

**Rule 8.450. Notice of intent to file writ petition to review order setting hearing under Welfare and Institutions Code section 366.26**

**(a) Application**

Rules 8.450–8.452 and 8.490 govern writ petitions to review orders setting a hearing under Welfare and Institutions Code section 366.26.

*(Subd (a) amended effective July 1, 2010; previously amended effective January 1, 2006, July 1, 2006, January 1, 2007, and January 1, 2009.)*

**(b) Purpose**

Rules 8.450–8.452 are intended to encourage and assist the reviewing courts to determine on their merits all writ petitions filed under these rules within the 120-day period for holding a hearing under Welfare and Institutions Code section 366.26.

*(Subd (b) amended effective January 1, 2007.)*

**(c) Who may file**

The petitioner's trial counsel, or, in the absence of trial counsel, the party, is responsible for filing any notice of intent and writ petition under rules 8.450–8.452. Trial counsel is encouraged to seek assistance from or consult with attorneys experienced in writ procedure.

*(Subd (c) amended effective January 1, 2008; previously amended effective January 1, 2007.)*

**(d) Extensions of time**

The superior court may not extend any time period prescribed by rules 8.450–8.452. The reviewing court may extend any time period but must require an exceptional showing of good cause.

*(Subd (d) amended effective July 1, 2010; previously amended effective January 1, 2007.)*

**(e) Notice of intent**

- (1) A party seeking writ review under rules 8.450–8.452 must file in the superior court a notice of intent to file a writ petition and a request for the record.
- (2) The notice must include all known dates of the hearing that resulted in the order under review.

- (3) The notice must be authorized by the party intending to file the petition and must be signed by that party or by the attorney of record for that party.
- (4) The date of the order setting the hearing is the date on which the court states the order on the record orally, or issues an order in writing, whichever occurs first. The notice of intent must be filed according to the following timeline requirements:
  - (A) If the party was present at the hearing when the court ordered a hearing under Welfare and Institutions Code section 366.26, the notice of intent must be filed within 7 days after the date of the order setting the hearing.
  - (B) If the party was notified of the order setting the hearing only by mail, the notice of intent must be filed within 12 days after the date the clerk mailed the notification.
  - (C) If the party was notified of the order setting the hearing by mail, and the notice was mailed to an address outside California but within the United States, the notice of intent must be filed within 17 days after the date the clerk mailed the notification.
  - (D) If the party was notified of the order setting the hearing by mail, and the notice was mailed to an address outside the United States, the notice of intent must be filed within 27 days after the date the clerk mailed the notification.
  - (E) If the order was made by a referee not acting as a temporary judge, the party has an additional 10 days to file the notice of intent as provided in rule 5.540(c).

*(Subd (e) amended effective July 1, 2010; previously amended effective January 1, 2007, and July 1, 2010.)*

**(f) Sending the notice of intent**

- (1) When the notice of intent is filed, the superior court clerk must immediately mail a copy of the notice to:
  - (A) The attorney of record for each party;
  - (B) Each party, including the child if the child is 10 years of age or older;
  - (C) 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 as follows:
    - (i) If the sibling is under 10 years of age, on the sibling's attorney;

- (ii) If the sibling is 10 years of age or over, on the sibling and the sibling's attorney.
  - (D) The mother, the father, and any presumed and alleged parents;
  - (E) The child's legal guardian, if any;
  - (F) Any person currently awarded by the juvenile court the status of the child's de facto parent;
  - (G) The probation officer or social worker;
  - (H) Any Court Appointed Special Advocate (CASA) volunteer;
  - (I) The grandparents of the child, if their address is known and if the parents' whereabouts are unknown; and
  - (J) If the court knows or has reason to know that an Indian child is involved, the Indian custodian, if any, and tribe of the child or the Bureau of Indian Affairs as required under Welfare and Institutions Code section 224.2.
- (2) The clerk must promptly send by first-class mail or fax a copy of the notice of intent and a list of those to whom the notice of intent was sent to:
- (A) The reviewing court; and
  - (B) The petitioner if the clerk mailed the notice of intent to the Indian custodian, tribe of the child, or the Bureau of Indian Affairs.
- (3) If the party was notified of the order setting the hearing only by mail, the clerk must include the date that the notification was mailed.

