
**ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL**

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Dependency Intake

Purpose	To provide guidelines for conducting a Dependency Intake investigation and filing a petition when deemed appropriate.
Approved	This policy was approved by Gary Taylor, CFS Director, on August 21, 2015. <i>Signature on file.</i>
Most Recent Revision	<p>The most recent revisions of the Policy and Procedure (P&P):</p> <ul style="list-style-type: none">• Incorporate new court report documentation guidelines for Detention Hearing Reports (DHRs)• Clarify the term Detention hearing may also refer to an Initial Petition hearing• Update Welfare and Institutions Code (WIC) Section § 309 relative notification efforts• Incorporate legislation impacted by Senate Bill 977 (2014) as to parents residing in a certified substance abuse treatment facility• Identify a new WIC § 300 petition count applicable to commercially sexually exploited children• Clarify expedited mail service may be used to notice incarcerated parents of a Detention hearing• Address case transfer following the Detention hearing, when a case is not already assigned to a (vertical) Dependency Intake/Investigations Senior Social Worker (SSW)

Background

A Dependency Intake investigation is required when:

- A non-dependent child is placed into protective custody
- An *Application for Petition (F063-28-43)* is filed on behalf of a child who requires Court supervision to remain in the care of one or both parents
- There are new allegations of abuse or neglect regarding a child who currently has an open dependency case

The investigation and process for filing a petition or denying an *Application for Petition (F063-28-43)* is the same for dependent and non-dependent children. This P&P provides guidelines for determining whether to file:

- An Original Petition for a non-dependent child
- A Subsequent or Supplemental Petition for a child who is already a dependent child of the Juvenile Court

For further guidelines that may be applicable to a Dependency Intake investigation, refer to:

- CFS P&P [Indian Child Welfare Act \(G-0309\)](#) for reporting ICWA information to Court
- CFS P&P [Incarcerated and Institutionalized Parents \(G-0308\)](#) to request transportation orders

Definitions

For purposes of this P&P, the following apply:

Detention Hearing: Refers to the hearing conducted when a petition has been filed and one of the following conditions exist:

- Child placed into protective custody
- Child removed from the care of a parent who has Court ordered sole legal and physical custody and is placed with a previously non-custodial parent who does not have Court ordered legal or physical custody
- Child remains in the care of one custodial parent and the other custodial parent leaves the home
- Child remains in the care of one parent and the other parent's custody or existing visitation orders will be modified
- Child placed into protective custody and the recommendation at the Detention hearing will be to release to parent(s) under Conditional Release to Intensive Supervision Program (CRISP)

May also refer to an Initial Petition hearing conducted when a

petition has been filed and one of the following conditions exist:

- Child remains in the care of both parents
- Child remains in the care of one parent who has Court ordered sole legal and physical custody
- Child was previously left in the care of the parent(s) and the recommendation is to request that detention orders be made and/or the child be placed into protective custody

Exculpatory Evidence: Evidence favorable to a party in the case and relevant to the issues of the case.

POLICY

Investigation and Assessment

During the Dependency Intake investigation, the Dependency Intake SSW will conduct a thorough and independent assessment of each child in accordance with WIC § 309. Documentation and information available will be considered to assess the validity of the allegations and the facts of the case.

- A. To ensure relevant information is obtained and considered during the Dependency Intake Investigation, best efforts will be made to conduct thorough interviews with:
1. Each child in the family who is in protective custody or requires Court supervision, if not already interviewed by the Emergency Response (ER) SSW or when additional information is needed.

Example: If information obtained from a collateral contact casts doubt on evidence supporting an allegation (e.g., child's reported statements to a collateral contact are inconsistent with statements made to the ER SSW), efforts should be made to re-interview the child, when possible.

Note: Prior to re-interviewing a child, consideration should be given to minimizing the potential trauma to the child and whether a forensic interview is pending or needed. See CFS P&P [Child Abuse Services Team \(CAST\) \(A-0401\)](#).

2. The child's mother, alleged father(s), and/or legal guardian, to briefly review the facts of the case and to determine whether new information is available which may impact the disposition of the Dependency Intake

investigation.

Note: A named father remains “alleged” until a determination is made by the Court that he is the “presumed” father. Refer to CFS P&P [Parentage \(G-0602\)](#) for further information.

3. Relevant collateral contacts, including:
 - a. Relatives, friends, or neighbors who have information relevant to the investigation, if not already interviewed by the ER SSW or when additional information is needed. This may include individuals who witnessed, or have information related to, the circumstances that resulted in the child being placed into protective custody or requiring Court supervision.
 - b. Professional collaterals (e.g., law enforcement, medical provider, mental health provider, teacher, etc.), when additional information is needed, and to determine whether new information is available which may impact the disposition of the Dependency Intake investigation.

