

Department of Children and Family Services /
Bureau of Operations
Regional Office Address
City, State, Zip Code
CSW's Name
CSW Phone Number
CSW File #, First Initial, Last Name
DSS No. (State ID)
CSW's RDO

Text in **BLACK** automatically populates when the document is created in CWS/CMS. Complete your document by referring to the **PURPLE** text.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES**
201 Centre Plaza Drive, Monterey Park, California 91754

366.26 WIC REPORT

<u>Hearing Date</u>	<u>Hearing Time</u>	<u>Dept./Room</u>	<u>Hearing Type/Subtype</u>
Date for Receipt of Report			WIC 366.26
Date of Hearing			

IN THE MATTER OF

<u>Name</u>	<u>Date of Birth</u>	<u>Age</u>	<u>Sex</u>	<u>Court Number</u>
Child's Name				

This information will be populated from the Hearing Notebook and from the child's Client Notebook.

CHILD(REN)'S WHEREABOUTS

List the name and address of each child named in the report. Enter each child's caregiver's name, exact relationship to the child, address and telephone number.

If a non-disclosure order has been issued, enter the date of issued.

If the child is attached or placed in the home of a caregiver who has signed an application to adopt him/her, indicate this but keep the identity & whereabouts of the caregiver confidential.



Paste a current photograph of each child below the entered text. If unable to paste a current color photograph of each child to the report, black and white photos are acceptable.

PARENTS/LEGAL GUARDIANS**Name/
Birthdate****Address/
Phone****Relationship/
To Whom**

This information will populate from the parent's Client Notebook. If a parent's address is confidential delete the address and enter "Confidential". If the identity of a parent or the requested information in the grid is unknown, enter "unknown".

OTHERS**Name/
Birthdate****Address/
Phone****Relationship/
To Whom**

Select only those individuals who have a direct interest in the child (e.g., child's legal guardian(s), substitute care provider, or relatives). It is not necessary to list collateral contacts in this section. If necessary, edit/enter data directly into these fields.

ATTORNEYS**Name****Address/
Phone****Representing**

Information in this field is populated from the database with the exception of information regarding attorneys representing tribes or tribal organizations. This information must be entered manually. If necessary, edit/enter data directly into these fields.

INDIAN CHILD WELFARE ACT STATUS

Check the Client Notebook for information on the child's Indian status. Ensure that **active efforts** as required by the **Indian Child Welfare Act** are documented in this section.

NOTICES

<u>Name</u>	<u>Relationship</u>	<u>Method</u>	<u>Notice Date</u>
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All information in this field is populated from the database. Edit/enter data directly into these fields, if necessary. Attach the notices and a certified copy of the child's birth certificate to the court's copy of the report.

Ensure that the tribe(s) and/or Bureau of Indian Affairs (BIA) and the Secretary of the Interior have been **notified** of the proceedings. Attach any correspondence received to the report.

If new information is obtained on the child's Indian status, complete the **ICWA 010A** and re-notify all appropriate parties.

State whether a child, who is 10 or older, wishes to attend the hearing.

Notice is not required for parents of a nonminor dependent (NMD).

SEARCH RESULTS/HISTORY

If the whereabouts of a parent are unknown and a **due diligence report** was previously submitted, reference the report with its date and the name of the parent.

LEGAL HISTORY

300 WIC Subsection(s)

Initial Removal

Initial Detention Order

Initial Jurisdiction Finding

Initial Disposition Order

Initial 364 FM Review

Second 364 FM Review

Initial 366.21(e) – 6 Month FR Review

Initial 366.21(f) – 12 Month FR Review

Initial 366.22 – 18 Month FR Review

FR Services Terminated**Non-Reunification Ordered****Initial Permanent Plan: Type/ Date Ordered****Current Permanent Plan: Type/ Date Ordered**

Hearing information in this field is populated from the database. The dates come from the hearings in which the Hearings Results Pages have specific findings and/or orders entered.