*(Subd (f) amended effective July 1, 2010; previously amended effective January 1, 2006, July 1, 2006, and January 1, 2007.)*

**(g) Preparing the record**

When the notice of intent is filed, the superior court clerk must:

- (1) Immediately notify each court reporter by telephone and in writing to prepare a reporter's transcript of the oral proceedings at each session of the hearing that resulted in the order under review and deliver the transcript to the clerk within 12 calendar days after the notice of intent is filed; and
- (2) Within 20 days after the notice of intent is filed, prepare a clerk's transcript that includes the notice of intent, proof of service, and all items listed in rule 8.404(a).

*(Subd (g) amended effective July 1, 2010; previously amended effective January 1, 2006, January 1, 2007, and January 1, 2008.)*

**(h) Sending the record**

When the transcripts are certified as correct, the superior court clerk must immediately send:

- (1) The original transcripts to the reviewing court by the most expeditious method, noting the sending date on each original, and
- (2) One copy of each transcript to each counsel of record and any unrepresented party by any means as fast as United States Postal Service express mail.

*(Subd (h) amended effective January 1, 2007.)*

**(i) Reviewing court clerk's duties**

- (1) The reviewing court clerk must immediately lodge the notice of intent. When the notice is lodged, the reviewing court has jurisdiction of the writ proceedings.
- (2) When the record is filed in the reviewing court, that court's clerk must immediately notify the parties, stating the date on which the 10-day period for filing the writ petition under rule 8.452(c)(1) will expire.

*(Subd (i) amended effective January 1, 2007.)*

*Rule 8.450 amended effective July 1, 2010; adopted as rule 38 effective January 1, 2005; previously amended and renumbered effective January 1, 2007; previously amended effective January 1, 2006, July 1, 2006, January 1, 2008, January 1, 2009, and July 1, 2010.*

**Advisory Committee Comment**

**Subdivision (d).** The case law generally recognizes that the reviewing courts may grant extensions of time under these rules for exceptional good cause. (See, e.g., *Jonathan M. v. Superior Court* (1995) 39 Cal.App.4th 1826, and *In re Cathina W.* (1998) 68 Cal.App.4th 716 [recognizing that a late notice of intent may be filed on a showing of exceptional circumstances not under the petitioner's control].)

**Subdivision (e)(4).** See rule 8.25(b)(5) for provisions concerning the timeliness of documents mailed by inmates or patients from custodial institutions.

**Rule 8.452. Writ petition to review order setting hearing under Welfare and Institutions Code section 366.26**

**(a) Petition**

- (1) The petition must be liberally construed and must include:

- (A) The identities of the parties;
  - (B) The date on which the superior court made the order setting the hearing;
  - (C) The date on which the hearing is scheduled to be held;
  - (D) A summary of the grounds of the petition; and
  - (E) The relief requested.
- (2) The petition must be accompanied by a memorandum.

*(Subd (a) amended effective July 1, 2010; previously amended effective January 1, 2007.)*

**(b) Contents of the memorandum**

- (1) The memorandum must provide a summary of the significant facts, limited to matters in the record.
- (2) The memorandum must state each point under a separate heading or subheading summarizing the point and support each point by argument and citation of authority.
- (3) The memorandum must support any reference to a matter in the record by a citation to the record. The memorandum should explain the significance of any cited portion of the record and note any disputed aspects of the record.

*(Subd (b) amended effective January 1, 2007.)*

**(c) Serving and filing the petition and response**

- (1) The petition must be served and filed within 10 days after the record is filed in the reviewing court. The petitioner must serve a copy of the petition on:
  - (A) Each attorney of record;
  - (B) Any unrepresented party, including the child if the child is 10 years of age or older;
  - (C) 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 as follows:
    - (i) If the sibling is under 10 years of age, on the sibling's attorney;
    - (ii) If the sibling is 10 years of age or over, on the sibling and the sibling's attorney.