Note: CDSS Policies and Procedures Manual, Division 31 Chapter 31-125.222 provides statutory authority to “make necessary collateral contacts with persons having knowledge of the condition of the children.”

During interviews with collateral contacts, release of child abuse record information (e.g., Investigation Narratives, status of the investigation, specific allegations, etc.) is prohibited, except to parties/agencies detailed in [Attachment 2—Authorized Disclosure of Child Abuse Records](#) of CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#).

Interviews will address:

- The child’s physical safety and well-being
- Parent/Legal guardian’s willingness and ability to protect
- Circumstances that resulted in custody of the child

Information obtained from interviews will be used to assess the validity of the allegations, whether additional allegations exist, and service needs of the family.

Unsuccessful attempts to interview parties specified above will be documented in Child Welfare Services/Case Management System (CWS/CMS) and in the Detention Hearing Report (DHR).

- B. A child abuse report will be made as soon as possible when it is determined the police did not assess and/or take into protective custody the sibling of a child detained by the police.
- C. Best efforts will be made to obtain, review, and consider known relevant records, including:
 - Police reports and medical records
 - Legal records of prior dependency proceedings regarding the child and/or sibling(s)
- D. Prior child abuse reports will be reviewed and considered.
- E. Per WIC § 16504.5, best efforts will be made to obtain, review, and consider criminal and child welfare records in California and from other states in which the family has lived.

Refer to CFS P&P [CLETS \(B-0116\)](#) for guidelines to request criminal history information through the California Law Enforcement Telecommunications System (CLETS).

- F. Per WIC § 319, consideration will be given whether the child can be returned to the custody of a parent who is enrolled in a certified substance abuse treatment facility that allows a dependent child to reside with his/her parent.
- G. When considering release of the child, a home assessment will be completed prior to the Detention hearing if an ER SSW has not seen the home during the course of the current child abuse investigation. Refer to CFS P&P [Abuse Investigations—Practice Guidelines \(A-0412\)](#) for guidelines to complete a home assessment.

Exception: It might not be possible to complete a home assessment for a child whose permanent residence is in another county. The Dependency Intake SSW will complete the Dependency Intake investigation and consult with a Senior Social Services Supervisor (SSSS) and/or Program Manager

(PM) before making the decision to deny the *Application for Petition (F063-28-43)* and allowing a child to return to his/her county of residence without completing a home assessment.

**Team
Decision
Making (TDM)**

An Imminent Risk or Emergency Removal TDM meeting will be scheduled, as applicable, per CFS P&P [Team Decision Making \(D-0308\)](#). In accordance with best practice, and if time allows, the Dependency Intake SSW will attend the TDM meeting in person or by telephone.

Following the TDM meeting, the Dependency Intake SSW will obtain and review the TDM meeting summary information.

Note: A TDM decision is considered an official position of CFS. If a SSW or SSSS would like to propose a change to a TDM decision documented on the *Team Decision Making Meeting Summary (F063-25-447)*, refer to CFS P&P [Team Decision Making \(D-0308\)](#) for guidelines.

Per CFS policy, the Dependency Intake SSW will ensure information from the TDM meeting is provided to Court for consideration at the Detention hearing:

- A. If available, the TDM meeting summary information will be included in the DHR.
- B. If the TDM meeting summary information becomes available after the DHR is submitted to Court, the information may be provided to Court in an addendum submitted for the Detention hearing.
- C. If time does not allow for submission of an addendum, the assigned Deputy County Counsel and/or Court Officer will be contacted to determine the best means of providing the TDM meeting summary information to Court.

Note: If the TDM meeting summary information is not provided to Court by the Detention hearing, the information will be incorporated into the court report prepared for the Jurisdictional/Dispositional hearing.

Services

The Dependency Intake SSW will assess the family's needs and provide referrals to appropriate services as quickly as possible, regardless of the disposition of the investigation.

Preliminary Search for Absent Parents

The Search Unit may complete a preliminary search for a parent listed on the *Application for Petition (F063-28-43)*, whose whereabouts are unknown. Contact information obtained as a result of preliminary search activities will be forwarded to the Dependency Intake SSW, who will be responsible for:

- Noticing the parent of the Detention hearing
- Inviting the parent to participate in the TDM meeting (if any)
- Requesting Transportation orders if the parent is known to be incarcerated in a local Orange County jail

Visitation

In accordance with WIC § 308(a), if a child is placed into protective custody, visitation and telephone call arrangements will be made as soon as practicable. The Dependency Intake SSW will:

- Facilitate visitation established by the ER SSW
- Arrange visitation and telephone calls if not previously completed by the ER SSW, with consideration to:
 - The protection, best interest, and well-being of the child
 - Preserving primary connections
 - CFS P&P [Telephone Rights \(D-0411\)](#)

Note: If the child was placed on a Hospital Hold, visitation arrangements will be communicated to relevant hospital staff.

