS shall notify the court, counsel, and parties of the results of the evaluation and whether or not the minor was certified for an additional 14 days of treatment pursuant to Welfare and Institutions Code section 5250. Such notice shall be provided immediately, and in any event no later than the close of business the day following DCFAS's receipt of notice of the minor's evaluation. Such notice may be provided through the Notice of Psychiatric Hospitalization and/or Release of Minor (local form JC\E-311).

(3) 30-Day Psychiatric Hold. DCFAS shall immediately notify the court, counsel, and parties if the minor is certified for an additional 30 days of treatment pursuant to Welfare and Institutions Code section 5270.15. Such notice shall be provided immediately, and in any event no later than the close of business the day following DCFAS's receipt of notice of the 30-day certification. Such notice may be provided through the Notice of Psychiatric Hospitalization and/or Release of Minor (local form JC\E-311).

(4) Upon discharge from the facility, DCFAS shall provide notice to the court and minor's counsel of the name, address and phone number of the minor's placement. Such notice shall be provided immediately, and in any event, no later than the close of business the day following DCFAS's receipt of notice of the minor's discharge. Other notice shall be provided as required by law. Such notice may be provided through the Notice of Psychiatric Hospitalization and/or Release of Minor (local form JC\E-311).

(5) Mental Health Services Hearing. Counsel may request that a Mental Health Services Hearing be held at any time during the evaluation and treatment period to review the treatment and placement decisions involving the dependent child. The court may also calendar a hearing on its own initiative.

(6) LPS/Conservatorship. Upon notice that an LPS action or conservatorship proceeding has been filed, DCFAS shall provide notice to the court, counsel and parties of the date, time and place of any scheduled hearings. The court may calendar the case for action as may be appropriate.

(B) Voluntary Hospitalization of Dependent Minor

(1) Any application for a dependent minor to be voluntarily admitted to a mental health facility shall be made by the minor's counsel pursuant to Welfare and Institutions Code section 6552 on the Application for Approval of a Minor's Request for Voluntary Inpatient Psychiatric Treatment (local form JC\E-312). The form shall be filed with the Dependency Court *ex parte*. Counsel shall contact the home court clerk and advise that they will be submitting the application for court review *ex parte*, and shall file the application as advised by the clerk. Counsel shall serve the application on all parties unless the court, upon finding good cause, waives the notice requirement.

(2) Unless otherwise waived by the court, counsel shall be available for additional information as the court may require. When the order is issued, counsel shall provide a signed copy of the order to the facility and to all parties in the dependency matter.

(3) The court may set the matter for hearing within three days at which time the minor may be brought before the court to acknowledge the following:

- (a) The minor has had the opportunity to consult with their attorney to discuss their rights to such treatment including its benefits and consequences in a manner the minor is able to understand;
- (b) The minor has the right to withdraw their voluntary request for admission to the treatment facility and shall be provided contact information for their attorney should they desire to withdraw such voluntary request for admission.
- (c) Should the minor withdraw their voluntary request for admission they have the right to return to the Juvenile Court for further placement orders.

(4) Application for Approval of a Minor's Request for Voluntary Inpatient Psychiatric Treatment (local form JC\E-312), signed by the minor and attorney, shall constitute a sufficient basis for the hospital or facility to accept the minor as a voluntary inpatient, pending approval of the application by the Juvenile Court.

(5) Upon receiving information of the revocation of the voluntary application, DCFAS or minor's counsel may request a Revocation of Consent Dispositional hearing be set within three court days and notify all counsel and parties to the case.

(6) Upon discharge from the facility, DCFAS shall provide notice to the court and minor's counsel of the name, address and phone number of the minor's placement. Such notice shall be provided immediately, and in any event, no later than the close of business the day following DCFAS's receipt of notice of the minor's discharge. Other notice shall be provided as required by law. Such notice may be provided on the Notice of Psychiatric Hospitalization and/or Release of Minor (local form JC\E-311).

(Adopted 1/1/2013; revised 1/1/2014; revised 1/1/2018; revised 1/1/2019; revised 1/1/2022)

7.19 Request for Administration of Psychotropic Medication, Medical, Surgical and Dental Care.

(A) Psychotropic Medications. These requirements are in addition to the specific requirements governing psychotropic medications in California Rules of Court, rule 5.640.

