

AMENDMENTS TO THE CALIFORNIA RULES OF COURT
Adopted by the Judicial Council by circulating order on September 24, 2007,
effective on October 1, 2007.

1 **Rule 5.534. General provisions—all proceedings**

2
3 **(a)–(l) * * ***

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5 **(m) Caregiver notice and right to be heard (§§ 290.1–297, 366.21)**

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7 For cases filed under section 300 et seq.:

8
9 (1) For any child who has been removed from the home, the court must
10 ensure that notice of statutory review hearings, permanency hearings,
11 and section 366.26 hearings has been provided to the current caregiver
12 of the child, including foster parents, preadoptive parents, relative
13 caregivers, and nonrelative extended family members. Notice of
14 dispositional hearings also must be provided to these individuals when
15 the dispositional hearing is serving as a permanency hearing under
16 section 361.5(f).

17
18 (2) The current caregiver has the right to be heard in each proceeding listed
19 in paragraph (1), including the right to submit information about the
20 child to the court before the hearing. Written information about the
21 child may be submitted to the court using the Caregiver Information
22 Form (form JV-290) or in the form of a letter to the court.

23
24 (3) At least 10 calendar days before each hearing listed in paragraph (1),
25 the social worker must provide to the current caregiver:

26
27 (A) A summary of his or her recommendations for disposition, and
28 any recommendations for change in custody or status;

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

31
32 (C) Instruction Sheet for Caregiver Information Form (form JV-290-
33 INFO).

34
35 (4) If the caregiver chooses to provide written information to the court
36 using form JV-290 or by letter, the caregiver must follow the
37 procedures set forth below. The court may waive any element of this
38 process for good cause.

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

4
5 (B) If filing by mail, the caregiver must mail the original document
6 and 8 copies to the court clerk's office for filing no later than
7 seven calendar days before the hearing.

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

11
12 (6) When form JV-290 or a caregiver letter is filed, the court clerk must
13 provide the social worker, all unrepresented parties and all attorneys
14 with a copy of the completed form or letter immediately upon receipt.
15 The clerk also must complete, file, and distribute *Proof of Service—*
16 *Juvenile* (form JV-510). The clerk may use any technology designed to
17 speed the distribution process, including drop boxes in the courthouse,
18 email or fax to distribute the JV-290 form or letter and proof of service
19 form.

20
21 ~~(m)~~ (n) * * *

22
23 ~~(n)~~ (o) * * *

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25 **Advisory Committee Comment**

26 Because the intent of subdivision (m) is to expand access to the courts for caregivers of
27 children in out-of-home care, the rule should be liberally construed. To promote caregiver
28 participation and input, judicial officers are encouraged to permit caregivers to verbally address
29 the court when caregivers would like to share information about the child. In addition, court
30 clerks should allow filings by caregivers even if the caregiver has not strictly adhered to the
31 requirements in the rule regarding number of copies and filing deadlines.