

5. Any known sibling of the child who is the subject of the hearing if that sibling either is the subject of a dependency proceeding or has been adjudged to be a dependent child of the Juvenile Court. If the sibling is age 10 or older, the sibling, the sibling's caregiver, and the sibling's attorney. If the child is under 10, the sibling's caregiver and attorney. However, notice is not required to be given to any sibling whose matter is calendared in the same court on the same day.
6. The attorney of record if that attorney was not present at the time that the hearing date was set by the court.
7. If there is no parent or guardian residing in California, or if the residence is unknown, then to any adult relative residing within the county or if none, the adult relative residing nearest the court.
8. If the court knows or has reason to know that an Indian child is involved, then to the Indian custodian and the tribe of that child. If the identity or location of the parent or Indian custodian and the tribe cannot be determined, notice shall be given to the Bureau of Indian Affairs.

- B. No notice is required for a parent whose parental rights have been terminated.

II. Notice is Served

- A. If the child is detained, the notice shall be given to the persons required to be noticed as soon as possible, and at least five days before the hearing, unless the hearing is set less than five days and then at least 24 hours prior to the hearing.
- B. If the child is not detained, the notice shall be given to those persons required to be noticed at least 10 days prior to the date of hearing.
- C. In the case of an Indian child, notice is to be given no less than 10 days before the hearing. If notice is given to the Bureau of Indian Affairs, the bureau shall have 15 days after receipt to provide the requisite notice to the parent or Indian custodian and the tribe.

III What is Included in the Jurisdiction/Disposition Notice

- A. The name and address of the person notified.
- B. The nature of the hearing.
- C. Each section and subdivision under which the proceeding has been initiated.
- D. The date, time, and place of the hearing.
- E. The name of the child upon whose behalf the petition has been brought.
- F. A statement that:
 - 1. if they fail to appear the court may proceed without them.
 - 2. The child, parent, guardian, Indian custodian, or adult relative to whom notice is required to be given is entitled to have an attorney present at the hearing.
 - 3. If the parent, guardian, Indian custodian, or adult relative is indigent and cannot afford an attorney, and desires to be represented by an attorney, the parent, guardian, Indian custodian, or adult relative shall promptly notify the clerk of the juvenile court.
 - 4. If an attorney is appointed to represent the parent, guardian, Indian custodian, or adult relative, the represented person shall be liable for all or a portion of the costs to the extent of his or her ability to pay.
 - 5. The parent, guardian, Indian custodian, or adult relative may be liable for child support of the child in any out of home placement.
- G. A copy of petition.
- H. In the case of an Indian child, the notice shall contain a statement that the parent or Indian custodian and the tribe have a right to intervene at any point in the proceedings. The notice shall also include a statement that the parent or Indian custodian and the tribe shall, upon request, be granted up to 20 additional days to prepare for the proceedings.

IV Service of the Notice

Division 3, Chapter 6

Item 3, Notice for Jurisdiction and Disposition Effective: 1-4-06

- A. If the child is detained and the persons required to be noticed are not present at the initial petition hearing, they shall be noticed by certified mail, return receipt requested.
- B. If the child is detained and the persons required to be noticed are present at the initial petition hearing, they shall be noticed by personal service or by first-class mail.
- C. If the child is not detained, the persons required to be noticed shall be notice by personal service or first-class mail, unless the person to be served is known to reside outside the county, in which case service shall be by first-class mail.
- D. In the case of an Indian child, notice shall be by registered mail, return receipt requested.
- E. Any of the notices required to be given under Section 291, 290.1, and 290.2, of the Welfare and Institutions Code may be waived by a party in person or through his or her attorney, or by a signed written waiver filed on or before the date scheduled for the hearing.

V Office Assistant Duties

- A. The Emergency Response social worker will update the client's address on CWS/CMS and close out all the old addresses prior to the case being transferred to Concurrent Planning.
- B. Upon receipt from Court of all minute orders and 6141 (Non-Detention Hearing Memorandum) forms, the Unit OA will date and initial the bottom right corner of the minute orders. If the 6141 is returned without minute orders, it shall be dated the same way.
- C. Before returning the minute order to the Social Work Supervisor (SWS) the OA will enter on CWS/CMS all court information pertaining to past and future court dates. Onlining should be done within 24 hours after receiving minute order and 6141.
- D. The OA will log all 10-day and 15-day notices in the unit OA Court Hearing Log according to the hearing date, month and year.

Examples: 10-Day Notices – Jurisdiction / Jurisdiction /Disposition/
Disposition / Inter-County Transfer (ICT) / Trial

- E. If, upon receiving the 6141 and minute order, an OA recognizes that a hearing is close to the Jurisdiction or Disposition cut-off period, the OA must send an e-mail “Read receipt” reminder to flag the SW and CC: the SWS. This e-mail will alert the SW that a 6127 will be needed to prevent defective notice. The OA will log all late reminder dates sent the SW on their hearing log.
- F. The OA will track daily all incoming 6127 forms by stamping the date and initialing the bottom left corner and indicating on the hearing log that it has been received. The OA will complete the notice immediately or within the notice time frames; the OA then logs the date the notice was actually mailed.
- G. The SW will proofread all 6127 forms for correct client information. If there are any differences between the 6127 and information in CWS/CMS, the SW will enter the correct information on CWS/CMS from the 6127. The JV140 addresses will take precedence as the correct mailing address. The only information that can be updated are the dates, plan changes, attorneys, and addresses for the minors and parents. A JV140 on file in the sub header address section takes precedence in CWS/CMS until a new JV140 is updated with the exception of a parent being incarcerated.
- H. When sending notices for hearings to care providers and minors, OA’s are responsible for removing confidential information.
 - 1. Care provider names and addresses must be removed from each notice and replaced with “Care provider name and address confidential, and will be disclosed to the court upon request.
 - 2. For all minors age 10 years or older, names shall remain on the notice but all addresses must be removed and replaced with “Address confidential and will be disclosed to the court upon request.”
- I. All notices must be mailed the same day they are dated and must be ready for mailing by 12:00 noon. for mail pick-up. Notices done after 1:30 p.m. must reflect the following day’s date. Notices are always mailed certified.

Division 3, Chapter 6

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- J. At the end of each month the OA will send an e-mail to the Social Worker and SWS requesting the following months 127's. The e-mail will include a copy of the upcoming month's hearings from the Notice of Hearing log.
- K. The OA will remind the Worker and the SWS one more time if a 6127 has not been received prior to notice time frames. An OA will not be responsible for sending a notice for a hearing that is less than required calendar days ahead if the 6127 has not been received.