

**Assembly Bill No. 2464**

CHAPTER 921

An act to amend Section 302 of the Welfare and Institutions Code, relating to child custody.

[Approved by Governor September 29, 2000. Filed with Secretary of State September 29, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2464, Kuehl. Child custody: modification.

Existing law provides that when a child is adjudged a dependent child of the juvenile court any issue regarding custodial rights between his or her parents shall be solely determined by the juvenile court as long as the child remains a dependent of the juvenile court.

This bill would provide that any order made by the juvenile court regarding the custody of, or visitation with, a child who is a dependent of the juvenile court at the time the juvenile court terminates its jurisdiction shall be a final judgment and shall remain in effect after that jurisdiction is terminated. The bill would prohibit modification of the order in proceedings governed by the Family Code provisions relating to custody unless the court finds that there has been a significant change of circumstances since the juvenile court issued the order and modification of the order is in the best interest of the child.

*The people of the State of California do enact as follows:*

SECTION 1. Section 302 of the Welfare and Institutions Code is amended to read:

302. (a) A juvenile court may assume jurisdiction over a child described in Section 300 regardless of whether the child was in the physical custody of both parents or was in the sole legal or physical custody of only one parent at the time that the events or conditions occurred that brought the child within the jurisdiction of the court.

(b) Unless their parental rights have been terminated, both parents shall be notified of all proceedings involving the child. In any case where the social worker is required to provide a parent or guardian with notice of a proceeding at which the social worker intends to present a report, the social worker shall also provide both parents, whether custodial or noncustodial, or any guardian, or the counsel for the parent or guardian a copy of the report prior to the hearing, either personally or by first-class mail. The social worker shall not charge any fee for providing a copy of a report required by



this subdivision. The social worker shall keep confidential the address of any parent who is known to be the victim of domestic violence.

(c) When a child is adjudged a dependent of the juvenile court, any issues regarding custodial rights between his or her parents shall be determined solely by the juvenile court, as specified in Sections 304, 361.2, and 362.4, so long as the child remains a dependent of the juvenile court.

(d) (1) Any custody or visitation order issued by the juvenile court at the time the juvenile court terminates its jurisdiction pursuant to Section 362.4 regarding a child who has been previously adjudged to be a dependent child of the juvenile court shall be a final judgment and shall remain in effect after that jurisdiction is terminated. The order shall not be modified in a proceeding or action described in Section 3021 of the Family Code unless the court finds that there has been a significant change of circumstances since the juvenile court issued the order and modification of the order is in the best interests of the child.