- (D) The child’s Court Appointed Special Advocate (CASA) volunteer;
  - (E) Any person currently awarded by the juvenile court the status of the child’s de facto parent; and
  - (F) If the court sent the notice of intent to file the writ petition to an Indian custodian, tribe, or Bureau of Indian Affairs, then to that Indian custodian, tribe of the child, or the Bureau of Indian Affairs as required under Welfare and Institutions Code section 224.2.
- (2) Any response must be served on each of the people and entities listed above and filed:
- (A) Within 10 days—or, if the petition was served by mail, within 15 days—after the petition is filed; or
  - (B) Within 10 days after a respondent receives a request from the reviewing court for a response, unless the court specifies a shorter time.

*(Subd (c) amended effective July 1, 2010; previously amended effective January 1, 2007.)*

**(d) Order to show cause or alternative writ**

If the court intends to determine the petition on the merits, it must issue an order to show cause or alternative writ.

*(Subd (d) relettered effective July 1, 2010; adopted as subd (d) effective January 1, 2005; previously relettered as subd (e) effective January 1, 2006.)*

**(e) Augmenting or correcting the record in the reviewing court**

- (1) Except as provided in (2) and (3), rule 8.410 governs any augmentation or correction of the record.
- (2) The petitioner must serve and file any request for augmentation or correction within 5 days—or, if the record exceeds 300 pages, within 7 days; or, if the record exceeds 600 pages, within 10 days—after receiving the record. A respondent must serve and file any such request within 5 days after the petition is filed or an order to show cause has issued, whichever is later.
- (3) A party must attach to its motion a copy, if available, of any document or transcript that the party wants added to the record. The pages of the attachment must be consecutively numbered, beginning with the number one. If the reviewing court grants the motion, it may augment the record with the copy.
- (4) If the party cannot attach a copy of the matter to be added, the party must identify it as required under rules 8.122 and 8.130.

- (5) An order augmenting or correcting the record may grant no more than 15 days for compliance. The clerk and the reporter must give the order the highest priority.
- (6) The clerk must certify and send any supplemental transcripts as required by rule 8.450(h). If the augmentation or correction is ordered, the time to file any petition or response is extended by the number of additional days granted to augment or correct the record.

*(Subd (e) amended and relettered effective July 1, 2010; adopted as subd (e) effective January 1, 2005; previously relettered as subd (f) effective January 1, 2006; previously amended effective January 1, 2007.)*

**(f) Stay**

The reviewing court may stay the hearing set under Welfare and Institutions Code section 366.26, but must require an exceptional showing of good cause.

*(Subd (f) relettered effective July 1, 2010; adopted as subd (f) effective January 1, 2005; previously relettered as subd (g) effective January 1, 2006.)*

**(g) Oral argument**

- (1) The reviewing court must hear oral argument within 30 days after the response is filed or due to be filed, unless the court extends the time for good cause or counsel waive argument.
- (2) If argument is waived, the cause is deemed submitted not later than 30 days after the response is filed or due to be filed.

*(Subd (g) relettered effective July 1, 2010; adopted as subd (g) effective January 1, 2005; previously relettered as subd (h) effective January 1, 2006.)*

**(h) Decision**

- (1) Absent exceptional circumstances, the reviewing court must decide the petition on the merits by written opinion.
- (2) The reviewing court clerk must promptly notify the parties of any decision and must promptly send a certified copy of any writ or order to the court named as respondent.
- (3) If the writ or order stays or prohibits proceedings set to occur within 7 days or requires action within 7 days—or in any other urgent situation—the reviewing court clerk must make a reasonable effort to notify the clerk of the respondent court by telephone. The clerk of the respondent court must then notify the judge or officer most directly concerned.

