Glossary of Terms

**21(E), 21(F), & .22 Hearing:** These are court review hearings held approximately every six (6) months to review, monitor the welfare of the child, and evaluate the parents’ efforts at reunification.

**.26 Hearing:** This is the hearing at which the court will decide whether to terminate parental rights and free the child for adoption, order a legal guardianship, or order a plan of permanent planned living arrangement.

**364 Hearing:** Refers to Welfare and Institutions Code section 364, which governs the legal criteria for review of a dependent child residing with a parent.

**366.3(a):** Refers to the Welfare and Institutions Code section which governs the legal criteria for review of dependent children who are in the process of adoption or guardianship.

**387 Petition:** A petition filed by the Department of Social Services seeking to modify a previous placement order of the Juvenile Court by removing a child from the physical custody of the parent, guardian or relative.

**388 Modification or “Mod”:** A petition claiming circumstances have changed or new evidence has arisen, claiming it would be in the best interest of the child to change a previous court order.

**Abandonment:** When a parent leaves a child without enough care, supervision, support, or parental contact for an excessive period of time.

**Adjudication:** The judge’s decision in a case or action

**Admission:** Saying that certain facts are true but not saying you are guilty

**Adoption:** The way to make the relationship between a parent and child legal when they are not related by blood

**Aid to Families with Dependent Children (AFDC):** A past government program that used to give money (also called "public assistance") to families with children. This was replaced by Temporary Aid for Needy Families (TANF).

**Allegation:** A statement or claim that is made and hasn’t been proven to be true or false

**Alleged Father:** A man who may be the father of the child, but whose biological paternity has not yet been established, or who has not, in the alternative, achieved “presumed father status.”

**Amend:** To add to or change a claim that has been filed in court

**Ascertained:** Proved to be true.

**Assignment:** Choosing someone to do something. Usually used in:

(1) Cases — when the court uses a calendar to give (or "assign") cases to judges;

(2) Lawyers — when lawyers are chosen (or "appointed") to represent juveniles, [conservatees](http://www.courts.ca.gov/selfhelp-glossary.htm?rdeLocaleAttr=en" \l "conservatee), or poor defendants; and

(3) Judges — when judges are sent (or "assigned") to different courts to fill in while other judges are on vacation, sick, etc., or to help with cases in a court.

**Attachment:** (1) Document attached to court papers to give more information; (2) A way to collect a judgment: by getting a court order that says you can take a piece of property.

**Attorney:** Someone that is qualified to represent clients in court and to give them legal advice.

**Attorney of Record:** The lawyer whose name is listed in a case record as representing someone in the case.

**Bailiff:** A person that is in charge of security in the court. Bailiffs are picked by sheriffs or [marshals](http://www.courts.ca.gov/selfhelp-glossary.htm?rdeLocaleAttr=en#marshal).

**Battery:** Illegal beating or physical violence or control of a person without their permission.

**Bench Warrant:** An order given by the judge (or "bench") to arrest a person.

**Best Interest of the Child:** the standard that courts use to decide who will take care of the child. Some of the factors courts look at are: the age of the child, the health of the child, the emotional ties between the parents and the child, the ability of the parents to care for the child, and the child's ties to school, home, and the community.

**BIA:** Bureau of Indian Affairs. Federal agency charged with administration of the Indian Child Welfare Act (ICWA).

**Blood Test:** Testing someone’s blood sample to:

(1) see how much of a certain chemical is in the blood, or

(2) see who is the parent of a child.

**Calendar:** A list, in alphabetical order, of all the cases in each courtroom every day. "To calendar" something means to give a day, time, and courtroom to a case.

**C.A.S.A.:** Stands for Court-Appointed Special Advocates. These are trained court-appointed volunteers that advocate on behalf of abused and neglected children involved with dependency court.

**Case File:** The folder that has the official court papers for a case

**Case Number:** Identification number that the court clerk’s office gives a case. This number is on all papers filed in the case

**CC:** County Counsel. This is the lawyer who represents the Department of Social Services

**Child Abuse:** Hurting a child physically, sexually or emotionally

**Child Custody:** The rights and responsibilities between parents for their child(ren). A parenting plan must describe the legal custody and physical custody that is in the best interest of the children. This term is also often used to describe who the children live with.

