

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE**

**PROPOSED LOCAL RULE/FORM CHANGES
TITLE 5 – DIVISION ONE – FAMILY LAW
EFFECTIVE JANUARY 1, 2022**

**RULE 5177
SUPERVISED VISITATION PROVIDERS**

A. Standards and procedures for both professional and non-professional visitation providers are governed by the Family Code and the Standards of Judicial Administration.

B. ~~List.~~ A list of visitation providers is available through the Riverside Superior Court website at www.riverside.courts.ca.gov/familylaw/supchildvisit.shtml. The individuals **[on the list]** ~~entities~~ have identified themselves to the Riverside Superior Court as **[professional supervised]** visitation providers and have **[submitted]** ~~completed~~ a supervised visitation provider annual declaration **[and proof of the required training]**.

[C.] The visitation **[professional]** providers are not affiliated with the court and each visitation provider is independently responsible for compliance with any and all applicable legal requirements. The court does not endorse, evaluate, supervise, or otherwise monitor the visitation providers.

References:

Family Code 3200 and 3200.5

Standards of Judicial Administration, standard 5.20

[Judicial Council Forms:

Declaration of Supervised Visitation Provider (Professional) FL-324 (P)

Declaration of Supervised Visitation Provider (Non-Professional) FL-324 (NP)]

Local Forms:

[Service Provider Application Supervised Visitation Annual Declaration (RI-FL012[3])

<http://riverside.courts.ca.gov/localfrms/ri-fl012.pdf>

~~Provider Information Sheet (RI-FL013)~~

<http://riverside.courts.ca.gov/localfrms/ri-fl013.pdf>

Additions are shown by bold and bracket **[example]**. Deletions are shown by strikethrough (~~example~~).

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

PROPOSED LOCAL RULE/FORM CHANGES
TITLE 5 – DIVISION TWO – JUVENILE
EFFECTIVE JANUARY 1, 2022

(New Optional Forms to Follow)

Additions are shown by bold and bracket **[example]**. Deletions are shown by strikeout (~~example~~).

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

INDIO 46-200 Oasis St. Rm. 120E, Indio, CA 92201
 MURRIETA 30755-G Auld Rd., Murrieta, CA 92563

RIVERSIDE 9991 County Farm Rd., Riverside, CA 92503

RI-JV037

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar Number and Address</i>) TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____			FOR COURT USE ONLY
CHILD'S NAME: _____			
Hearing Date: _____ Time: _____ Department: _____			
DUAL STATUS REVIEW STIPULATION			

CASE NUMBER (WIC 300): _____

CASE NUMBER (WIC 602): _____

IT IS HEREBY STIPULATED BY THE PARTIES TO THE ABOVE-ENTITLED MATTER THAT:

1. The parties waive their appearance and a reporter's transcript for this hearing.
2. Notice was given as required by law.
3. The child received proper notice of his/her right to attend the hearing, was given the opportunity to be present, and and there is no good cause for a continuance to enable the child to be present.
4. The court has read and considered the social worker/probation's report and recommendation from _____ and report of any court appointed advocate dated _____.
5. The child shall be continued as dependent or ward of the court pursuant to WIC Section 300 or WIC 602, subsection(s) as described below:

Name	WIC 300 and WIC 602 Sections(s)

6. The child's care, custody and control remains with the Director of (DPSS or Probation) _____.
7. (DPSS or Probation) _____ has made diligent efforts to locate an appropriate relative.
8. The child shall be continued in suitable relative care, with an able and willing non-related extended family member, licensed shelter, foster home, or suitable facility able to meet the child's needs.
9. The child's out-of-home placement is necessary and the current placement is appropriate.
10. The child is on runaway status. (DPSS or Probation) _____ has made reasonable efforts to locate the child.
11. The child is placed outside the State of California and that Out-of-State placement does continue to be the most appropriate placement and is in the child's best interest.
12. The court finds that (DPSS or Probation) _____ has complied with the case plan by making reasonable efforts, including whatever steps are necessary to finalize the permanent placement of the child.
13. The services provided to the child have been adequate.