- (4) The reviewing court clerk need not give telephonic notice of the summary denial of a writ, unless a stay previously issued will be dissolved.

*(Subd (h) relettered effective July 1, 2010; adopted as subd (h) effective January 1, 2005; relettered as subd (i) effective January 1, 2006; previously amended effective January 1, 2007.)*

**(i) Filing, modification, finality of decision, and remittitur**

Rule 8.490 governs the filing, modification, finality of decisions, and remittitur in writ proceedings under this rule.

*(Subd (i) adopted effective July 1, 2010.)*

*Rule 8.452 amended effective July 1, 2010; adopted as rule 38.1 effective January 1, 2005; previously amended effective January 1, 2006; previously amended and renumbered effective January 1, 2007.*

**Advisory Committee Comment**

**Subdivision (d).** Subdivision (d) tracks the second sentence of former rule 39.1B(l). (But see *Maribel M. v. Superior Court* (1998) 61 Cal.App.4th 1469, 1471–1476.)

**Subdivision (h).** Subdivision (h)(1) tracks former rule 39.1B(o). (But see *Maribel M. v. Superior Court* (1998) 61 Cal.App.4th 1469, 1471–1476.)

**Rule 8.454. Notice of intent to file writ petition under Welfare and Institutions Code section 366.28 to review order designating specific placement of a dependent child after termination of parental rights**

**(a) Application**

Rules 8.454–8.456 and 8.490 govern writ petitions to review placement orders following termination of parental rights entered on or after January 1, 2005. “Posttermination placement order” as used in this rule and rule 8.456 refers to orders following termination of parental rights.

*(Subd (a) amended effective July 1, 2010; previously amended effective January 1, 2007, and January 1, 2009.)*

**(b) Purpose**

The purpose of this rule is to facilitate and implement Welfare and Institutions Code section 366.28. Delays caused by appeals from court orders designating the specific placement of a dependent child after parental rights have been terminated may cause a substantial detriment to the child.

**(c) Who may file**

The petitioner's trial counsel, or, in the absence of trial counsel, the party, is responsible for filing any notice of intent and writ petition under rules 8.454–8.456. Trial counsel is encouraged to seek assistance from, or consult with, attorneys experienced in writ procedure.

*(Subd (c) amended effective January 1, 2008; previously amended effective January 1, 2007.)*

**(d) Extensions of time**

The superior court may not extend any time period prescribed by rules 8.454–8.456. The reviewing court may extend any time period, but must require an exceptional showing of good cause.

*(Subd (d) amended effective January 1, 2007.)*

**(e) Notice of intent**

- (1) A party seeking writ review under rules 8.454–8.456 must file in the superior court a notice of intent to file a writ petition and a request for the record.
- (2) The notice must include all known dates of the hearing that resulted in the order under review.
- (3) The notice must be authorized by the party intending to file the petition and signed by the party or by the attorney of record for that party.
- (4) The notice must be served and filed within 7 days after the date of the posttermination placement order or, if the order was made by a referee not acting as a temporary judge, within 7 days after the referee's order becomes final under rule 5.540(c). The date of the posttermination placement order is the date on which the court states the order on the record orally or in writing, whichever first occurs.
- (5) If the party was notified of the posttermination placement order only by mail, the notice of intent must be filed within 12 days after the date that the clerk mailed the notification.

*(Subd (e) amended effective July 1, 2010; previously amended effective January 1, 2007.)*

**(f) Premature or late notice of intent to file writ petition**

- (1) A notice of intent to file a writ petition under Welfare and Institutions Code section 366.28 is premature if filed before a date for a postdetermination placement order has been made. The reviewing court may treat the notice as filed immediately after the postdetermination order has been made.
- (2) The superior court clerk must mark a late notice of intent to file a writ petition under section 366.28 "Received [date] but not filed," notify the party that the notice was

not filed because it was late, and send a copy of the marked notice to the party's counsel of record, if applicable.

