

1 (Firm)
2 BY: (Attorney) CSB#
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Attorney for (MOTHER), MOTHER

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF
SITTING AS THE JUVENILE COURT

In the matter of:	)	CASE NO.
(MINOR)	)	NOTICE OF MOTION TO TAKE JUDICIAL
DOB: 8/24/02	)	NOTICE OF JUVENILE COURT FINDINGS
	)	AND ORDERS [EVIDENCE CODE § 452]
	)	DATE: 07/18/05
	)	TIME: 1:30 P.M.
	)	DEPT.:

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on X, 2005 at 1:30 p.m. in Department of the County Juvenile Court located at XX, California, the Mother, (Mother), will move the court pursuant to Evidence Code Section 452 to take Judicial notice of the findings and orders made in the case of children R. and M. on X, 2005 heard in Department in the Juvenile Division of the Superior Court.

In the matter of (Minor), the court will determine whether reunification services for the mother are continued. Mother asserts that the findings and orders in the case of M. and R. continuing her reunification services were made based on the same body of evidence that is present before the court in (Minor)' matter. The findings and orders in that case were that the mother regularly participated and made substantive progress in

1 reunification and that there is a substantial probability that those children will be
2 returned to her care within six months.

3 The motion will be made based on this notice, the pleadings, records, and papers
4 on file herein, and the affidavit of served and filed herewith.

5 **II.**

6 **POINTS AND AUTHORITIES**

7 Evidence Code Section 452(d) states as follows:

8 Judicial notice may be taken of the following matters to the extent they are
9 not embraced by section 451:...(d) [r]ecords of any court of (1) this state...

10
11 In the instant case, the mother believes that should be allowed additional
12 reunification services in order to reunify with her daughter, (Minor)

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15 Dated: _____

16 _____
17 Attorney for MOTHER

PROOF OF SERVICE

Case Name: IN RE: (MINOR)
Court: COUNTY SUPERIOR COURT; JUVENILE DIVISION
Case No.:

I am a resident of the United States and of the State of California. I am employed in the County of. My business address is. My business telephone number is ; fax number is I am over the age of eighteen years. I am not a party to the within action or proceeding. On X, 2005, I served the following document(s):

- 1. NOTICE OF MOTION TO TAKE JUDICIAL NOTICE OF OTHER COURT PROCEEDINGS**
- 2. AFFIDAVIT IN SUPPORT OF MOTION TO TAKE JUDICIAL NOTICE OF OTHER COURT PROCEEDINGS**

I am familiar with the practice of X for the collection and processing of correspondence for mailing with the United States Postal Service. In accordance with the ordinary course of business, the above-mentioned document(s) would have been deposited with the United States Postal Service on the same day on which it was placed at X for deposit

X by personally delivering, or causing to be delivered, a true copy thereof to the person(s) at the addresses set forth below. (CCP §1011)

X by personally delivering, or causing to be delivered, a true copy thereof to the person(s) at the Courthouse in the mailbox located in Room 101 of the mail distribution center.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on X, 2005 at, California.

1 **(Firm)**
2 **BY: (Attorney) CSB#**
3 **Address XXXXXXX**
4 **Phone XXXXXXX**
5 **Fax XXXXXXX**

6 **Attorney for (MOTHER), MOTHER**

7 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **IN AND FOR THE COUNTY OF X**
9 **SITTING AS THE JUVENILE COURT**

10 In the matter of:	)	CASE NO.
11 (MINOR)	)	INTENDED EXHIBIT & FINDINGS & ORDERS
12 DOB: X	)	PURSUANT TO MOTION TO TAKE JUDICIAL
	)	NOTICE OF JUVENILE COURT ORDERS
	)	DATE: X, 2005
	)	TIME: 1:30 P.M.
	)	DEPT.:

15 Please be advised that on X, 2005 at 1:30 p.m. in Department of the Juvenile
16 Division of the Superior Court of California, the mother will move the court to take
17 judicial notice of the attached findings and orders. These findings and orders were
18 referenced in the previously filed Notice of Motion to Take Judicial Notice of Findings
19 and Orders. The Minute Order is not yet available and will follow when made available
20 by Department.