(1) Non-Emergency Psychotropic Medication Any request for administration of non-emergency psychotropic medication must be submitted by the Department of Child, Family and Adult Services (DCFAS). The request must be on the Application for Psychotropic Medication (Judicial Council form JV-220). Following preparation of the Judicial Council form JV-220, DCFAS shall provide a copy of the request to counsel and self-represented litigants, along with a blank Input on Application for Psychotropic Medication (Judicial Council form JV-222). DCFAS shall wait two court days for responses. Counsel and self-represented litigants shall respond indicating agreement, disagreement without a request for hearing, or disagreement with a request for hearing. The responses, or lack thereof, shall be noted on the Judicial Council form JV-220 prior to filing the request with the court. DCFAS shall file the original plus one copy of Judicial Council form JV-220, Physician's Statement-Attachment (Judicial Council form JV-220(A)), and Proof of Notice of Application (Judicial Council form JV-221). DCFAS shall prepare and submit one Order on Application for Psychotropic Medication (Judicial Council form JV-223), with Page 3 of the Physician's Statement attached, for court signature. The documents shall be filed at the dependency filing counter located on the 3rd floor of the William R. Ridgeway Family Relations Courthouse located at 3341 Power Inn Road, Sacramento, CA 95826. DCFAS shall provide a paper copy to all counsel and self-represented litigants. If any counsel or self-represented litigant files the Input on Application for Psychotropic Medication (Judicial Council form JV-222), they shall serve a copy on other counsel and self-represented litigants.

(2) Emergency Psychotropic Medication. If psychotropic medication is administered by a physician without court authorization in an emergency situation, as defined in California Rules of Court, rule 5.640(i), court authorization must be sought as soon as practical, but in no case later than two court days, after the emergency administration of the psychotropic medication. Court authorization for Emergency Psychotropic Medication must be consistent with the procedures outlined above for Non-Emergency Psychotropic Medication, except DCFAS is not required to wait two court days for responses from counsel and self-represented litigants.

(B) Medical, Surgical or Dental Care. Medical, Surgical or Dental Care requests shall continue to be in accord with the Juvenile Dependency Court Protocol Authorization for Medical, Surgical or Dental Care pursuant to Welfare and Institutions Code section 369. (Adopted 1/1/2013; revised 1/1/2014; revised 1/1/2016; revised 1/1/2018; revised 1/1/2019; revised 1/1/2020; revised 1/1/2022)

7.20 Attorney Competency Certification.

(A) All appointed counsel appearing in juvenile dependency proceedings shall meet the minimum standards of competency set forth in these rules. All counsel appearing in a dependency matter for the first time shall complete and submit a Certification of Attorney Competency to the court within 10 days of their first appearance in a dependency matter. The Certification of Competency shall be filed at the dependency filing counter located on the 3rd floor of the William R. Ridgeway Family Relations Courthouse located at 3341 Power Inn Road, Sacramento, CA 95826 or with juvenile administration at JuvenileCourtAdmin@saccourt.ca.gov.

(1) Retained counsel shall submit Retained Dependency Attorney's Certification of Competency (form JC-E-005-R); and

(2) Appointed counsel shall submit Court-Appointed Dependency Attorney's Certification of Competency (form JC-E-005).

(B) Upon submission of a Certification of Attorney Competency which demonstrates that the appointed counsel has met the minimum standards set forth in Local Rules, rule 7.21, the appointed counsel shall be deemed competent to practice before the Juvenile Court in dependency cases unless the Presiding Judge of the Juvenile Court determines that a particular appointed counsel does not meet minimum competency standards. In such case, the court shall proceed as set forth in Local Rules, rule 7.22 hereinafter.

