

5-02/030.10 - Dependent Nondelinquent (300 WIC)

Any person who is under 18 years of age who comes within the description under section 300 WIC is within the jurisdiction of the juvenile court which may adjudge such person to be a dependent of the court.

Any such person taken into custody is a victim and shall not be reported or referred to as arrested (206 WIC).

Section 300(a) WIC shall be used when a minor has suffered, or there is a substantial risk that the minor will suffer, serious physical harm inflicted non-accidentally upon the minor by the minor's parent or guardian.

Section 300(b) WIC shall be used when a minor has suffered, or there is substantial risk that the minor will suffer, serious physical harm or illness, as a result of the failure or inability of his parent or guardian to adequately supervise or protect the minor, or the willful or negligent failure of the minor's parent or guardian to adequately supervise or protect the minor from the conduct of the custodian with whom the minor has been left, or by the willful or negligent failure of the parent or guardian to provide the minor with adequate food, clothing, shelter, or to provide regular care for the minor due to the parent's or guardian's mental illness, developmental disability, or substance abuse.

Section 300(c) WIC shall be used when the minor is suffering serious emotional damage, evidenced by severe anxiety, depression, withdrawal, or untoward aggressive behavior towards self or others, and, as a result, is incapable of providing appropriate care.

Section 300(d) WIC shall be used when the minor has been sexually abused or there is a substantial risk that the minor will be sexually abuse, as defined in section 11165.1 of the Penal Code, by his parent or guardian or a member of his household or the parent or guardian has failed to adequately protect the minor from sexual abuse when the parent or guardian knew or reasonably should have known that the minor was in danger of sexual abuse.

Section 300(j) WIC shall be used when the minor's sibling has been abused or neglected, as defined in subdivision (a), (b), (d), (e) or (l) and there is a substantial risk that the minor will be abused or neglected, as defined in those subsections.