**Child Custody Evaluation:** An investigation and analysis by an expert of the health, safety, welfare, and best interests of children. It is ordered by a court to help resolve custody and visitation disputes.

**Child Neglect:** Not taking good care of a child. Neglect can be physical or emotional.

**Child Protective Services (CPS):** State agency that responds to reports of child abuse and neglect. If the agency's investigations show there is abuse or neglect, they open a child protection case. Then, a case worker makes a plan to help the family.

**Child Support Enforcement (CSE) agency:** Agency that exists in every state to find parents that don’t have custody (called "noncustodial parents," or "NCPs"). Or to find the person assumed to be the father of a child (called a "putative father," or "PF"). Makes, enforces, and changes child support. Collects and gives out child support money. Also known as an "IV-D agency."

**Concurrent Planning**: Refers to the legal requirement in dependency cases that reunification services be provided simultaneously with the development of an alternative plan, in case it is needed

**Contested:** A kind of case where both sides present evidence.

**Continuance/Continued:** Putting off a court case to a later date

**Continuing Exclusive Jurisdiction:** Theory that only one support order should be valid between the same people at a time. And when a court hears a child support case, it can add to and change that order. The **court of continuing exclusive jurisdiction (CCEJ)** has control over a support case until another court takes it away. This is defined in the Uniform Interstate Family Support Act (UIFSA).

**Court:** A judge or group of judges whose job is to hear cases and carry out justice.

**Court Order:** A legal decision made by a court that commands or directs that something be done or not done. Can be made by a judge, [commissioner](http://www.courts.ca.gov/selfhelp-glossary.htm?rdeLocaleAttr=en#commissioner), court [referee](http://www.courts.ca.gov/selfhelp-glossary.htm?rdeLocaleAttr=en#referee), or [magistrate](http://www.courts.ca.gov/selfhelp-glossary.htm?rdeLocaleAttr=en#magistrate).

**Court Reporter:** Someone that writes down, word for word, what is said in court. They generally use a stenographic machine, shorthand, or a recording device. You can ask for a copy of this record.

**Court Stamp:** An raised seal press or stamp that prints or stamps a seal on court papers. It might say the name of the judicial district or the consolidated city and county. You can read the stamp in photocopies.

**Custodial Parent:** The parent that has primary care, custody, and control of the child(ren).

**De Facto:** A person found by the court to have assumed, on a day to day basis, the role of parent, fulfilling both the child’s physical and psychological needs for care and affection, and who has assumed that role for a substantial period.

**Delinquent:** A child, under 18, who has done something that would be a crime if he or she were 18 or older.

**Dependent:** In family law, this usually means a child that is financially supported by another person. In juvenile law, this means a minor that is in the custody of the court because he or she was abused, neglected, or molested or is physically dangerous to the public because of a mental or physical disorder.

**Detention Hearing:** When the child(ren) is temporarily removed, this is the hearing that decides if they remain in foster care.

**DPSS:** Department of Social Services. County agency responsible to investigate child abuse and neglect, file petitions to declare children dependents of the court. Provide services to families to facilitate reunification, or if no reunification is possible, seek adoption, guardianship or other plan for the child.

**Dispositional Hearing:** If a child falls under the jurisdiction of the juvenile court, the court holds a dispositional hearing to determine whether the child will become a dependent of the court, where the child will reside, and what services, if any, will be provided to the parent.

**Emancipation:** A legal way for children to become adults before they're 18. Once a child is emancipated, his or her parents don't have custody or control of him or her anymore.