(C) In the case of an appointed counsel who maintains their principal office outside of this county, proof of certification by the Juvenile Court of the California county in which the appointed counsel maintains an office shall not excuse appointed counsel from complying with Local Rules, rule 7.20.
(Adopted 1/1/2013; revised 1/1/2018; revised 1/1/2022)

7.21 Minimum Standards of Experience, Education and Training.

Prior to certification, each appointed counsel appearing in a dependency matter before the Juvenile Court shall have either:

(1) Participated in at least eight hours of training or education in juvenile dependency law as specified in California Rules of Court, rule 5.660; or

(2) At least 24 hours of experience within the last year in dependency proceedings in which the appointed counsel has demonstrated competence in the appointed counsel's representation of their clients in said proceedings.
(Adopted 1/1/2013; revised 1/1/2022)

7.22 Attorney Competency Certification Renewal and Failure of Attorney to Be Certified For Court Appointment.

In order to retain their certification to practice before the Juvenile Court, each appointed counsel or their supervisor shall file with juvenile administration at JuvenileCourtAdmin@saccourt.ca.gov an affidavit certifying that counsel has completed at least eight hours of continuing education related to dependency proceedings within the last three years. The affidavit must be filed on or before January 15 of each year. When court appointed counsel fails to submit evidence that they have completed at least the minimum required training and education to the court by the due date, the court shall notify the counsel that they will be decertified. That counsel shall have 20 days from the date of the mailing of the notice to submit evidence of compliance with Local Rules, rule 7.20.
(Adopted 1/1/2013; revised 1/1/2022)

7.23 (Deleted effective 1/1/2022)

7.24 Procedures for Reviewing and Resolving Complaints Regarding Performance of Counsel.

(A) Any party to a Juvenile Court proceeding may lodge a complaint with the court concerning the performance of

their appointed counsel in a Juvenile Court proceeding. The person filing the complaint shall use the Complaint Regarding Performance of Court Appointed Attorney (local form JC/E-003) and shall file the complaint at the dependency filing counter in a sealed envelope. The dependency filing counter is located on the 3rd floor of the William R. Ridgeway Family Relations Courthouse located at 3341 Power Inn Road, Sacramento, CA 95826. In the case of a complaint concerning the performance of a counsel appointed to represent a child, the complaint may be lodged on the child's behalf by any interested person.

(B) The court shall review a complaint, and if it determines that the counsel may have failed to act competently, provide the counsel with a copy of the complaint and give the counsel a reasonable chance to respond in writing within 30 days.

(C) Thereafter, the court shall review the complaint and the response and take appropriate action which may include, but is not limited to, conducting a hearing on the complaint.

(Adopted 1/1/2013; revised 1/1/2018; revised 1/1/2022)

7.25 Procedures for Informing the Court of the Interests of a Dependent Child.

(A) Whenever counsel for a dependent child determines that a child who is the subject of a proceeding has an interest or right which needs to be protected or pursued in another judicial or administrative forum, counsel may seek appropriate association of counsel specializing in practice in such forum as necessary to protect the rights of the child.

(B) If counsel for the child determines association of counsel is necessary to protect an interest or right that is beyond the scope of the dependency proceeding, counsel for the child may notify the court that counsel is unable to pursue the matter on the child's behalf and that appointment of an attorney specializing in practice before another judicial or administrative forum is necessary to protect the rights of the child.

(C) Notice to the court should include, at minimum, the following information:

(1) The nature of the incident that gave rise to the child's injury or claim

(2) The name and firm of the attorney the dependency attorney is requesting the court to appoint

(3) A motion pursuant to Welfare and Institutions Code Section 827 requesting the outside attorney access to confidential case information relevant to the child's injury or claim

(D) Upon the filing of notice, supporting motion and documentation, and proposed orders, the court shall address the following:

(1) Whether appointment of outside counsel is necessary to pursue the matter in the other forum;

(2) Appoint a guardian ad litem for the child for the purposes of initiating or pursuing appropriate action in the other forum;

(3) Whether to grant outside counsel access to the juvenile case file in order to prepare the matter to be pursued in the other forum in accordance with Welfare and Institutions Code Section 827;

(4) Take any other action the court may deem necessary or appropriate to protect the welfare, interests and rights of the child

(Adopted 1/1/2013; revised 1/1/2018; revised 1/1/2022)

7.26 Applications for Rehearing; Referee or Commissioner Assigned as a Referee.

(A) Applications pursuant to Welfare and Institutions Code section 252 for rehearing of a decision by a referee in a dependency proceeding shall be filed in typewritten form and shall include a statement of reasons the rehearing is requested. Except for good cause shown, the court will not accept for filing an application that is submitted in handwritten form. The "good cause" requirement may be satisfied where a self-represented litigant submits handwritten documents in legible form.