Sections that do not populate at this time are Abuse Description and Non-Reunification. This information must be manually entered. If necessary, edit/enter data directly into these fields.

Additional Legal History

List the date the WIC 300 petition was filed, the date the petition was sustained, and any sustained supporting fact(s).

Indicate the date any supplemental or subsequent petitions were filed, the type of the petition (WIC 342, 387 or 388), the name of the child on whose behalf the petition was filed, and the date it was sustained or dismissed.

Include information on any jurisdictional transfers or prior dependency court proceedings.

List the sustained supporting fact(s), using the exact language of the sustained petition.

REASON FOR HEARING

Enter: "The matter is now before the court to identify and implement a permanent plan for child [enter the name(s) of the child]". Provide a brief description of the circumstances that led to the child coming before the court.

PATERNITY/LEGAL RELATIONSHIPS

Provide all known information regarding the child's paternity, include dates whenever possible. Examples include:

- Deoxyribonucleic acid (DNA) paternity testing results
- Human Leukocyte Antigens (HLA) results
- Court orders
- **Marriage certificates**
- Divorce decrees
- Death certificates
- Birth Certificates
- JV-505

If the court has already made a paternity ruling, indicate the court that issued this ruling, as well as the date of the ruling.

If an alleged father denies paternity on a JV-505, no further notice is required and he is no longer part of the case.

When the identity of the father is unknown, enter: "The identity of [enter the name(s) of the child]'s father is unknown."

PERMANENCY PLANNING ASSESSMENT

Evaluation of Child(ren)

Regarding: Child's Name

Each child in the report should have a separate section with the heading titled "Regarding: [Child's Name]".

- Discuss findings from the children's portion of the SDM Family Strengths and Needs Reassessment tool without referencing the tool itself. Do not attach any SDM tools when submitting documents to court, unless ordered by the court to do so.
- Address the medical/dental, developmental, educational, mental and emotional health status of the child as instructed below. Note any recommendations or goals to meet the child's needs.
- If the child has severe emotional or behavior problems, a serious medical condition, physical disability or developmental delay, indicate whether the child is receiving or pending the receipt of a specialized increment, dual agency and/or supplement rate. Describe the condition(s) which qualified the child for that rate in the appropriate section below.
- If the child has an existing or potential disability, state whether the child is receiving **Supplemental Security Income (SSI)**. Indicate the payee in the section below that the child could/does qualify . Alternatively, state if a referral or application has been made, the date it was made, and the result of that application.
- If there is pertinent information to be reported to the Court that cannot be recorded within the Health and Education Passport (HEP), provide a summary and state the following:
 - "In addition to the information contained in the attached Health and Education Passport, the following is provided to the Court:"
 -

Medical:

Attach the **HEP** to the court report and state the following in each section:

- "The court is respectfully referred to the attached Health and Education Passport for information regarding the child's medical/health and dental status."
- The NMD has to give permission for the HEP to be attached to the court report.

Developmental:

Attach the **HEP** to the court report and state the following in each section:

- "The court is respectfully referred to the attached Health and Education

Passport for information regarding the child's developmental status."

Educational:

Attach the **HEP** to the court report and state the following in each section:

- "The court is respectfully referred to the attached Health and Education Passport for information regarding the child's educational status."

Mental & Emotional Status:

Attach the **HEP** to the court report and state the following in each section:

- "The court is respectfully referred to the attached Health and Education Passport for information regarding the child's educational status."

If the child has severe emotional or behavior problems, indicated if the child is receiving the D-rate. If the assessment is pending, indicate this fact.

Placement History:

Enter the appropriate information under the headings provided.