**Establish:** A process to prove paternity (fatherhood)

**FAPE:** Stands for a "free, appropriate public education."

**Federal Parent Locator Service (FPLS):** A computerized national network and database run by the federal Office of Child Support Enforcement (OCSE) of the Administration for Children and Families (ACF). FPLS collects address and employer information, and data on child support cases in every state; compares them; and gives this information to the proper authorities in the states involved. This helps state and local child support enforcement agencies locate alleged fathers and parents that do not have custody of their children. The information is used to establish custody and visitation rights, establish and enforce child support payments, investigate parental kidnapping, and process adoption or foster care cases

**FFA (Foster Family Agency):** a private agency licensed by the State of California to certify individual homes for the placement of foster children

**FM (Family Maintenance):** A program of CPS where a parent or guardian volunteers to participate in services to prevent the removal of a child from the home. FSW: Family Service Worker. A Department of Social Services employee who supervises visits, transports children and performs related tasks.

**Foster Care:** A program that gives money to a person, family, or institution to raise someone else's child.

**Genetic Testing:** A medical test to determine legal fatherhood (or "paternity")

**Group Home:** facilities licensed by [Community Care Licensing](http://www.ccld.ca.gov/) for 6 or more children. Group Homes are institutional in nature and provide care for children with specific behavior problems.

**Guardian:** A person who has the legal rights and responsibilities to care for a child whose parents are unavailable to care for him or her. A guardian can be a guardian of the person, taking care of the personal needs of a child like care, custody, schooling and medical decisions and/or a guardian of the estate, managing the child's finances. The child is referred to as the "ward."

**Guardian Ad Litem:** A court-appointed adult that represents a minor child or legally incompetent person.

**Guardianship:** When the parents of a child are not around or are unable to care for a child, someone else (a relative, friend, or another adult) can ask the court to be made guardian of a child. In California, a judge can appoint a guardian to care for a person under age 18 or to manage the minor's estate (property), or both.  Guardianships can be in probate court.  And guardianships can also be ordered in juvenile dependency court.  In some states, conservatorship of an adult is called guardianship, but not in California.

**Habitable:** A rental unit that is fit for people to live in. A rental unit that follows important building and safety code standards that affect tenants' health and safety is called "habitable."

**Hearing:** A formal court proceeding with the judge and opposing sides present, but no jury.

**ICPC:** Refers to the Interstate Compact on the Placement of Children. This law has as its purpose to have states cooperate with each other in the interstate placement of children and to ensure each child requiring placement receives the maximum opportunity to be placed in a suitable home.

**ICWA:** Indian Child Welfare Act. Federal law whose purpose is to protect the integrity of an Indian family

**IEP:** Stands for "individualized education program." An IEP is designed to meet the exceptional educational needs of public school students that are eligible for special education services.

**ILP:** Independent Living Program. This is a county program designed to provide services to youths about to exit the dependency system. Services include help in finding a job, housing, and health care.

**Inactive Case:** A pending case that has been filed, but for some reason can't be processed by the court.

**Incarcerate:** To put in jail.

**IV-E ("4-E"):** Refers to title IV-E of the Social Security Act, which established a federal-state foster care program that gives financial support to a person, family, or institution that is raising a child or children not their own.

**IV-E ("4-E") case:** A child support case where the state provides benefits or services under title IV-E of the Social Security Act to a person, family, or institution that is raising child(ren) not their own. As with other public assistance cases, the people that get public assistance are referred to their state IV-D program in order to identify and find the noncustodial parent, establish paternity and/or a child support order, and/or obtain child support payments. This allows the state to get back some or all of its public assistance payments from the noncustodial parent.

**Judge:** An official of the judicial branch of government with authority to decide lawsuits brought before courts. The term "judge" may also refer to all judicial officers, including Supreme Court justices.

**Jurisdiction:** (1) The legal authority of a court to hear and decide a case; (2) the geographic area over which the court has authority to decide cases; (3) the territory, subject matter, or persons over which lawful authority may be exercised by a court.

**Juvenile:** A person younger than the legal age of adulthood, which usually is 18 years but in some cases is 21 years.

**Juvenile Court:** That part of the superior court that handles delinquency, status offense, and dependency cases involving minors.

**Jurisdictional Hearing:** The hearing at which the court determines whether the child falls within the jurisdiction of the juvenile court.