(B) If represented by counsel, the application must be filed by the attorney of record and not by the child, parent/guardian, or social worker personally.

(C) The applicant shall utilize the Application for Rehearing and Statement (local form JC/E-001). Other documents may be attached to local form JC/E-001 and incorporated by reference therein, but the court will not accept for filing an application that does not utilize the form as the first page of the application.

(D) In order to ensure timely preparation of the reporter's transcript, the application must accurately list the date(s) of the hearing(s) for which the applicant seeks a rehearing. If the application lists an incorrect hearing date or fails to include all of the relevant hearing dates, but is otherwise timely filed, the court will accept the application and deem it to be timely filed. However, solely for purposes of determining the time period in which the court must decide the matter, the court will deem the matter re-filed on the date the court discovers the applicant's error or omission.

(E) Prior to filing the application, the applicant shall serve a copy of the application and any accompanying documents on all attorneys and any party including a de facto parent who is acting without an attorney. The court will not accept for filing an application that does not have a proof of service of the application attached.

(F) The application must be filed in person at the dependency filing counter located on the 3rd floor of the William R. Ridgeway Family Relations Courthouse located at 3341 Power Inn Road, Sacramento, CA 95826. The court will not accept for filing an application that is delivered by mail or presented to any court clerk other than at the filing counter.

(G) Any party including a de facto parent may file a response to the application within 10 days of the filing date of the application. The response must be filed in person at the dependency filing counter after being served on all attorneys and any self-represented litigant including a de facto parent who is acting without an attorney. The court will not accept for filing a response that does not have a proof of service of the response attached. The court will not accept for filing a response that is delivered by mail or presented to any court clerk other than at the filing counter. (Adopted 1/1/2013; revised 1/1/2018; revised 1/1/2022)

7.27 (Deleted effective 1/1/22)

7.28 Access to and Disclosure of Juvenile Court Records.

Request for inspection and/or disclosure of Juvenile Court records is governed by Sacramento County Juvenile Court Standing Order SSC-JV-99-021-021 available on the court's website at <https://www.saccourt.ca.gov>. (Adopted 1/1/2013; Revised 1/1/2022)

7.29 Orders.

The Presiding Judge of the Juvenile Court may issue orders for the administration of the Juvenile Court as the court deems appropriate. The court shall determine whether the content of any order shall be incorporated into these rules at the next revision of these rules. Orders will be filed with the clerk of the Juvenile Court. The clerk shall distribute such orders in a manner directed by the court and shall post them on the court's website at <https://www.saccourt.ca.gov>. The clerk of the court shall keep and provide to the general public copies of any such order and these rules. The clerk may charge for the cost of providing such copies.

(Adopted 1/1/2013)

7.30 (Deleted effective 1/1/2014)

7.31 Preparation of Judicial Council Form Custody Order-Juvenile.

Unless otherwise ordered by the court, whenever custody or visitation orders are sought at the time a dependency is to be terminated, counsel for the parent seeking custody shall electronically submit to the courtroom mailbox, the proposed Custody Order – Juvenile – Final Judgment (Judicial Council form JV-200), including the Visitation Order – Juvenile (Judicial Council form JV-205) and Reasons for No or Supervised Visitation – Juvenile (Judicial Council form JV-206), as appropriate.

(Adopted 1/1/2013; revised 1/1/2014; revised 1/1/2018; revised 1/1/2019)

7.32 Orders for Psychological Assessments/Evaluations.

All parties requesting a court order for a psychological and related assessments and evaluations, shall bring to the hearing the requested order and a minimum of two copies. The appropriate local form shall be used: Court Ordered Psychotropic Medication Evaluation or Mental Health Assessment – For Children (local form JC\E-327) or Court Ordered Psychological/Psychiatric Evaluation or Mental Health Assessment – For Parent(s) (local form JC\E-326). The forms are available on the court's website at <https://www.saccourt.ca.gov>.