<u>Child's Name</u>	<u>Date of Original Placement</u>	<u>Date of Current Placement</u>	<u>Total Number of Placements</u>	<u>Child Ever Return Home</u>
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- If the child is residing in a group home, include the reason(s) or the continued need for a group home placement.
- If the recommendation is that the child be placed out-of-state or if the child is already out-of-state, address whether this placement would or continues to be the most appropriate selection and in the best interests of the child.
- Do not disclose placement information of a child who is attached or placed in a prospective adoptive home.
- Enter the caregiver's comments provided on the JV290, if any, and discuss any action that was taken.

History of Contacts Between Child and Family

- Record the amount and the nature of any contacts between the child and his/her parents and members of extended family since the child's initial placement.
- Indicate any pattern of missed visits or calls.
- Discuss the quality and effect of the contacts on the child. Indicate the person that provided the information about the contacts.
- If visitation is detrimental to the child and/or precludes adoptive planning, include a statement to decrease or terminate visits.

Analysis of the Likelihood of Adoption and Proposed Permanent Plan

- **Record specific and clearly identified facts from the most current Concurrent Planning Assessment (CPA), including the identified permanency alternative. Attach the CPA to the report.**
- **Include information on the status of the current caregiver's applicant assessment or the status of placement with an approved adoptive applicant family.**
- **List in detail all information required to complete the applicant assessment and provide a timeline for the steps necessary to complete the home study.**
- **Identify the Applicant CSW, outside agency social worker or tribal agency/designee who will be conducting the applicant assessment.**
- **If the child resides out-of-state under the provisions of the Interstate Compact on Placement of Children (ICPC), an adoptive home study cannot be initiated until the child has been legally freed. If this is the case, enter the following:**
 - **"Pursuant to California Manual of Policies and Procedures Adoption User's Manual Section 35401 (a)(1)(A)(3), an adoptive home study cannot be initiated until the receiving state receives the AD 4333, Acknowledgement and Confirmation of Receipt of Relinquishment Documents, establishing that the child has been freed for adoption."**

Indian Child

- **Document efforts to consult with the child's tribe regarding permanency options.**
 - **Offer an assessment of whether TCA is an appropriate permanent plan for the child and why.**
 - **If recommending termination of parental rights in an Indian child custody proceeding, a final recommendation report must be obtained from a qualified expert witness, summarized and attached to the 366.26 report.**
- **If the prospective adoptive home is a non-Indian home, discuss the prospective parent's commitment to enabling the child to participate in the cultural and ceremonial events of the child's tribe, and his/her willingness to agree to the Post-adoption Contact Agreement.**
- **If no prospective adoptive family has been identified, provide the date a referral was made to the Placement Recruitment Unit (PRU), any progress of recruitment efforts made so far, and the projected timeframe for locating an adoptive family.**
 - **Describe all previous, ongoing and upcoming efforts to locate a prospective adoptive home and the projected time frame to do so.**
- **Describe the nature of the relationship between the child and his/her siblings and the appropriateness of keeping sibling(s) together in the permanent placement.**

- Discuss how the sibling relationship impacts the child's permanency planning, including the long-term emotional interest, as compared with the benefit of legal permanency through adoption.
- If the siblings are not placed together, discuss plans for keeping the siblings informed of significant life events that occur within the extended family.
- Any child 10 years or older and placed in a group home must be asked to identify individuals who are important to him/her.
 - Indicate the individuals' relationship with the child, whether contact has been made, and if so, whether they would be willing to provide a permanent home for the child.
- If termination of parental rights would be detrimental to the child, detail the compelling reasons by which the court may make this finding and identify the recommended permanent plan.
 - A relative caregiver's preference for legal guardianship rather than adoption must not constitute the sole basis for recommending removal of the child from the relative caregiver in favor of adoptive placement, so long as that preference is not related to an unwillingness to accept legal or financial responsibility for the child.

