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**WELFARE AND INSTITUTIONS CODE - WIC**

**DIVISION 2. CHILDREN [100 - 1500]** ( *Division 2 enacted by Stats. 1937, Ch. 369.* )

**PART 1. DELINQUENTS AND WARDS OF THE JUVENILE COURT [100 - 1459]** ( *Part 1 enacted by Stats. 1937, Ch. 369.* )

**CHAPTER 2. Juvenile Court Law [200 - 987]** ( *Chapter 2 repealed and added by Stats. 1961, Ch. 1616.* )

**ARTICLE 11. Dependent Children—Transfer of Cases Between Counties [375 - 381]** ( *Article 11 added by Stats. 1976, Ch. 1068.* )

**375.** (a) Whenever a petition is filed in the juvenile court of a county other than the residence of the person named in the petition, or whenever, subsequent to the filing of a petition in the juvenile court of the county where that minor resides, the residence of the person who would be legally entitled to the custody of the minor were it not for the existence of a court order issued pursuant to this chapter is changed to another county, the entire case may be transferred to the juvenile court of the county where that person then resides at any time after the court has made a finding of the facts upon which it has exercised its jurisdiction over the minor, and the juvenile court of the county where that person then resides shall take jurisdiction of the case upon the receipt and filing of the finding of the facts upon which the court exercised its jurisdiction and an order transferring the case.

(b) (1) Whenever a minor under the dependency jurisdiction or transition jurisdiction of the juvenile court attains 18 years of age and remains under the court's jurisdiction as a nonminor dependent, as defined in subdivision (v) of Section 11400, the residence of the nonminor dependent may be changed to another county if the court finds that the nonminor dependent meets the conditions of subdivision (f) of Section 17.1. The entire case may be transferred to the juvenile court of the county where the nonminor dependent then resides at any time after the court has made a finding of the facts upon which the court has exercised its jurisdiction over the nonminor. The juvenile court of the county where a nonminor then resides shall take jurisdiction of the case upon the receipt and filing of that finding and an order transferring the case.

(2) Whenever a petition pursuant to subdivision (e) of Section 388 is submitted in the juvenile court of a county other than the county that retained general jurisdiction under subdivision (b) of Section 303 of the nonminor dependent, as defined in subdivision (v) of Section 11400, the residence of the nonminor dependent may be changed to another county if the nonminor dependent meets the conditions of subdivision (g) of Section 17.1. The entire case may be transferred to the juvenile court of the county where the nonminor dependent then resides at any time after the county that retained general jurisdiction has granted the petition and resumed dependency jurisdiction, or has assumed or resumed transition jurisdiction. The juvenile court of the county where the nonminor then resides shall take jurisdiction of the case upon the receipt and filing of the finding of the facts upon which the court exercised its jurisdiction over the nonminor and an order transferring the case.

(Amended by Stats. 2012, Ch. 846, Sec. 29. (AB 1712) Effective January 1, 2013.)

**376.** The expense of the transfer and all expenses in connection with the transfer and for the support and maintenance of such person shall be paid from the county treasury of the court ordering the transfer until the receipt and filing of the finding and order of transfer in the juvenile court of the transferee county.

The judge shall inquire into the financial condition of such person and of the parent, parents, guardian, or other person charged with his support and maintenance, and if he finds such person, parent, parents, guardian, or other person able, in whole or in part, to pay the expense of such transfer, he shall make a further order requiring such person, parent, parents, guardian, or other person to repay to the county such part, or all, of such expense of transfer as, in the opinion of the court, is proper. Such repayment shall be made to the probation officer who shall keep suitable accounts of such expenses and repayments and shall deposit all such collections in the county treasury.

(Added by Stats. 1976, Ch. 1068.)

**377.** Whenever a case is transferred as provided in Section 375, the order of transfer shall recite each and all of the findings, orders, or modification of orders that have been made in the case, and shall include the name and address of the legal residence of the parent or guardian of the minor. All papers contained in the file shall be transferred to the county where such person resides. A copy of the order of transfer and of the findings of fact as required in Section 375 shall be kept in the file of the transferring county.  
*(Added by Stats. 1976, Ch. 1068.)*

**378.** Whenever an order of transfer from another county is filed with the clerk of any juvenile court, the clerk shall place the transfer order on the calendar of the court, and it shall have precedence over all actions and civil proceedings not specifically given precedence by other provisions of law and shall be heard by the court at the earliest possible moment following the filing of the order.  
*(Added by Stats. 1976, Ch. 1068.)*

**379.** In any action under the provisions of this article in which the residence of a minor person is determined, both the county in which the court is situated and any other county which, as a result of the determination of residence, might be determined to be the county of residence of the minor person, shall be considered to be parties in the action and shall have the right to appeal any order by which residence of the minor person is determined.  
*(Added by Stats. 1976, Ch. 1068.)*

**380.** Any person adjudged to be a dependent child of the juvenile court may be permitted by order of the court to reside in a county other than the county of his or her legal residence, and the court shall retain jurisdiction over that person.  
Whenever a dependent child of the juvenile court is permitted to reside in a county other than the county of his or her legal residence, he or she may be placed under the supervision of the social worker of the county of actual residence, with the consent of the social worker. The dependent child shall comply with the instructions of the social worker and upon failure to do so shall be returned to the county of his or her legal residence for further hearing and order of the court.  
*(Amended by Stats. 1998, Ch. 1054, Sec. 42. Effective January 1, 1999.)*

**381.** (a) If a case is dismissed by a state court because the child is already a ward of a tribal court or the tribe has exclusive jurisdiction over Indian child custody proceedings pursuant to subdivisions (b) and (c) of Section 305.5, the state court shall ensure that all state court records are transmitted to the tribal court pursuant to subdivision (c) of Section 305.5. The state court and the tribe shall each document the finding of the facts supporting jurisdiction over the minor. The state court and the county welfare department shall maintain a copy of the order of dismissal and the findings of fact.  
(b) If a case is transferred from a state court to a tribal court pursuant to subdivisions (d) and (e) of Section 305.5, the state court shall issue an order of transfer of the case that states all of the findings, orders, or modification of orders that have been made in the case, and the name and address of the tribe having jurisdiction. All papers contained in the file shall be transferred to the tribe having jurisdiction. The transferring state court and county welfare department shall maintain a copy of the order of transfer and the findings of fact.  
(c) If an order of transfer from a state court to a tribe is filed with the clerk of a juvenile court, the clerk shall place the transfer order on the calendar of the court, and, notwithstanding Section 378, that matter shall have precedence over all actions and civil proceedings not specifically given precedence by any other law and shall be heard by the court at the earliest possible moment after the order is filed.  
*(Amended by Stats. 2018, Ch. 833, Sec. 33. (AB 3176) Effective January 1, 2019.)*