21 The attached findings and orders will also be modified to reflect the court's ruling
22 on X, 2005 in Department X regarding M. and R., to incorporate findings which included
23 facts that the mother completed and received a certificate from the WEAVE Program,
24 the mother graduated from six months of Dependency Drug Court, and the mother has
25 to date has completed eight of eleven counseling sessions. The attached findings and
26 orders and following minute order will be made a part of the previously filed motion

1 which is scheduled to be heard on July 18, 2005 at 1:30 p.m. in Department.
2

3 Mother asserts that this same judicial officer has made findings and orders as to
4 (Minor)' siblings on July 6, 2005 which indicate that in the same dependency action the
5 mother has made substantive progress and regular participated in court ordered
6 treatment, has demonstrated the capacity and ability to provide for the children's safety,
7 protection, physical and emotional well-being, and that there is a substantial probability
8 that those children will be returned and safely maintained within six months. These
9 findings and orders are directly relevant in that they are based on the same body of
10 evidence and the same parent to a sibling group.
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12 Dated: _____

13 Attorney for MOTHER
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PROOF OF SERVICE

Case Name: IN RE: (MINOR)
Court: COUNTY SUPERIOR COURT; JUVENILE DIVISION
Case No.:

I am a resident of the United States and of the State of California. I am employed in the County of Sacramento. My business address is 2. My business telephone number is ; fax number is I am over the age of eighteen years. I am not a party to the within action or proceeding. On July 15, 2005, I served the following document(s):

1. INTENDED EXHIBIT & FINDINGS & ORDERS PURSUANT TO MOTION TO TAKE JUDICIAL NOTICE OF FINDINGS & ORDERS

I am familiar with the practice of Parent Advocates of for the collection and processing of correspondence for mailing with the United States Postal Service. In accordance with the ordinary course of business, the above-mentioned document(s) would have been deposited with the United States Postal Service on the same day on which it was placed at Parent Advocates of for deposit

X by placing, or causing to be placed, a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at, California, addressed as set forth below. (CCP §1012, 1013, & 1013(a))

ATTORNEY AT LAW

COUNTY COUNSEL

X by personally delivering, or causing to be delivered, a true copy thereof to the person(s) at the addresses set forth below. (CCP §1011)

XXX

X by personally delivering, or causing to be delivered, a true copy thereof to the person(s) at the Courthouse in the mailbox located in Room 101 of the mail distribution center.

XXX

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on XX, 2005 at, California.

1 **(Firm)**
2 **BY: (Attorney) CSB#**
3 **Address XXXXXXX**
4 **Phone XXXXXXX**
5 **Fax XXXXXXX**

6 **Attorney for (MOTHER), MOTHER**

7 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **IN AND FOR THE COUNTY OF X**
9 **SITTING AS THE JUVENILE COURT**

10 **In the matter of:**) **CASE NO.**
11 **(MINOR)**) **AFFIDAVIT OF IN**
12 **DOB: 8/24/02**) **SUPPORT OF MOTION TO TAKE JUDICIAL**
13) **NOTICE OF COURT ORDERS**
14) **[EVIDENCE CODE § 452]**
15) **DATE: 07/18/05**
16) **TIME: 1:30 P.M.**
17) **DEPT.:**

18 I, , state and declare the following:

- 19 1. I am an attorney licensed to practice law in the State of California.
- 20 2. I am the attorney for the Mother, (Mother), in the above-referenced
21 matter.
- 22 3. This declaration is in support of Ms. S.' motion for the court to take
23 judicial notice of the findings and orders in the children's case
24 heard on X, 2005 in Department X of the Juvenile Division of the
25 Superior Court.
- 26 4. I believe this matter is relevant to the court in that the court has
27 made these order based on the same body of evidence which is
28 before you in (Minor)' matter. There is no distinction between the

29 In Re: (Minor)

30 Case No.

Affidavit in Support of Motion to Take
Judicial Notice
July 13, 2005

siblings, in that the mother has participated in the same case plan and maintained the same visitation schedule for all three minors.

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Dated: _____

Attorney for MOTHER

In Re: (Minor)

Affidavit in Support of Motion to Take
Judicial Notice
July 13, 2005

Case No.