

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE**

**PROPOSED LOCAL RULE/FORM CHANGES
TITLE 5 – DIVISION ONE – FAMILY LAW
EFFECTIVE JULY 1, 2023**

RULE 5155

**CHILD CUSTODY RECOMMENDING COUNSELING OF CUSTODY AND
VISITATION**

- A. Parties requiring child custody recommending counseling of custody/visitation issues will be assigned an appointment time/date prior to the court date and shall complete one counseling appointment prior to the court date.
- B. Testimony of Child Custody Recommending Counselor. Child Custody Recommending Counselors are employees of the Court. All subpoenas for Child Custody Recommending Counselor testimony shall comply with the Government Code. Subpoenas shall be served on the Child Custody Recommending Counselor at least five (5) court days before the date of testimony. **[Child Custody Recommending Counselors may appear remotely at the discretion of the judicial officer.]**
- C. Disclosure. Parties are to fully disclose information to the Child Custody Recommending Counselor. Any documents brought to the appointment must be served on the other party prior to the Child Custody Recommending Counselor's review.
- D. Appearances. Parties must personally appear at the child custody recommending counseling appointment. Either party seeking to appear at the appointment remotely must obtain prior approval from the Family Court Services Department Head.

Requests to appear remotely for Child Custody Recommending Counseling shall be submitted to the Family Court Services Department a minimum of seven (7) days prior to the scheduled appointment. Requests to appear remotely for Child Custody Recommending Counseling must be submitted using the local form.

- E. Confidentiality. Child Custody Recommending Counseling is confidential only to the extent that disclosure of the information received is limited to those who have the right to know. Confidentiality is important to promote full and free disclosure of information necessary for settlement. It exists with regard to information divulged among the Child Custody Recommending Counselor, the parties, and attorneys; therefore, each must cooperate in this regard and not disclose confidential information to outsiders. This

Additions are shown by bold and bracket **[example]**. Deletions are shown by ~~example~~.

confidentiality will not preclude the Child Custody Recommending Counselor from making a recommendation to the Court if the parties fail to reach an agreement.

- F. Agreements. The Child Custody Recommending Counselor shall prepare a written agreement and proposed order. Persons present shall sign the agreement unless represented by counsel.
- G. Proposed Order. Where the Child Custody Recommending Counselor concludes that the parties are near agreement, or that certain disposition is presently appropriate, the Child Custody Recommending Counselor will submit a proposed order to the Court.
- H. Adoption of Proposed Order. Upon review and if appropriate, the Court will sign the proposed order.
- I. Mandatory Parent Orientation On-Line Class. Parents shall complete an on-line Parent Orientation Class when custody and/or visitation is raised as an issue for the first time in the case. Both parties must bring a copy of the certificate of completion from the on-line class to the child custody recommending counseling appointment. The Court may order parents to complete the on-line class at any time at the Court's discretion.
- J. Child Custody Recommending Counseling Complaint and Request for Change Procedures
 - 1. The purpose of this section is to establish a procedure for addressing complaints against Child Custody Recommending Counselors, and for requesting a change of a Child Custody Recommending Counselor. This section is intended to help the court promptly resolve any complaints or requests in a manner that is respectful and fair to the parties and the Child Custody Recommending Counselor.
 - 2. The Family Court Services Department Head shall be the coordinator for addressing complaints or requests for change.
 - 3. Any complaints against the Child Custody Recommending Counselor must be submitted in writing to the Family Court Services Department Head within ten (10) days of the child custody recommending counseling appointment. Complaints may be made on the local form.
 - 4. Any requests to change the Child Custody Recommending Counselor must be submitted in writing to the Family Court Services Department Head a minimum of seven (7) calendar days prior to the appointment. Requests for change may be made on the local form.
 - 5. The Family Court Services Department Head will conduct a preliminary review of all complaints to determine whether the complaint can be informally resolved or closed, or whether the complaint warrants further investigation. Written notice of the

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outcome of the preliminary review will be sent to complainant within thirty (30) days of receipt of the complaint.

6. If the matter is not resolved or closed after preliminary review, the complaint will be investigated by a Deputy Executive Officer. The Deputy Executive Officer will issue a final decision as to what action, if any, will be taken and complainant will be notified in writing.

7. All complaint procedures and proceedings must be designed and conducted in a manner that preserves the confidentiality of mediation communications. All complaint proceedings must occur in private and must be kept confidential. Unless otherwise required by law, all records and information concerning the child custody recommending counseling shall remain confidential and not subject to inspection by the public.

8. The Family Court Services Department Head will review all requests for change of the Child Custody Recommending Counselor prior to the scheduled appointment. The requesting party will be notified of the decision verbally or in writing prior to the scheduled appointment.