(Adopted 1/1/2013; revised 1/1/2018; revised 1/1/2020)

7.33 (Deleted effective 1/1/2022)

7.34 Motions to Relieve Counsel.

(A) An attorney retained to represent a client in a dependency proceeding shall not withdraw or substitute from such representation except by order of the court following a timely motion.

(B) Unless otherwise ordered by the court, a motion to withdraw as attorney of record shall be in writing and shall include a signed affidavit prepared and served in compliance with California Rule of Court, rule 3.1362. The use of Judicial Council forms is not required. The motion must include the full name(s) of the child(ren), the case number(s), the full name of the client, the client's status in the case (e.g., child, parent, guardian, de facto parent), the date and type of the next scheduled hearing, and the home court department. The motion shall be noticed and calendared, if possible, for the same day, time, and department as the next scheduled hearing.

(C) Except for motions filed as provided in subdivision (D) of this rule, the client and all other parties who have appeared in the case shall be provided 20 days' notice of the motion to withdraw. The notice should contain in clear, simple, and non-technical terms a statement to the client regarding the attorney's intention to withdraw as attorney of record at the hearing. The motion to withdraw shall be filed at the dependency filing counter and determined by the bench officer to whom the case is assigned. The dependency filing counter is located on the 3rd floor of the William R. Ridgeway Family Relations Courthouse located at 3341 Power Inn Road, Sacramento, CA 95826.

(D) Counsel seeking to be relieved as counsel of record on all cases they currently have pending before the Juvenile Dependency Court should file their motion to withdraw at the 1st floor reception counter of the Juvenile Courthouse located at 9601 Kiefer Boulevard, and directed to the Presiding Judge of the Juvenile Court.

(E) Counsel is not relieved as attorney of record until the court's signed order has been served on the client and all parties, and proof of service of such order has been filed with the court.

(Adopted 1/1/2013; revised 1/1/2014; revised 1/1/2018; revised 1/1/2022)

7.35 Modification of Orders.

(A) Pre-Disposition

A party or other interested person seeking to modify an order or request a new order regarding placement or visitation prior to the dispositional hearing may use the form entitled Pre-Jurisdictional Motion to Modify Order of Court and/or Request for New Court Order (local form JC\E-319) located on the court's website at <https://www.saccourt.ca.gov>. If the court form is not used, the motion must contain all the information set forth on the local form JC\E-319. Following preparation of the form, the moving party shall email, or otherwise provide a copy of, the motion to all counsel and self-represented litigants. The moving party shall wait two court days for responses. Counsel and self-represented litigants shall respond indicating agreement, disagreement with no hearing requested, or disagreement with a hearing requested. The responses, or lack thereof, shall be noted on the local form JC\E-319 prior to filing the request with the court. The moving party shall serve upon counsel and self-represented litigants a hard copy of the documents filed with the court, or provide sufficient copies for the clerk to do such should the moving party not have the information necessary to provide service. The moving party shall file the original and one copy at the dependency filing counter. The court will process the request. After ruling, the clerk will serve the order on all counsel and parties.

(B) Post Disposition

Any request for modification of a prior court order following the Dispositional hearing must be filed on the Request to Change Court Order (Judicial Council form JV-180). The moving party shall email, or otherwise provide a copy of, the request to counsel, and/or self-represented litigants. The moving party shall wait two court days for responses. Counsel and self-represented litigants shall respond indicating agreement, disagreement with no hearing requested, or disagreement with a hearing requested. The responses, or lack thereof, shall be noted on Judicial Council form JV-180 prior to filing the request with the court. The moving party shall file the original and one copy at the dependency filing counter located on the 3rd floor of the William R. Ridgeway Family Relations Courthouse located at 3341 Power Inn Road, Sacramento, CA 95826. The moving party shall serve upon counsel and self-represented litigants a hard copy of the documents filed with the court. The moving party shall prepare and submit one Court Order on Judicial Council form JV-180, Request to Change Court Order (Judicial Council form JV-183) for court signature. The court will process the request. After court ruling, the clerk will serve the completed Judicial Council form JV-183 on all counsel and parties
(Adopted 1/1/2013; revised 1/1/2018; revised 1/1/2022)

7.36 Electronic Filing Program/Scope.

The Superior Court of California, County of Sacramento, hereby adopts an Electronic Filing Program and Policy for its Juvenile Dependency division in accordance with Code of Civil Procedure section 1010.6 and California Rules of Court, rule 2.255 et seq. There shall be no direct electronic transmission of any pleadings or papers to the court except where specifically authorized by the court in these rules, or otherwise permitted by special order of the court. Electronic filing in these rules specifically does not include telephone "fax" transmissions.
(Adopted 1/1/2013)

7.37 Juvenile Electronic Filing Process.

Electronically transmitted documents must be both submitted to the court and accepted for filing by the court, as described below, in order to be considered duly filed with the court in accordance with these rules and Local Rule 1.21 and 1.22.

