

California Welfare And Institutions Code § 388. [Effective Until 1/1/2009].**CALIFORNIA CODES****CALIFORNIA WELFARE AND INSTITUTIONS CODE****Division 2. CHILDREN****Part 1. DELINQUENTS AND WARDS OF THE JUVENILE COURT****Chapter 2. JUVENILE COURT LAW****Article 12. Dependent Children-Modification of Juvenile Court Judgments and Orders**

Current through 2008

§ 388. [Effective Until 1/1/2009].

(a) Any parent or other person having an interest in a child who is a dependent child of the juvenile court or the child himself or herself through a properly appointed guardian may, upon grounds of change of circumstance or new evidence, petition the court in the same action in which the child was found to be a dependent child of the juvenile court or in which a guardianship was ordered pursuant to Section 360 for a hearing to change, modify, or set aside any order of court previously made or to terminate the jurisdiction of the court. The petition shall be verified and, if made by a person other than the child, shall state the petitioner's relationship to or interest in the child and shall set forth in concise language any change of circumstance or new evidence which are alleged to require the change of order or termination of jurisdiction.

(b) Any person, including a child who is a dependent of the juvenile court, may petition the court to assert a relationship as a sibling related by blood, adoption, or affinity through a common legal or biological parent to a child who is, or is the subject of a petition for adjudication as, a dependent of the juvenile court, and may request visitation with the dependent child, placement with or near the dependent child, or consideration when determining or implementing a case plan or permanent plan for the dependent child or make any other request for an order which may be shown to be in the best interest of the dependent child. The court may appoint a guardian ad litem to file the petition for the dependent child asserting the sibling relationship if the court determines that the appointment is necessary for the best interests of the dependent child. The petition shall be verified and shall set forth the following:

- (1) Through which parent he or she is related to the dependent child.
- (2) Whether he or she is related to the dependent child by blood, adoption, or affinity.
- (3) The request or order that the petitioner is seeking.
- (4) Why that request or order is in the best interest of the dependent child.

(c) If it appears that the best interests of the child may be promoted by the proposed change of order, recognition of a sibling relationship, or termination of jurisdiction, the court shall order that a hearing be

held and shall give prior notice, or cause prior notice to be given, to the persons and by the means prescribed by Section 386, and, in those instances in which the means of giving notice is not prescribed by those sections, then by means the court prescribes.

History. Amended by [Stats 2000 ch 909 \(AB 1987\)](#), [s 7](#), eff. 1/1/01.

Note: *This section is set out twice. See also Ca. Welf. and Inst. Code § [388](#), as amended by [Stats 2008 ch 457 \(AB 2341\)](#), [s 2](#), eff. 1/1/2009.*