References:

Government Code 68097, 68097.1 and 68097.2

Family Code 3160 through 3188

California Rules of Court, rule 5.210

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE**

**PROPOSED LOCAL RULE/FORM CHANGES
TITLE 5 – DIVISION TWO – JUVENILE
EFFECTIVE JULY 1, 2023**

(New Optional Forms to Follow)

Additions are shown by bold and bracket **[example]**. Deletions are shown by strikeout (~~example~~).

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

INDIO 46-200 Oasis St. Rm. 120E, Indio, CA 92201
 MURRIETA 30755-G Auld Rd., Murrieta, CA 92563

RIVERSIDE 9991 County Farm Rd., Riverside, CA 92503

RI-JV041

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar Number and Address</i>) TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____		FOR COURT USE ONLY CASE NUMBER: _____
NONMINOR DEPENDENT'S NAME: _____		Department: _____
Hearing Date: _____	Time: _____	Department: _____
STIPULATION RE: NONMINOR DEPENDENT REVIEW HEARING AND ORDER		

IT IS HEREBY STIPULATED BY THE PARTIES TO THE ABOVE-ENTITLED MATTER THAT:

1. The parties waive their appearances and a reporter's transcript for this hearing.
2. Notice of the date, time, and location of the hearing was given as required by law, and the nonminor was advised of the option to appear by telephone and provided with the instructions for telephone appearances.
3. The nonminor dependent was provided with the information, documents, and services as required under Welfare and Institutions Code 391.
4. The court has read and considered and admits into evidence the following.
 - a. The social worker's report and recommendations dated: _____
 - b. The report of any court appointed advocate dated: _____
 - c. Other: _____ dated: _____
5. The nonminor dependent's Transitional Independent Living Case Plan includes a plan for the nonminor dependent to satisfy at least one of the criteria in WIC 11403(b) to remain in foster care under the juvenile court's jurisdiction, and the case plan: was developed jointly by the nonminor dependent and the department; reflects the living situation and services consistent, in the nonminor dependent's opinion, with what the nonminor dependent needs to gain independence and set out benchmarks that indicate how both will know when independence is achieved; includes appropriate and meaningful independent living skill services that will help the nonminor dependent with the transition from foster care to independent living; and, the nonminor dependent signed and received a copy of the case plan.
6. The court has read and considered the case plan and it is approved as written.
7. The nonminor dependent's continued placement is necessary, and the nonminor dependent's current placement is appropriate.
8. The County Agency has made reasonable efforts and provided assistance to help the nonminor dependent establish and maintain compliance with the conditions in WIC 11403(b)
9. The County Agency has made reasonable efforts to comply with the nonminor dependent's Transitional Independent Living Case Plan, including efforts to finalize the nonminor dependent's permanent plan and prepare the nonminor dependent for independence.

NONMINOR DEPENDENT'S NAME:	CASE NUMBER:
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10. The County Agency has made reasonable efforts to maintain relations between the nonminor dependent and individuals who are important to the nonminor dependent, including efforts to establish and maintain relationships with caring and committed adults who can serve as lifelong connections.
11. The extent of progress made by the nonminor dependent toward meeting the Transitional Independent Living Case Plan Goals have been: Excellent Satisfactory Minimal
12. The court adopts the recommended findings and orders contained in the nonminor dependent review hearing report filed on _____ and makes those findings the orders of the court.
13. The likely date by which it is anticipated the nonminor dependent will achieve independence is:
_____.
14. The matter is set for a future hearing under WIC 366.31 and California Rules of Court, rule 5.903 within the next six (6) months to the date of: _____ .
15. Juvenile Court Jurisdiction over the youth as a nonminor dependent is continued.
16. Additional orders requested:

17. All prior orders not in conflict shall remain in full force and effect.

Dated: _____

(TYPE OR PRINT NAME ATTORNEY FOR NONMINOR DEPENDENT)

(SIGNATURE OF ATTORNEY FOR NONMINOR DEPENDENT)

Dated: _____

(DPSS ATTORNEY/COURT OFFICER)

(SIGNATURE OF DPSS ATTORNEY/COURT OFFICER)

ORDER

BASED ON THE REVIEW OF THE SOCIAL WORKER'S REPORT AND RECOMMENDATIONS, ADDENDUMS AND ANY COURT-APPOINTED ADVOCATE REPORT, THE COURT MAKES EACH OF THE FINDINGS AND ORDERS SPECIFIED IN THIS STIPULATION AND FURTHER ORDERS THAT THIS STIPULATION RE: NONMINOR DEPENDENT STATUS REVIEW HEARING BE FILED AND INCORPORATED BY REFERENCE AND ATTACHED AS PART OF THE FILE IN THIS MATTER.

Dated: _____

(JUDICIAL OFFICER OF THE SUPERIOR COURT)