

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CHILD'S NAME:		
<b>PROBATE COURT REQUEST FOR JUVENILE COURT REVIEW OF DECISION NOT TO COMMENCE PROCEEDINGS</b>		GUARDIANSHIP CASE NUMBER:

**PROBATE COURT**

1. On (date): \_\_\_\_\_, the Superior Court of \_\_\_\_\_ County, Department \_\_\_\_\_, sitting as a probate court and assigned to determine a petition for appointment of a guardian of the child named above in case number \_\_\_\_\_, referred the child to the county child welfare agency for an investigation to determine whether proceedings in juvenile court should be commenced.
2. As of the date below, no less than 3 weeks and no more than 1 month after the date of referral, (*check all that apply*):
  - a.  The court has not received the agency's report or its decision whether to commence juvenile court proceedings.
  - b.  The court has received the agency's report, but the agency has declined to commence juvenile court proceedings.
  - c.  The agency has not submitted a report, but has notified the court that it will not commence juvenile court proceedings.
3. This court requests that the juvenile court review the child welfare agency's failure, as of the date below, to commence proceedings in juvenile court and order the agency to file a petition on behalf of the child.
4. The following documents or materials are attached to this request:
  - a.  The probate court's referral to the child welfare agency.
  - b.  The agency's report submitted in response to the probate court's referral (*if available*).
  - c.  Other (*names and descriptions of additional supporting documents or materials*): \_\_\_\_\_

Total number of pages in documents attached under 4a, b, and c: \_\_\_\_\_

Date: \_\_\_\_\_ JUDICIAL OFFICER

**JUVENILE COURT**

The court has reviewed and considered the probate court's request and all materials submitted with it.

**THE COURT FINDS AND ORDERS**

1. a.  The child is not, *prima facie*, described by Welfare and Institutions Code section 300, and the decision of the social worker not to commence proceedings is affirmed.  
 b.  The child is, *prima facie*, described by Welfare and Institutions Code section 300, and the social worker is ordered to commence proceedings by filing a petition under Welfare and Institutions Code section 332 in this court on or before (date): \_\_\_\_\_.
2.  The matter is set for hearing on (date): \_\_\_\_\_, at (time): \_\_\_\_\_, in Department (number): \_\_\_\_\_.  
 The findings and orders in item 1 are deferred to the conclusion of the hearing.
3. After item 1 is completed, the clerk is directed to return this form to the probate court for filing in the guardianship case file.

Date: \_\_\_\_\_ JUDICIAL OFFICER Page 1 of 1