CHILD'S NAME:

CASE NUMBER:

14. (DPSS or Probation) _____ has made reasonable efforts that are consistent with the child's best interest to maintain the relationship between the child and a designated important person in the child's life.
15. Medical, mental, dental, surgical, mental health care/testing as required is authorized. (DPSS or Probation) _____ is authorized to collect reimbursement pursuant to W&IC § 903 et seq.
16. The court has considered whether it is necessary to limit the right of the _____ to make educational or developmental series decisions for the child.
- Based on the evidence presented at the hearing, the court does not limit the right of the _____ to make educational or developmental decisions for the child.
- The right of the _____ to make educational and developmental services decisions for the child is limited as set forth in the JV-535 Findings and Orders Limiting Right to Make Educational Decisions for the Child, Appointing Educational Representative, and Determining Child's Educational Needs filed in this matter.
17. The permanent plan selected below is appropriate and is ordered the permanent plan:
 Return home Adoption Legal Guardianship Tribal Customary Adoption
 Placement with a fit and willing relative.
18. The court report/case plan includes a description of the intensive and ongoing efforts of the Department to establish a permanent plan of return home, adoption/tribal customary adoption, legal guardianship, or placement with a fit and willing relative.
19. The likely date by which the agency will finalize placement of the child and/or the child's specific goal will be achieved is _____ .
20. The extent of progress made by the mother towards alleviating or mitigating the causes necessitating placement has been not applicable parental rights terminated none minimal moderate
 substantial
21. The extent of progress made by the father towards alleviating or mitigating the causes necessitating placement has been not applicable parental rights terminated none minimal moderate
 substantial
22. The child does have siblings under the court's jurisdiction and the sibling relationships have been maintained pursuant to W&IC § 16002.
- The child and all siblings under the court's jurisdiction are placed together in the same home.
- Efforts are being made to place the child and the following sibling(s): _____ together.
- Efforts to place the child with the following sibling(s): _____ are not appropriate.
23. The court has read and considered the case plan and it is approved as written.
24. The case plan was developed in consideration of the recommendations of the Child and Family Team in accordance with W&IC § 16501.1(g).
25. The child was actively involved in the development of the case plan including planning for the child's permanent placement. The child was given the opportunity to review, sign, and receive a copy of the case plan.
26. The child was not actively involved in the development of the case plan including planning permanent placement because the child was unable, unavailable, or unwilling to participate.
27. For children fourteen and over, the services set forth in the case plan include those needed to assist the child in making the transition from foster care to successful adulthood.
28. The child was in foster care at 16 and remains eligible for independent living program services. A Transitional Independent Living Plan (TILP) has been completed.

CHILD'S NAME:	CASE NUMBER:
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29. For the child aged 16 or older, the court has considered the evidence contained in the report and finds that there is a compelling reason for determining that a hearing under W&IC § 366.26 is not in the best interest of the child. Another Planned Permanent Living Arrangement is recommended with a goal of:

- Return home
 Adoption
 Legal Guardianship
 Tribal Customary Adoption
 Placement with a fit and willing relative.

30. The next _____ Hearing is set on _____ at 8:00 a.m. in Department _____

- A compelling reason exists for not setting a W&IC § 366.26 hearing in that such a hearing is not in the best interest of the child because the child is not a proper subject for adoption at this time and has no one currently willing or appropriate to accept legal guardianship.
 A permanent plan of legal guardianship or adoption may be appropriate, and the matter is ordered set for a hearing pursuant to W&IC § 366.26 on _____ in Department _____. DPSS and/or a licensed county adoption agency shall prepare an assessment report as described in W&IC § 366.22(b). The clerk's office is ordered to give notice pursuant to CRC § 5695(f)(18).

31. The court adopts the balance of the recommendations contained in the _____ report filed on _____ and makes those the findings and orders of the court.

32. Additional orders requested:

33. All prior orders not in conflict shall remain in full force and effect.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

(TYPE OR PRINT NAME OF ATTORNEY PARTY MAKING DECLARATION)

(SIGNATURE)

(ATTORNEY FOR CHILD (WIC 602))

(DPSS ATTORNEY/COURT OFFICER)

(ATTORNEY FOR CHILD (WIC 300))

(DISTRICT ATTORNEY)

(PROBATION OFFICER)

(ATTORNEY FOR MOTHER)

(ATTORNEY FOR FATHER)

(OTHER PARTY)

ORDER

BASED ON THE COURT'S REVIEW OF THE SOCIAL WORKER'S REPORT AND RECOMMENDATIONS, ADDENDUMS AND ANY COURT-APPOINTED ADVOCATE REPORT, THE COURT MAKES EACH OF THE FINDINGS AND ORDERS SPECIFIED IN THIS STIPULATION AND FURTHER ORDERS THAT THIS STIPULATION RE: DUAL STATUS REVIEW BE FILED AND INCORPORATED BY REFERENCE AND ATTACHED AS PART OF THE FILE IN THIS MATTER.