*(Subd (f) amended effective January 1, 2007; adopted effective January 1, 2006.)*

**(g) Sending the notice of intent**

- (1) When the notice of intent is filed, the superior court clerk must immediately mail a copy of the notice to:
  - (A) The attorney of record for each party;
  - (B) Each party, including the child if the child is 10 years of age or older;
  - (C) 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 as follows:
    - (i) If the sibling is under 10 years of age, on the sibling's attorney;
    - (ii) If the sibling is 10 years of age or over, on the sibling and the sibling's attorney;
  - (D) Any prospective adoptive parent;
  - (E) The child's legal guardian if any;
  - (F) Any person currently awarded by the juvenile court the status of the child's de facto parent;
  - (G) The probation officer or social worker;
  - (H) The child's Court Appointed Special Advocate (CASA) volunteer, if any; and
  - (I) If the court knows or has reason to know that an Indian child is involved, the Indian custodian, if any, and tribe of the child or the Bureau of Indian Affairs as required under Welfare and Institutions Code section 224.2.
- (2) The clerk must promptly send by first-class mail or fax a copy of the notice of intent and a list of those to whom the notice of intent was sent to:
  - (A) The reviewing court; and
  - (B) The petitioner if the clerk mailed a copy of the notice of intent to the Indian custodian, tribe of the child, or the Bureau of Indian Affairs.

- (3) If the party was notified of the post placement order only by mail, the clerk must include the date that the notification was mailed.

*(Subd (g) amended effective July 1, 2010; adopted as subd (f) effective January 1, 2005; previously relettered effective January 1, 2006; previously amended effective January 1, 2007.)*

**(h) Preparing the record**

When the notice of intent is filed, the superior court clerk must:

- (1) Immediately notify each court reporter by telephone and in writing to prepare a reporter's transcript of the oral proceedings at each session of the hearing that resulted in the order under review and to deliver the transcript to the clerk within 12 calendar days after the notice of intent is filed; and
- (2) Within 20 days after the notice of intent is filed, prepare a clerk's transcript that includes the notice of intent, proof of service, and all items listed in rule 8.404(a).

*(Subd (h) amended effective July 1, 2010; adopted as subd (g) effective January 1, 2005; previously amended and relettered effective January 1, 2006; previously amended effective July 1, 2006, January 1, 2007, and January 1, 2008.)*

**(i) Sending the record**

When the transcripts are certified as correct, the superior court clerk must immediately send:

- (1) The original transcripts to the reviewing court by the most expeditious method, noting the sending date on each original; and
- (2) One copy of each transcript to each counsel of record and any unrepresented party and unrepresented custodian of the dependent child by any means as fast as United States Postal Service express mail.

*(Subd (i) amended effective January 1, 2007; adopted as subd (h) effective January 1, 2005; previously relettered effective January 1, 2006.)*

**(j) Reviewing court clerk's duties**

- (1) The reviewing court clerk must promptly lodge the notice of intent. When the notice is lodged, the reviewing court has jurisdiction over the writ proceedings.
- (2) When the record is filed in the reviewing court, that court's clerk must immediately notify the parties, stating the date on which the 10-day period for filing the writ petition under rule 8.456(c)(1) will expire.

*(Subd (j) amended effective January 1, 2007; adopted as subd (i) effective January 1, 2005; previously relettered effective January 1, 2006.)*

*Rule 8.454 amended effective July 1, 2010; adopted as rule 38.2 effective January 1, 2005; previously amended and renumbered effective January 1, 2007; previously amended effective January 1, 2006, July 1, 2006, January 1, 2008, and January 1, 2009.*

### **Advisory Committee Comment**

**Subdivision (f)(2).** See rule 8.25(b)(5) for provisions concerning the timeliness of documents mailed by inmates or patients from custodial institutions.

### **Rule 8.456. Writ petition under Welfare and Institutions Code section 366.28 to review order designating or denying specific placement of a dependent child after termination of parental rights**

#### **(a) Petition**

- (1) The petition must be liberally construed and must include:
  - (A) The identities of the parties;
  - (B) The date on which the superior court made the posttermination placement order;
  - (C) A summary of the grounds of the petition; and
  - (D) The relief requested.
- (2) The petition must be accompanied by a memorandum.

