# JV-464-INFO How to Ask to Return to Juvenile Court Jurisdiction and Foster Care

Some 18, 19, and 20 year-olds can return to the jurisdiction (authority) of the juvenile court and foster care. This form explains:

- The benefits of returning to foster care,
- Who qualifies to return to foster care, and
- How to ask to return to the jurisdiction (authority) of the juvenile court and a foster care placement.

## What benefits can I get if I return to foster care?

If you return to the court's authority and foster care as a nonminor dependent, you can get money to live in supervised foster care. You would be able to live at a:

- Relative's home
- Home of a nonrelated extended family member (a person close to your family but not related to you)
- Foster home
- Group home if you need to because of a medical condition. You can also stay in a group home until your 19th birthday or until you finish high school, whichever one happens first.
- Supervised independent living setting, such as an apartment or college dormitory

You can also get:

- Clothing allowance,
- Case management services, and
- Independent Living Program services.

## Do I qualify to return juvenile court jurisdiction and foster care?

You qualify if you meet these requirements:

☐ **Age Requirements:**

- You are now 18, 19, or 20 years old,
- You were in foster care on your 18th birthday,* and
- You were supervised by a social worker or probation officer.

** Even if you were on the run, you can qualify if there was an order for you to be in foster care at the time.*

☐ **Court Requirements:**

The court must have made order to keep its jurisdiction (authority) to reopen your case until your 21st birthday.

☐ **Work/School Requirements:**

You must want to do one of the following:

- Finish high school or get a high school equivalency (GED) certificate,
- Attend college or community college,
- Attend a vocational education program, or
- Attend a program or do activities that will help you get a job

*Exception:* If you have a medical problem that makes you unable to meet these requirements, you do not have to be in school, a program, or working.

☐ **Sign an Agreement to Return to Foster Care:**

You and a social worker (SW) or probation officer (PO) must sign an agreement that says:

- You want to return to foster care to be placed in a supervised setting.
- The SW or PO will be responsible for your placement and care.
- Together, you and the SW or PO will make a plan that helps you to learn how to live independently.
- If you ask the SW or PO to file your court papers , you will cooperate with them.
- If your situation changes and you no longer qualify to stay in foster care, you will tell the SW or PO.

*Important!* Even if you are not sure you qualify, you should still apply.

## When can I get help to find housing?

As soon as you sign the agreement to return to foster care, your social worker or probation officer can help you find housing and other services you may need.

## How do I ask to return to Juvenile Court Jurisdiction and foster care?

You - or a SW at the child welfare department or a PO at the probation department that supervised you when you were in foster care - must fill out and file the court form, *Request to Return to Juvenile Court Jurisdiction and Foster Care* (JV-466). This form tells the court you want to return to foster care.

If you want to fill out the form yourself, you can find a lot of the information you need on the form, *Termination of Juvenile Court Jurisdiction—Nonminor* (JV-365), the court gave you when you left foster care.

## Where can I get the form I need to fill out?

The court may already have given you the form when your foster care ended. Or you can get the form at:

- Your county's courthouse or law library, or
- The court's website: *www.courts.ca.gov/forms.htm*.

## What if I need help with the form?

If you want help to fill out the form, ask:

- A SW at the child welfare department or a PO at the probation department that supervised you when you were in foster care,
- The person who was your lawyer when you were in foster care, or
- A friend.

## What do I do with my completed form?

You can:

- File the form yourself, or
- Ask the SW or PO to file the form for you. If you do this, they will ask you to sign an agreement to return to foster care first.

*Note:* If you file it yourself, your court hearing will be about three weeks sooner.

## Where do I file my completed form?

You can file it by mail or in person at:

The Juvenile Court Clerk's Office for the court that terminated its jurisdiction and kept the authority to reopen your case until your 21st birthday.

You can submit it by mail or in person at:

The Juvenile Court Clerk's Office in the county where you live. The clerk will send it to the court that kept authority to reopen your case.

*Important!* Keep a copy of all papers you file at court. If you file in person, the clerk can give you free copies.

## Do I have to pay to file the form?

No. It's free.

## Do I have to fill out other court forms?

No, unless you want to keep your contact information private. If so, do **not** put your address and other contact information on form JV-466. Instead, put it on form JV-468, *Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-468).

## When will the court decide if I can return to juvenile court jurisdiction and foster care?

If you file your court papers yourself, there will be a court hearing in about 3 weeks. The court will decide at the hearing.

If you ask a social worker or probation officer to file your court papers, you will have to wait an extra 3 weeks.

## Who will decide if I am eligible?

A judge with the same court that kept the authority to reopen your case will decide if the court's jurisdiction (authority) over you should be resumed and you should be permitted to return to foster care.

**The judge can decide that...**

- **You do not qualify** because of your age or because there was no order retaining the court's authority to reopen your case. If this happens, you cannot file another request.
- **The court needs more information** to decide your case. If this happens, the court will deny your request and tell you what other information it needs to decide. The court will also send you a list of lawyers who can help you with your case. You can file another request that includes the information that was missing.
- **The court has enough information** to decide your case and wants you to go to a court hearing. If this happens, you will get a notice that says the date, time, and place of your hearing. The court will also assign a lawyer to speak for you at the hearing.

  The court will send a copy of the notice and your papers to:

  – The lawyer assigned to your case, and

  – The office that supervised you when the juvenile court's jurisdiction was dismissed. That office must make a report about your eligibility to return to foster care.

  If you ask for it, the court can also send a notice to your parents or former legal guardian and the CASA office for your former CASA.

## What happens at the hearing?

At your hearing, the judge will review the evidence and decide your case.

If the court decides you meet the requirements, you will be allowed to return to foster care. You will also have to go back to court in 6 months to tell the court how you are doing. Your lawyer will also go with you to that hearing.

If you used to be a dependent, you will be under the juvenile court's dependency jurisdiction.

If you used to be a ward, you will be under the juvenile court's transition jurisdiction.

If the court denies your request, you can file your request again if your situation changes and you meet the requirements.



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