

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):	FOR COURT USE ONLY
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>ORDER FOR PRISONER'S APPEARANCE AT HEARING AFFECTING PARENTAL RIGHTS</b>	CASE NUMBER:

- For a hearing under Welfare Institutions Code section 355, 358, or 361, the clerk of the court must attach this form and a copy of *Prisoner's Statement Regarding Appearance at Hearing Affecting Parental Rights* (form JV-451) to the Notice of Hearing and serve them as prescribed in section 291 on the parent; the parent's attorney (if any); the warden, superintendent, or other person in charge of the institution where the parent is confined; and the sheriff of the county in which this order is issued not less than 15 days before the date of the scheduled hearing.
- For a hearing under Welfare Institutions Code section 366.26 at which termination of parental rights is at issue, the social worker or probation officer must attach this form and a copy of *Prisoner's Statement Regarding Appearance at Hearing Affecting Parental Rights* (form JV-451) to *Notice of Hearing on Selection of a Permanent Plan* (form JV-300) and serve them as prescribed in section 294 on the parent; the parent's attorney (if any); the warden, superintendent, or other person in charge of the institution where the parent is confined; and the sheriff of the county in which this order is issued not less than 15 days before the date of the scheduled hearing.
- For any other hearing in a dependency proceeding for which the court orders an incarcerated parent to be produced, the clerk of the court or the social worker, as appropriate, must attach this form and a copy of *Prisoner's Statement Regarding Appearance at Hearing Affecting Parental Rights* (form JV-451) to the Notice of Hearing and serve them as legally prescribed on the parent; the parent's attorney (if any); the warden, superintendent, or other person in charge of the institution where the parent is confined; and the sheriff of the county in which this order is issued not less than 15 days before the date of the scheduled hearing.

1. A hearing regarding the custody of the following children (names):

will be held

on (date):	at (time):	in Dept.:	Room:	Phone:
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located at  court address above  other (specify address):

- This court  can accommodate the parent's appearance by videoconference in a manner that complies with Cal. Rules of Court, rule 5.531.
- can accommodate the parent's appearance by telephone in a manner that complies with Cal. Rules of Court, rule 5.531.
- cannot accommodate the parent's appearance by videoconference or telephone in a manner that complies with Cal. Rules of Court, rule 5.531.

2. The hearing will be held under:

- a.  **Welfare and Institutions Code section 355, 358, or 361** to adjudicate a petition to declare the child a dependent of the court under Welfare and Institutions Code section 300.

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- b.  **Welfare and Institutions Code section 366.26** to terminate parental rights and select and implement a permanent plan of adoption.
- c.  Other (*specify code section and hearing purpose*):
3. **To the parent:** You have a right to be physically present at the hearing described in 1 and 2a or 2b. Fill out the attached *Prisoner's Statement Regarding Appearance at Hearing Affecting Parental Rights* (form JV-451) and tell the court whether you want to be physically present at this hearing.

## ORDER

4. **To the Warden, Superintendent, or other person in charge of (name of institution):**

You are ordered to deliver prisoner (*name and identification number*): , who is a party, into the custody of the sheriff of the county in which the order is issued or the sheriff's delegate so that the prisoner may be produced before this court for the hearing described in item 1 **unless** the prisoner executes a knowing waiver of his or her right to be physically present on the attached *Prisoner's Statement Regarding Appearance at Hearing Affecting Parental Rights* (form JV-451). The sheriff is ordered to return the prisoner to (*name of institution*): when the prisoner's presence in court is no longer necessary.

- a. If the prisoner waives the right to be physically present at the hearing, you are not required to release the prisoner.
- b.  If the prisoner waives the right to be physically present at the hearing and requests to appear by videoconference or telephone and the institution can provide the prisoner with the means to appear by videoconference, you are ordered to provide the prisoner with the means to appear by videoconference on the date and time specified in item 1 in a manner that complies with Cal Rules of Court, rule 5.531.
- c.  If the prisoner waives the right to be physically present and requests to appear by videoconference or telephone and the institution cannot provide the means to appear by videoconference, but can provide the means to appear by telephone, you are ordered to provide the prisoner with the means to appear by telephone on the date and at the time specified in item 1 in a manner that complies with Cal. Rules of Court, rule 5.531.
- d.  If the prisoner waives the right to be physically present and requests to appear by videoconference or telephone, but the institution cannot provide the means to appear by videoconference or telephone, you must notify the prisoner that the institution cannot provide those means and give the prisoner an opportunity to reconsider, in light of this institutional incapacity, whether to waive the right to be physically present.

You must give the prisoner a meaningful opportunity to complete the attached *Prisoner's Statement Regarding Appearance at Hearing Affecting Parental Rights* (form JV-451) and must provide, consistent with sections 3002, 3130–3146, and 3160–3165 of title 15 of the California Code of Regulations, whatever assistance is reasonably necessary, including but not limited to reading or translating, to allow the prisoner to understand the form and to make knowing and informed decisions regarding the options it presents.

Whether the prisoner completes form JV-451 or not, you must complete item 8 on page 3 of form JV-451. After form JV-451 is completed, you must file one copy with the court and return one copy to the parent's attorney of record not less than three court days before the scheduled hearing.

Date: \_\_\_\_\_

JUDICIAL OFFICER