

CALIFORNIA RULES OF COURT

As amended through January 1, 2008

Rule 5.534(n)

Caregiver notice and right to be heard (§§ 290.1-297, 366.21)

(1) For any child who has been removed from the home, the court must ensure that notice of statutory review hearings, permanency hearings, and section 366.26 hearings has been provided to the current caregiver of the child, including foster parents, preadoptive parents, relative caregivers, and nonrelative extended family members. Notice of dispositional hearings also must be provided to these individuals when the dispositional hearing is serving as a permanency hearing under section 361.5(f).

(2) The current caregiver has the right to be heard in each proceeding listed in paragraph (1), including the right to submit information about the child to the court before the hearing. Written information about the child may be submitted to the court using the *Caregiver Information Form* (form JV-290) or in the form of a letter to the court.

(3) At least 10 calendar days before each hearing listed in paragraph (1), the social worker must provide to the current caregiver:

(A) A summary of his or her recommendations for disposition, and any recommendations for change in custody or status;

(B) *Caregiver Information Form* (form JV-290); and

(C) *Instruction Sheet for Caregiver Information Form* (form JV-290-INFO).

(4) If the caregiver chooses to provide written information to the court using form JV-290 or by letter, the caregiver must follow the procedures set forth below. The court may waive any element of this process for good cause.

(A) If filing in person, the caregiver must bring the original document and 8 copies to the court clerk's office for filing no later than five calendar days before the hearing.

(B) If filing by mail, the caregiver must mail the original document and 8 copies to the court clerk's office for filing no later than seven calendar days before the hearing.

(5) When form JV-290 or a caregiver letter is received by mail the court clerk must immediately file it.

(6) When form JV-290 or a caregiver letter is filed, the court clerk must provide the social worker, all unrepresented parties and all attorneys with a copy of the completed form or letter immediately upon receipt. The clerk also must complete, file, and distribute *Proof of Service-Juvenile* (form JV-510). The clerk may use any technology designed to speed the distribution process, including drop boxes in the courthouse, email or fax to distribute the JV-290 form or letter and proof of service form.

(Subd (n) relettered effective January 1, 2008; adopted as subd (m) effective October 1, 2007.)