**KIN-GAP:** Kinship Guardianship Assistance Payment Program. This program allows someone who is appointed guardian for a relative to continue to receive the same basic foster care rate paid to other licensed foster parents.

**LEA:** Stands for "local educational agency," usually the local school district, responsible for providing special education services to eligible public school students.

**Legal Custody:** A parent's right and responsibility to make decisions about a child's health, education and well being. There are two types of legal custody orders: joint legal custody and sole legal custody.

**Legal parent:** A person who is recognized by the law as the parent of a child.

**Minor:** A person under the age of 18 years

**Minutes:** The official (permanent) record of a court proceeding, that tells things like what witnesses appeared, what [motions](http://www.courts.ca.gov/selfhelp-glossary.htm?rdeLocaleAttr=en#motion) were made, and what [findings](http://www.courts.ca.gov/selfhelp-glossary.htm?rdeLocaleAttr=en#finding) were reached.

**Minute Order:**The courtroom clerk's written minutes of court proceedings. A minute order is done when a trial judge sits officially, with or without a court reporter, and a clerk keeps minutes of the court session. In this case, the minute order may be the only record of an oral order made by the judge. Copies of the minute orders are usually kept in the case files and the court clerk's office. The format of minute orders can vary from court to court. Generally, they include the name of the court, the name of the judge and the court clerk, the case number and names of the parties in the case, the date of the order, the nature of the proceedings, and the court's ruling. The length of a minute order can be a single page or it can be several pages long.

**Non-Custodial Parent (NCP):** The parent that does not have primary care, custody, or control of a child

**Notice:** A written announcement or warning. For example, a notice to the other side that on a certain date a particular motion will be made in court.

**NREFM (Non-Related Extended Family Member):** a person with an "established familial or mentoring relationship to the child" or the child's family, and who does not meet the AFDC-FC definition of a relative. This category may include godparents, family friends, teachers, etc. A potential caregiver's eligibility to NREFM status shall be determined and documented by the child's social worker.

**Parenting classes:** Classes that help parents focus on the needs of their children and give parents information to provide a nurturing non-threatening home environment. Sometimes the court may order one or both parents to go to parenting classes so they can learn to communicate better about their children's needs.

**Parenting Plan:** A detailed custody and visitation agreement that says when the child will be with each parent and how decisions are made. The parenting plan may be developed by the parents, through mediation, with the help of lawyers, or by a judge after a trial or hearing.

**Permanency Planning:** A court action that gives a dependent child a permanent place to live, like an adoption or a guardianship.

**Permanency Planning Hearing:** A hearing to give a dependent child a permanent place to live. The hearing generally happens up to 18 months after the child is taken away from the parents.

**Recess:** A short break in a trial ordered by the judge.

**Reunification Services:** Social services designed to help a parent in overcoming the issues which lead to the start of the dependency case, and which will facilitate the return of the child to the parent

**SCAN:** Suspected Child Abuse and Neglect. A medical review of whether a child has been sexually abused.

**STARS:** Specialized Treatment and Recovery Services Program. This program is provided by the Department of Social Services to provide alcohol and drug treatment

**State Parent Locator Services (SPLS):** A unit within each state's child support enforcement agency that locates noncustodial parents to establish and enforce child support obligations, visitation, and custody orders or to establish paternity.

**Supervised Visitation:** Visitation between a parent and a child that happens in the presence of another specified adult. The court may order supervised visitation when there has been domestic violence, child abuse, or a threat to take the child out of state.

**Temporary Assistance to Needy Families (TANF):** Time-limited public assistance payments made to poor families, based on title IV-A of the Social Security Act. TANF replaced Aid to Families with Dependent Children

**Uninhabitable:** A rental unit that has problems or defects so serious that they affect the tenant's health or safety. A rental unit may be uninhabitable if it is not fit for people to live in, or if does not follow important building and safety code standards that affect the tenants' health and safety.

**Ward of the Court:** A minor that is under the care and control of the juvenile court and not his or her parent(s).

**Wrap Focus Services:** Specialized and intensive social and health services designed to facilitate the placement of a child with their parent, who is currently residing in a group home or at risk of going into a group home.