PROSPECTIVE ADOPTIVE PARENTS/LEGAL GUARDIANS (to be completed by the APRD CSW if the recommendation is adoption)

- If a prospective adoptive parent/legal guardian has been identified, complete the prospective caregiver grid as described below, creating separate sections for each prospective adoptive family/legal guardian(s).
 - To protect the confidentiality of prospective adoptive parents, be sure to use non-identifying information when completing the sections below. When completing the sections on clearances, present results in a general fashion, including enough facts to assess child safety.
 - Do not attach clearances for prospective adoptive parents to the court report unless ordered to do so by the court.

Prospective adoptive parent(s)/legal guardian(s) have been identified for the following child(ren):

<u>Child's Name</u>	<u>Current Caregiver</u>	<u>Interested in Adoption?</u>	<u>Interested in Kinship Adoption?</u>	<u>Interested in Legal Guardianship?</u>
First & M.I.	Yes/No	Yes/No	Yes/No	Yes/No

Prospective Caregiver Assessment for: Enter name(s) of child(ren)

Social History:

- **This section includes but is not limited to:**
 - **Age**
 - **Marital status**
 - **Family Composition**
 - **Education**
 - **Employment/Income**
 - **Information about the applicant's tribal membership or affiliation**

- **Unless extraordinary child-specific circumstances warrant consideration of these factors, do not include:**
 - **Race**
 - **Color**
 - **National origin**

Results of Criminal History Clearance:

- **Discuss results of all criminal clearances. Attach clearances to the report if the identified plan is legal guardianship but not for adoption.**

- **Present the results of clearances in a general fashion that provides enough facts to assess child safety, but does not violate the confidentiality of the prospective adoptive parent.**

- **If a prospective adoptive parent does not wish to disclose a criminal history with his/her spouse, domestic partner or co-adoption partner, do not include the information in the report.**
 - **Send it to the Hearing Officer in a sealed envelope, marked 'confidential'.**

Results of CWS History Clearance:

- **Discuss the results of CWS/CMS and Child Abuse Clearance Index (CACI) clearances, including any history of child welfare services and the potential impact of that history upon the prospective adoptive parent(s) or legal guardian(s) ability to care for the child.**

- **Present the results of clearances in a general fashion that provides enough facts to assess child safety, but does not violate the confidentiality of the prospective adoptive parent.**

Motivation for Seeking Adoption/Legal Guardianship:

- **Discuss in detail.**

Duration and Character of Relationship with Child(ren):

- Discuss in detail.

Capability to Meet Child(ren)'s Needs:

- Address the ability of each prospective adoptive parent or legal guardian to:
 - Provide a safe and secure home
 - Exercise proper care and control of the child
 - Obtain appropriate child care
 - Protect the child from his/her parents
 - Facilitate visitation with parents or other relatives
 - Parenting ability and experience
 - Meet the child's needs, including any special needs

In the following cases, also address:

<p>TCA</p>	<ul style="list-style-type: none"> • Applicant's willingness to learn and incorporate the prevailing social and cultural standards of the child's tribe into family life • Applicant's cultural competence of the child's tribe, especially the customs, traditions and laws relevant to the child's development
<p>Legal Guardianship</p>	<ul style="list-style-type: none"> • Prospective guardian's commitment, willingness and ability to raise the child through the age of 18. • The child's preparation for constructive emancipation to adulthood • Prospective guardian's willingness to being a mentor to the child after emancipation.
<p><u>Kin-GAP</u></p>	<ul style="list-style-type: none"> • Length & stability of the placement • Ability of relative to meet the child's needs • Whether child welfare services continue to be required

Understanding of Responsibilities of Adoption/Legal Guardianship:

<p>Adoption or Legal Guardianship</p>	<ul style="list-style-type: none"> • Discuss the prospective adoptive parent's or guardian's understanding of the legal responsibilities and financial obligations of adoption/legal guardianship. • Include a statement that the relative caregiver has been given information on
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	<p>these permanency options (via DCFS 5620, JV350) including the long-term benefits and consequences of each, prior to establishing legal guardianship or pursuing adoption.</p>
TCA	<ul style="list-style-type: none"> • Discuss the applicant's understanding of the TCA process.