*(Subd (a) amended effective July 1, 2010; previously amended effective January 1, 2007.)*

#### **(b) Contents of memorandum**

- (1) The memorandum must provide a summary of the significant facts, limited to matters in the record.
- (2) The memorandum must state each point under a separate heading or subheading summarizing the point and support each point by argument and citation of authority.
- (3) The memorandum must support any reference to a matter in the record by a citation to the record. The memorandum should explain the significance of any cited portion of the record and note any disputed aspects of the record.

*(Subd (b) amended effective January 1, 2007.)*

**(c) Serving and filing the petition and response**

- (1) The petition must be served and filed within 10 days after the record is filed in the reviewing court. The petitioner must serve the petition on:
  - (A) Each attorney of record;
  - (B) Any unrepresented party, including the child if the child is 10 years of age or older;
  - (C) 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 as follows:
    - (i) If the sibling is under 10 years of age, on the sibling's attorney;
    - (ii) If the sibling is 10 years of age or over, on the sibling and the sibling's attorney;
  - (D) Any prospective adoptive parent;
  - (E) The child's Court Appointed Special Advocate (CASA) volunteer;
  - (F) Any person currently awarded by the juvenile court the status of the child's de facto parent; and
  - (G) If the court sent the notice of intent to file the writ petition to an Indian custodian, tribe, or Bureau of Indian Affairs, then to that Indian custodian, tribe, or the Bureau of Indian Affairs as required under Welfare and Institutions Code section 224.2.
- (2) Any response must be served on each of the people and entities listed in (1) and filed:
  - (A) Within 10 days—or, if the petition was served by mail, within 15 days—after the petition is filed; or
  - (B) Within 10 days after a respondent receives a request from the reviewing court for a response, unless the court specifies a shorter time.

*(Subd (c) amended effective July 1, 2010; previously amended effective January 1, 2006, and January 1, 2007.)*

**(d) Order to show cause or alternative writ**

If the court intends to determine the petition on the merits, it must issue an order to show cause or alternative writ.

*(Subd (d) relettered effective July 1, 2010; adopted as subd (d) effective January 1, 2005; previously relettered as subd (e) effective January 1, 2006.)*

**(e) Augmenting or correcting the record in the reviewing court**

- (1) Except as provided in (2) and (3), rule 8.410 governs augmentation or correction of the record.
- (2) The petitioner must serve and file any request for augmentation or correction within 5 days—or, if the record exceeds 300 pages, within 7 days; or, if the record exceeds 600 pages, within 10 days—after receiving the record. A respondent must serve and file any such request within 5 days after the petition is filed or an order to show cause has issued, whichever is later.
- (3) A party must attach to its motion a copy, if available, of any document or transcript that it wants added to the record. The pages of the attachment must be consecutively numbered, beginning with the number one. If the reviewing court grants the motion, it may augment the record with the copy.
- (4) If the party cannot attach a copy of the matter to be added, the party must identify it as required under rules 8.122 and 8.130.
- (5) An order augmenting or correcting the record may grant no more than 15 days for compliance. The clerk and the reporter must give the order the highest priority.
- (6) The clerk must certify and send any supplemental transcripts as required by rule 8.454(i). If the augmentation or correction is ordered, the time to file any petition or response is extended by the number of additional days granted to augment or correct the record.

*(Subd (e) amended and relettered effective July 1, 2010; adopted as subd (e) effective January 1, 2005; previously relettered as subd (f) effective January 1, 2006; previously amended effective January 1, 2007.)*

**(f) Stay**

A request by petitioner for a stay of the posttermination placement order will not be granted unless the writ petition shows that implementation of the superior court's placement order pending the reviewing court's decision is likely to cause detriment to the child if the order is ultimately reversed.

