

1                    or her counsel. Any private communication is confidential and privileged  
2                    under Evidence Code section 952.

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4    **(f) Sunset of rule**

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6                    This rule will remain in effect until 90 days after the Governor declares that the  
7                    state of emergency related to the COVID-19 pandemic is lifted, or until amended or  
8                    repealed by the Judicial Council.

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11    **Emergency rule 6. Emergency orders: juvenile dependency proceedings**

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13    **(a) Application**

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15                    This rule applies to all juvenile dependency proceedings filed or pending until the  
16                    state of emergency related to the COVID-19 pandemic is lifted.

17  
18    **(b) Essential hearings and orders**

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20                    The following matters should be prioritized in accordance with existing statutory  
21                    time requirements.

- 22  
23                    (1)    Protective custody warrants filed under Welfare and Institutions Code section  
24                    340.
- 25  
26                    (2)    Detention hearings under Welfare and Institutions Code section 319. The  
27                    court is required to determine if it is contrary to the child’s welfare to remain  
28                    with the parent, whether reasonable efforts were made to prevent removal,  
29                    and whether to vest the placing agency with temporary placement and care.
- 30  
31                    (3)    Psychotropic medication applications.
- 32  
33                    (4)    Emergency medical requests.
- 34  
35                    (5)    A petition for reentry of a nonminor dependent.
- 36  
37                    (6)    Welfare and Institutions Code section 388 petitions that require an immediate  
38                    response based on the health and safety of the child, which should be  
39                    reviewed for a prima facie showing of change of circumstances sufficient to  
40                    grant the petition or to set a hearing. The court may extend the final ruling on  
41                    the petition beyond 30 days.
- 42

1 **(c) Foster care hearings and continuances during the state of emergency**

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- 3 (1) A court may hold any proceeding under this rule via remote technology
- 4 consistent with rule 5.531 and emergency rule 3.
- 5
- 6 (2) At the beginning of any hearing at which one or more participants appears
- 7 remotely, the court must admonish all the participants that the proceeding is
- 8 confidential and of the possible sanctions for violating confidentiality.
- 9
- 10 (3) The child welfare agency is responsible for notice of remote hearings unless
- 11 other arrangements have been made with counsel for parents and children.
- 12 Notice is required for all parties and may include notice by telephone or other
- 13 electronic means. The notice must also include instructions on how to
- 14 participate in the court hearing remotely.
- 15
- 16 (4) Court reports
- 17
- 18 (A) Attorneys for parents and children must accept service of the court
- 19 report electronically.
- 20
- 21 (B) The child welfare agency must ensure that the parent and the child
- 22 receive a copy of the court report on time.
- 23
- 24 (C) If a parent or child cannot receive the report electronically, the child
- 25 welfare agency must deliver a hard copy of the report to the parent and
- 26 the child on time.
- 27
- 28 (5) Nothing in this subdivision prohibits the court from making statutorily
- 29 required findings and orders, by minute order only and without a court
- 30 reporter, by accepting written stipulations from counsel when appearances
- 31 are waived if the stipulations are confirmed on the applicable Judicial
- 32 Council forms or equivalent local court forms.
- 33
- 34 (6) If a court hearing cannot occur either in the courthouse or remotely, the
- 35 hearing may be continued up to 60 days, except as otherwise specified.
- 36
- 37 (A) A dispositional hearing under Welfare and Institutions Code section
- 38 360 should not be continued more than 6 months after the detention
- 39 hearing without review of the child's circumstances. In determining
- 40 exceptional circumstances that justify holding the dispositional hearing
- 41 more than 6 months after the child was taken into protective custody,
- 42 the impact of the state of emergency related to the COVID-19
- 43 pandemic must be considered.