Date: _____

(JUDICIAL OFFICER)

CHILD'S NAME:	CASE NUMBER:
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- c. This petition is being filed on or after petitioner's next birthday after July 1, 2021, following the expiration of petitioner's mandated minimum registration period.
- d. Proof of current registration is attached (available at the registering law enforcement agency).

3. Termination Request

- Petitioner requests termination of the requirement to register as a sex offender in California.

4. Pending Charges

- To my knowledge, there are no pending charges against petitioner that could extend the time to complete the registration requirements of petitioner's tier or change petitioner's tier status.

5. Custody Status

- Petitioner is not in custody (*in jail or in prison*).

6. Supervision Status

- Petitioner is not on parole, probation, postconviction supervised release, or any other form of supervised release.

7. Tier Designation and Eligibility

- a. Tier 1 (Juvenile)
 - (1) Petitioner has registered for at least 5 years.
- b. Tier 2 (Juvenile) – Serious or violent felony listed in PC 1192.7(c) or 667.5(c).
 - (1) Petitioner has registered for at least 10 years.

8. Previous Petition

- a. Petitioner (*check one*) has has not previously filed a Penal Code section 290.5 petition in California for termination of a sex offender registration requirement that was denied by the court.
- b. The previous petition was denied in (*case number*): _____, in the Superior Court of California, County of _____, on (*date*): _____.
- c. The court set _____ (years) _____ (months) as the time period after which petitioner may request termination again.

9. Registration Period

- Petitioner believes that they have met the requirements to register for the time period required by petitioner's tier designation as determined by the Department of Justice.

I declare that the information provided is true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: _____

(PRINTED NAME OF PETITIONER OR ATTORNEY)

(SIGNATURE OF PETITIONER OR ATTORNEY)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

INDIO 46-200 Oasis St. Rm. 120E, Indio, CA 92201
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RI-JV039

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar Number and Address</i>) TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____		FOR COURT USE ONLY CASE NUMBER: _____
CHILD'S NAME: _____		Department: _____
Hearing Date: _____	Time: _____	Department: _____

**RESPONSE BY DISTRICT ATTORNEY TO
 PETITION TO TERMINATE SEX OFFENDER REGISTRATION (JUVENILE)**

This is a response to a petition filed by:

1. Petitioner's Information

Name: _____ Date of birth: _____
FIRST MIDDLE LAST (MM/DD/YYYY)

2. Response

- a. The district attorney has no objection to this petition.
- b. The district attorney objects to the petition being granted and requests a hearing because (*check all that apply*):
 - (1) Community safety would be significantly enhanced by the petitioner's continued registration.
 - (2) Petitioner has not met the requirements of Penal Code section 290(e).
- c. The district attorney requests the petition be summarily denied because (*check all that apply and state reasons for summary denial*):
 - (1) Petitioner has not fulfilled the filing and service requirements of Penal Code section 290.5 because: _____
 - (2) There are pending charges against petitioner that could extend the time to complete the registration requirements of the tier or change petitioner's tier status: _____
 - (3) Petitioner is in custody or on parole, probation, or supervised release: _____
 - (4) Petitioner is in Tier 1 or Tier 2 and has not met the mandatory minimum registration period for that tier. The Mandatory minimum registration period will be met as of (*date*): _____
 - (5) Other: _____
- d. This response has been served on the petitioner or counsel at the address set forth on the petition.

Date: _____

(TYPE OR PRINT NAME OF DEPUTY DISTRICT ATTORNEY)

(SIGNATURE OF DEPUTY DISTRICT ATTORNEY)

CHILD'S NAME:	CASE NUMBER:
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- e. Petitioner is in Tier 2 juvenile and has not met the mandatory minimum registration period for that tier.
- f. Other: _____

6. After a court hearing, the court **DENIES** the petition to terminate the juvenile sex offender registration requirement because the court finds that (*check one*):

- a. Petitioner has not met the requirements of Penal Code section 290(e). Unless petitioner is convicted of a new offense extending it, the mandatory minimum registration period will be met as of _____ .
- b. Community safety would be significantly enhanced by the petitioner's continued registration. The court's findings are (*select one*):
 - Stated orally on the record.
 - Set forth below.

- Petitioner may not file another petition for termination for _____ years from the date of denial, for the following reasons:

Court to serve a copy of this order on the petitioner, law enforcement, the district attorney and the Department of Justice, California Sex Offender Registry at PO Box 903387, Sacramento, CA 94203-3780.

(DATE)

(JUDICIAL OFFICER)