*(Subd (f) relettered effective July 1, 2010; adopted as subd (f) effective January 1, 2005; previously relettered as subd (g) effective January 1, 2006; previously amended effective February 24, 2006.)*

**(g) Oral argument**

- (1) The reviewing court must hear oral argument within 30 days after the response is filed or due to be filed, unless the court extends the time for good cause or counsel waive argument.
- (2) If argument is waived, the cause is deemed submitted not later than 30 days after the response is filed or due to be filed.

*(Subd (g) relettered effective July 1, 2010; adopted as subd (g) effective January 1, 2005; previously relettered as subd (h) effective January 1, 2006.)*

**(h) Decision**

- (1) Absent exceptional circumstances, the reviewing court must review the petition and decide it on the merits by written opinion.
- (2) The reviewing court clerk must promptly notify the parties of any decision and must promptly send a certified copy of any writ or order to the court named as respondent.
- (3) If the writ or order stays or requires action within 7 days—or in any other urgent situation—the reviewing court clerk must make a reasonable effort to notify the clerk of the respondent court by telephone. The clerk of the respondent court must then notify the judge or officer most directly concerned.
- (4) The reviewing court clerk need not give telephonic notice of the summary denial of a writ, unless a stay previously issued and will be dissolved.
- (5) Rule 8.490 governs the filing, modification, finality of decisions, and remittitur in writ proceedings under this rule.

*(Subd (h) amended and relettered effective July 1, 2010; adopted as subd (h) effective January 1, 2005; previously relettered as subd (i) effective January 1, 2006; previously amended effective January 1, 2007.)*

**(i) Right to appeal other orders**

This section does not affect the right of a parent, a legal guardian, or the child to appeal any order that is otherwise appealable and that is issued at a hearing held under Welfare and Institutions Code section 366.26.

*(Subd (i) relettered effective July 1, 2010; adopted as subd (i) effective January 1, 2005; previously relettered as subd (j) effective January 1, 2006; previously amended effective January 1, 2007.)*

*Rule 8.456 amended effective July 1, 2010; adopted as rule 38.3 effective January 1, 2005; previously amended effective January 1, 2006, and February 24, 2006; previously amended and renumbered effective January 1, 2007.*

## **Article 4. Hearing and Decision**

*Division 1, Rules Relating to the Supreme Court and Courts of Appeal—Chapter 5, Juvenile Appeals and Writs—Article 4, Hearing and Decision, renumbered effective January 1, 2011.*

***Rule 8.470. Hearing and decision in the Court of Appeal***

***Rule 8.472. Hearing and decision in the Supreme Court***

***Rule 8.474. Procedures and data***

### **Rule 8.470. Hearing and decision in the Court of Appeal**

Except as provided in rules 8.400–8.456, rules 8.252–8.272 govern hearing and decision in the Court of Appeal in juvenile cases.

*Rule 8.470 amended and renumbered effective January 1, 2007; adopted as rule 38.4 effective January 1, 2005; previously amended effective July 1, 2005.*

### **Rule 8.472. Hearing and decision in the Supreme Court**

Rules 8.500–8.552 govern hearing and decision in the Supreme Court in juvenile cases.

*Rule 8.472 amended and renumbered effective January 1, 2007; adopted as rule 38.5 effective January 1, 2005; previously amended effective July 1, 2005.*

### **Rule 8.474. Procedures and data**

#### **(a) Procedures**

The judges and clerks of the superior courts and the reviewing courts must adopt procedures to identify the records and expedite the processing of all appeals and writs in juvenile cases.

#### **(b) Data**

The clerks of the superior courts and the reviewing courts must provide data required to assist the Judicial Council in evaluating the effectiveness of the rules governing appeals and writs in juvenile cases.

*Rule 8.474 renumbered effective January 1, 2007; adopted as rule 38.6 effective January 1, 2005.*

## **Chapter 6. Conservatorship Appeals**

***Rule 8.480. Appeal from order establishing conservatorship***

***Rule 8.482. Appeal from judgment authorizing conservator to consent to sterilization of conservatee***