(A) Type of documents.

A Juvenile Dependency petition pursuant to Welfare and Institutions Code section 300, section 342 and/or section 387, and/or an application for a warrant, may be electronically transmitted for filing by the Department of Child, Family and Adult Services or County Counsel. No other document may be electronically filed unless directed by the court.

(B) Date/Time of Filing.

A document may be electronically transmitted to the court at any time of the day. Acceptance of the document for filing shall be deemed to occur on the date the document was submitted to the court if the submission occurred between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding court holidays. Documents submitted after 4:00 p.m. shall be deemed accepted on the next business day the clerk's office is open for business. Nothing in this section shall limit the clerk's ability to reject filings.

(C) Receipt of Data.

Upon receiving a document submitted electronically for filing with the court, a Notice of Acknowledgment of Receipt shall automatically be electronically transmitted to the filer. The clerk shall thereafter determine if the document is acceptable for filing with the court.

(D) Acceptance of Filing.

Documents electronically submitted to the court for filing shall be reviewed by the clerk for required data elements. Upon acceptance of the document submitted for filing, an endorsed copy of the document, as described in paragraph (H) below, shall be electronically transmitted to the filer confirming the date and time the document was in fact filed with the court, as provided in paragraph (B) above. The confirmation filing of the document by the court and verification of the accuracy of the document filed by the court shall be the sole responsibility of the filer.

(E) Rejected Filings.

If an electronically transmitted document is submitted to the court and determined to be unacceptable for filing, a notice of rejection of the document shall be electronically transmitted to the filer by the clerk, notwithstanding the filer's compliance with paragraph (B) above. The notice shall set forth the grounds for rejection of the document. It shall be the responsibility of the filer to resubmit rejected documents, with appropriate corrections, to the court for filing.

(F) Endorsement.

The clerk's endorsement of documents electronically transmitted to the court for filing shall consist of the words "Electronically filed" followed by the date of filing. Electronically filed documents so endorsed carry the same force and effect as a manually affixed endorsement stamp with the clerk's signature and initials.

(G) Signed Documents.

A party who electronically files a document represents that a signed copy of the document is in their possession or control. At any time after filing or service of an electronically filed document, the court, or any party to the action, may require the filing party to produce the signed copy of the electronically filed document. The demand shall be served on all other parties, but shall not be filed with the court.

(Adopted 1/1/2013; revised 1/1/2016; revised 1/1/2017; revised 1/1/2018; revised 1/1/2019; revised 1/1/2022)

7.38 (Deleted effective 1/1/2022)

7.39 Electronic Filing System Inquiries.

Inquiries, disputes or complaints regarding any aspect of the Electronic Filing System for Juvenile Dependency may be directed to:

Juvenile Dependency Unit
3341 Power Inn Road
Sacramento, CA 95826
(916) 875-3450
protectivecustodywarrant@saccourt.ca.gov
(Adopted 1/1/2013; revised 1/1/2022)

7.40 Non-Minor Dependent Telephonic Appearance.

A non-minor dependent as defined in Welfare and Institutions Code section 11400(v) has the right to appear telephonically at any hearing involving the non-minor dependent. At the time counsel appears for a hearing involving a non-minor dependent, counsel shall advise courtroom personnel if the non-minor dependent desires to appear by telephone.

(Adopted 1/1/2017)

7.41 Settlement Conference.

The Juvenile Court has adopted a Juvenile Dependency Settlement Conference (JDSC) program to assist in resolution and/or reduction of issues to be litigated in complex, stagnant or lengthy cases. This is a voluntary program which requires the agreement of all trial counsel. The complete procedure can be found at <https://www.saccourt.ca.gov>.