Kinship Adoption Agreement Status:

Post-adoption Contact Agreement Status

- Indicate whether the prospective adoptive parent(s) have been given the [DCFS 5520](#), an Introduction to the [Post-Adoption Contact Agreement](#), and are interested in or have completed an agreement.
- Address whether the parties have been referred to the Consortium for Children’s Permanency Planning Mediation.
 - Indicate whether post-adoption sibling contact would be in the adopted child’s best interest and whether the prospective adoptive parent(s) show a willingness to facilitate such contact.

Kin-GAP Cases

- If legal guardianship with a Kin-GAP eligible relative is the recommended plan, indicate that the prospective legal guardian(s) has been provided with written information about [Kin-GAP](#) (i.e. JV 350, SOC 369, or SOC 369A).
 - Ensure that all of the following are documented within the .26 report:
 - Being returned home or to adoptive placement are not appropriate permanency options for the child
 - The child demonstrates a strong attachment to the prospective relative guardian
 - The relative guardian has a strong commitment for caring permanently for the child
 - The child, if 12 years of age or older, has been consulted regarding the Kinship Guardianship arrangement

Understanding of Legal and Financial Rights:

- Discuss the prospective parent's/legal guardian's understanding of the legal and financial rights of adoption and legal guardianship.

- Indicate whether the prospective adoptive parent has been advised of the Adoption Assistance Program (AAP).
- Include a statement that the relative caregiver has been given information on these permanency options (via [DCFS 5620](#), [JV350](#)) including the long-term benefits and consequences of each, prior to establishing legal guardianship or pursuing adoption.

Commitment to Permanent Plan:

- Discuss the prospective parent's/guardian's commitment to providing a permanent home for the child.
- Include any statements from the prospective parent/guardian, verbatim if possible.

Child(ren)'s Statement(s) Concerning Placement and the Prospective Adoption/Legal Guardianship:

- Include a statement, verbatim if possible, from any child four (4) years of age or older about his/her placement and identified plan.
- If the child's age or physical, emotional or other condition (including his/her age) precludes a meaningful response, describe the condition.
- Any child 12 year of age or older must consent to adoption and to the termination of his/her parents' parental rights.
 - Consent is not required for TCA but the child's wishes must be taken into consideration.
- Include the child's name, date of interview, and whether the interview was conducted in person or by telephone.

Permanency for Youth 16 and Older - Another Planned Permanent Living Arrangement (APPLA)

The APPLA is any permanent plan for a youth age 16 or older and nonminor dependents in an out-of-home foster care placement, in which a youth may remain until adulthood, when the options to return home, place with a relative, place for adoption, tribal customary adoption, or legal guardianship have been ruled out. The court may order Another Planned Permanent Living Arrangement (APPLA) for youth age 16 or older and nonminor dependents if appropriate. For youth placed in foster care under an APPLA permanency plan, the CSW must provide the court with the following information:

- A description of the intensive and ongoing efforts to return the youth to the home of the parent, place the youth for adoption, tribal customary adoption, or establish a legal guardianship;

- The steps taken to ensure the youth's care provider is following the reasonable and prudent parent standard; and
- The steps taken to ascertain whether the youth has regular opportunities to engage in age or developmentally appropriate activities, including consulting with the youth regarding his/her desires and opportunities to participate in various activities.

Permanency for Children Under 16

APPLA has been eliminated as a permanency option for children under 16 years of age. The court must order a permanent plan of return home, adoption, tribal customary adoption, legal guardianship or placement with a fit and willing relative, as appropriate, for any child under the age of 16 who remains in a foster care placement after reunification services are terminated. Placement with a fit and willing relative is a permanency option for all youth. A fit and willing relative is an approved placement with a relative who is willing and capable of providing a stable and permanent home environment for the child, but is unable or unwilling to commit to legal permanence through adoption, tribal customary adoption, or guardianship at the time of the hearing. The CSW must provide the court with the following information:

- Documentation of any barriers to achieving the permanent plan and the efforts made to address those barriers.
- If a child under the age of 16 currently has a permanent plan other than return home, adoption, tribal customary adoption, legal guardianship or placement with a fit and willing relative, DCFS must apply the new requirements described in this section and choose a permanency plan other than APPLA at the next permanency hearing.