A request to participate in a settlement conference may be made at the time a case is set for trial or, for a matter already set for trial, by submitting a stipulation signed by all parties to can be made by written stipulation or by oral request to the trial court department. The JDSC date will be set by the judicial officer at the time they approve the request.

(Adopted 1/1/2019; revised 1/1/2024)

7.42 Juvenile Dependency Settlement Conference Statement.

The JDSC Statement shall be in writing and shall address the issues as set forth in the JDSC Statement (local form JC\E-348) located on the court's website at <https://www.saccourt.ca.gov>. The statement shall be sufficiently detailed to enable the judicial officer to conduct meaningful settlement discussions.

All counsel must consult with their clients prior to submitting the statement, and shall be prepared to discuss all aspects of the case at the JDSC date.

(Adopted 1/1/2019; revised 1/1/2022)

7.43 Juvenile Dependency Settlement Conference Procedures.

(A) All parties shall submit an original and one copy of the JDSC Statement to the assigned settlement conference department no later than the close of business three court days prior to the JDSC date, and serve on counsel within the same time period.

(B) All trial counsel and parties whose consent is required to effect a binding settlement shall be personally present at the JDSC unless excused by the Juvenile Court.

(C) The JDSC Statement is considered by the settlement judicial officer only and is not filed with the court.

(D) Upon settlement being reached, the appropriate findings and orders will be made on the record.

(Adopted 1/1/2019; revised 1/1/2022)

7.44 Juvenile Dependency Remote Proceedings

(A) General Rules for All Remote Appearances

(1) The court uses the Zoom application to conduct remote proceedings. Parties and witnesses must use Zoom to participate in dependency proceedings via remote technology. Instructions for using Zoom to participate in dependency proceedings can be found in the juvenile department page of the court's website. Parties who do not have the technological capability to appear via Zoom may appear telephonically, except when providing oral testimony.

(2) Form RA-025 is available for requesting a remote appearance.

(3) A party who has consented to participate in the proceedings via remote technology may withdraw their consent as follows:

(a) A party who is represented by counsel may withdraw their consent by informing their counsel they wish to appear in person.

(b) A self-represented party may withdraw their consent by appearing in person at the next scheduled hearing.

(4) A person, including counsel, appearing remotely shall conduct themselves as if they were appearing in court in person.

(5) Technological or audibility issues could arise with remote appearances and may not constitute good cause to delay or halt a proceeding.

(6) Participants must have audio or audio/video capabilities without interruption. Video, if available, must be on for the entire proceeding unless otherwise instructed by the court.

(7) Juvenile dependency proceedings, whether conducted in person or via remote technology, are confidential

proceedings. All parties and witnesses who participate remotely shall ensure that privacy and confidentiality are maintained. No other individual should be able to see or hear the remote proceedings without express permission of the court. You may not share or discuss the information you receive with anyone who is not present in court. You may not share any reports you receive with anyone who is not a party to the case. Confidentiality violations constitute a crime and may be punishable by law and/or result in sanctions.

(8) The court, in its discretion, may decline to allow a remote appearance if it is determined during the hearing that the party or counsel is not properly available, or there is delay due to disruption, noise, misconduct, a communication problem, a technical problem or other issue.

(9) The court cannot guarantee or ensure privacy or encryption. The court may be unable to create breakout rooms or arrange for client consultations if you appear remotely.

(10) Counsel shall abide by rules of professional responsibility and licensing requirements, including the duty of competence and confidentiality.

(11) Counsel shall be physically present if their client is exercising their right to appear in person.

(12) If, during a remote appearance, a party encounters technological or audibility issues that prevent the party from fully participating in the proceeding or inhibit the party's ability to hear other participants, the party shall immediately notify their counsel who shall advise the court of the problem. Self-represented parties who encounter technological or audibility issues during a remote proceeding shall immediately contact the clerk by calling the department. Contact numbers for each department can be found on the court's website at <https://www.saccourt.ca.gov/juvenile/locations.aspx>. Failure to follow these procedures may result in the court proceeding without the participation of the affected party.

(13) Parties may connect to their hearing before and up to the scheduled start time. Parties will remain on hold until their case is called. If parties arrive late or disconnect, they need to contact their counsel and provide the identity of their number or name to be readmitted. Self-represented litigants can contact the clerk by calling the department. Contact numbers for each department can be found on the court's website at <https://www.saccourt.ca.gov/juvenile/locations.aspx>.

(14) Recording/Photographs/Reproduction: Any video recording, audio recording, photographing, taking screenshots and/or reproducing of the proceeding is strictly prohibited. The recording, publishing, broadcasting or other copying or transmission of courtroom proceedings by video, audio, still photography or any other means is strictly prohibited and is subject to penalties for contempt of court.

(B) Proceedings other than an evidentiary hearing or trial

(1) Unless the court orders otherwise, all parties to a dependency proceeding have the option to participate in the proceedings via remote technology.

(2) At their first appearance, all parties shall be prepared to state on the record whether they consent to participate in all future hearings via remote technology until such consent is withdrawn or the court orders the party to appear in person.

(3) Any party may request the court compel the physical presence of any other party at a specific hearing. Such request must be made in writing as well as filed and served no later than two (2) court days prior to the hearing that is the subject of the request. The RA-030 form may be used for this request.

(C) Evidentiary hearings or trials

(1) Unless otherwise ordered by the court, evidentiary hearing or trials shall occur in person.

(a) When setting an evidentiary hearing or trial, parties should discuss if the matter will proceed remotely or in person and confirm their request at the Pre Trial Conference.

(b) If the court determines that the matter will proceed remotely, in whole or in part, at the Pre Trial Conference, the parties shall discuss whether remote testimony is agreed upon for any witness.

(2) If remote appearances are authorized in whole or in part, any witness providing oral testimony may testify remotely only with the consent of all parties. A request for a witness to appear remotely with the consent of all parties must be made in writing no later than 3 court days before the hearing. It is the burden of the party proffering the witness to file the request or present the stipulation and to certify that all parties consent to the remote testimony.

(3) If a party opposes remote testimony by a witness, that party may seek to compel the physical presence of the witness by following the procedures in paragraph (B)(3) above.

(4) Unless otherwise ordered by the court, a witnesses appearing remotely must provide their testimony by audio and video technology. Witnesses must be inside, seated in a position where no other individual can see or hear the proceedings, with reliable technology that allows the court to observe their face without obstruction. Virtual backgrounds are not allowed. Witnesses may need to show their surroundings upon request. Video and audio must remain on during the entirety of testimony. Witnesses may not use other devices such as cell phones or computers during their testimony without court permission.(Adopted 3/9/22)

7.45 ICWA Voluntary Proceedings

The Juvenile Court has established a process for a judge to witness the consent of the parent or Indian Custodian to a placement of an Indian child consistent with Welfare and Institutions Code section 16507.4(b).

- (A) County Counsel will contact the Juvenile Court to request an ICWA Voluntary Proceeding by emailing DependencyPetitions@saccourt.ca.gov. County Counsel will attach a copy of the Agreement of Parent or Indian Custodian to Temporary Custody of Indian Child (form ICWA-101) to the email and indicate if a parent/Indian Custodian is requesting a remote appearance.
- (B) The Court will schedule an ICWA Voluntary Proceeding within two (2) court days of the request. The hearing may be in person or via Zoom depending upon the request of the parent/Indian custodian.
- (C) The Court will email County Counsel with the date and time of the hearing, and County Counsel will inform the social worker of the hearing date, time, and location.
- (D) The social worker will notify the parent/Indian Custodian and Indian Tribe of the upcoming hearing. This informal notice may be verbal or written, to include electronically sent messages.
- (E) The social worker shall submit the original ICWA-101 form to the assigned department prior to or at the hearing. At the hearing, the judicial officer will verify the parent's/Indian Custodian's signature on the ICWA-101 form and certify the form by signing on page 3.
- (F) The clerk shall keep the original signed ICWA-101 form and shall provide a conformed copy to the social worker and parent(s), if present, before the end of the court session.
- (G) The clerk shall process the original signed ICWA-101 form for distribution to the social worker, County Counsel, Indian Tribe, and parent(s).
(Adopted 1/1/2024)