VISITATION

- Discuss the appropriateness of future visitation between the child and his/her parents, siblings and/or other family members. This information will support the recommended visitation plan and may include a discussion of the previous implementation and compliance of any court-ordered visitation plan.

CONTACTS

Delivered Service Log Report Attached.

ASSESSMENT/EVALUATION

Summarize the factors that led to the recommended permanent plan and why that plan is in the best interests of the child.

- Include a discussion of whether the child is likely to be adopted if parental rights are terminated.

- Report the date the parent was advised of the option to participate in adoptive planning and to voluntarily relinquish the child for adoption. If not advised, explain why.
- Document any serious concerns regarding the ability to approve the identified prospective parent's adoptive home study and how and when those concerns will be addressed.
- Incorporate any relevant information obtained from the APRD CSW or outside agency social worker and/or from the most current CPA.

CASE PLAN

- Attach a copy of the most current Child Welfare Services Case Plan.
- If the child is 14 years or older, also attach a copy of the current [Transitional Independent Living Plan](#).

ATTACHMENTS

The attachments identified in this report are attached hereto and incorporated herein by this reference.

- Ensure that all listed attachments are attached to the report including:
 - A copy of the last quarterly report of any group home or foster family agency placement
 - Any JV-505's completed by an alleged father during the life of the case
 - A current completed CPA and HEP
- Ensure that any confidential information is appropriately protected in the attachment(s).

RECOMMENDATION

- The Recommendations Guide is **generated** on CWS/CMS under: "LA County Specific" templates. Complete one of following to access the Recommendations Guide:

Option 1:

- While in the ID Tab of the Court Management Section (**Pink** button), select "+" under create a New JV Document then;
- Change the "Document Category" to "County" then;
- Select "Recommendations Guide" to access the form and;
- Select the appropriate recommendations and paste them into the court report.

Option 2:

- While in the Case Management Section (Green button), select "Create a New Document" then;
- Select Los Angeles County then;
- Select "Recommendations Guide" to access the form and;

- Select the appropriate recommendations and paste them into the court report.

There may be additional recommendation(s) that need to be included but are not found on the Recommendations Guide. These recommendations must be manually entered into the report.

Adoption	Include the following:
	<ul style="list-style-type: none"> • "It is respectfully recommended that the minute order reflect the following information for each child as noted below:" <ul style="list-style-type: none"> • Child's names (include all aliases and alternate spellings of names) • Child's date of birth • Enter the names of the parent(s), ensure that the full correct name(s), including aliases are entered.
TCA	<p>Recommend that a continued 366.26 be set within 120 days of the original WIC 366.26 hearing to allow time for:</p> <ul style="list-style-type: none"> • The tribe to complete and file the TCAO with a modification of the child's legal relationship to the birth parents. • DCFS to file with the court an addendum to the continued WIC 366.26 report. <p>Consent from the Indian parent(s) or custodian is not required to recommend TCA.</p>
Kin-GAP	<p>Ensure that the recommendation to terminate jurisdiction is selected from the Recommendations Guide.</p> <p>Include a recommendation on the parent's visitation with the child.</p>

Respectfully Submitted,

Philip L. Browning, Director
 Department of Children and Family Services

By

Child's Name

Court Case Number

CSW Name, Title, File # First Initial, Last Name, Phone Number

Date

SCSW Name, SCSW, Phone Number

Date

I have read and considered the above report.

Judicial Officer

Date