Identification of Relatives

Per WIC § 309, the Dependency Intake SSW will ask the parent/legal guardian and child (in an age-appropriate manner) to identify adult relatives for relative notification purposes. Relative information (i.e., full name, relationship to child, address, and telephone number) obtained will be:

- Promptly communicated to Diversion for placement consideration
- Forwarded to the assigned Information Processing Technician (IPT) for input into the CWS/CMS Collateral Notebook (if not already entered)

Note: If a relative's address is unknown, a *Relative Information List (F063-25-628)* may be submitted to the Search Unit, per CFS P&P [Absent Parent Search/Relative Search \(G-0801\)](#).

For guidelines regarding the relative notification process, refer to [Attachment 1—Suggested Guidelines for Relative Notification](#).

Placement

Per WIC § 309, if not completed during the ER investigation, the Dependency Intake SSW will ask the parent/legal guardian to identify relatives (regardless of their immigrant status) and/or Non-Relative Extended Family Members (NREFMs) of the child to be considered for placement purposes. The assigned SSW will obtain the information required to complete a placement assessment and provide this information to Diversion.

If a child requires emergency placement, Diversion will complete Immediate Placement Assessments (IPAs) of relatives and NREFMs who are available and who have requested placement of the child, pursuant to CFS P&Ps [Relative/NREFM Placement Assessments \(K-0105\)](#) and [Clearances—Relative Assessment \(K-0101\)](#).

Disposition of Intake Investigation

At the conclusion of the Dependency Intake investigation, the Dependency Intake SSW will, in consult with his/her supervisor, determine whether or not to file a petition (California Rule of Court 5.520). This determination will be made independent of the disposition made during the ER investigation. In making this determination, the Dependency Intake SSW will:

- A. Consider whether the current level of risk to the child necessitates Juvenile Court involvement.
- B. Consider new or additional information obtained during the Dependency Intake investigation which indicates the parent/legal guardian is willing and able to protect the child.
- C. Obtain SSSS approval before denying an *Application for Petition (F063-28-43)*. The child's safety, protection, and physical and emotional well-being must not be jeopardized by denying an *Application for Petition (F063-28-43)*.
- D. Proceed with filing a petition and accompanying court report (DHR if doing so is the only means for ensuring the child's safety, protection, and physical and emotional well being.

When an Application for Petition is Denied

If an *Application for Petition (F063-28-43)* is denied, the Dependency Intake SSW will:

- A. Indicate denial by checking the "Application for Petition Denied" box on the *Application for Petition (F063-28-43)* and file the form in the Legal File.

B. Enter a CWS/CMS contact documenting the consultation with the SSSS and/or PM that resulted in the determination to deny the *Application for Petition (F063-28-43)*. Document:

- The specific change in circumstances and assessment of that change, which provided the basis to deny the *Application for Petition (F063-28-43)*

–And/Or–

- Additional information obtained during the Dependency Intake Investigation which provided the basis to deny the *Application for Petition (F063-28-43)*

Note: For parachute cases, this information will also be included in the Investigation Narrative.

C. If the child was placed on a Hospital Hold, complete a *Supplement to the Hospital Hold (F063-25-125A)* and provide to the hospital.

D. Promptly notify the parent/legal guardian(s) and inform that a Detention hearing will not be calendared and attendance at Court will not be necessary.

E. Pursuant to WIC 313(b), if the child was in protective custody (or placed on a Hospital Hold) for more than six hours and subsequently released following denial of an *Application for Petition (F063-28-43)*, complete a *Six-Hour Detention Letter (F063-28-48)* within 72 hours after the child was released and:

- File a copy in the case file
- Forward a copy to the parent/legal guardian(s)

F. Complete a *Placement Information Change (PIC) (F063-28-301)* per CFS P&P [Placement Change Notification \(K-0209\)](#), if a Medi-Cal application was initiated and no further CFS involvement will be necessary.

Note: The Dependency Intake IPT may access CDS/CalWIN (Case Data System/CalWORKs Information Network) to determine if a Medi-Cal application was initiated.

G. In accordance with established CFS guidelines, complete one of the following as applicable:

- Close case
- Return/re-assign case to the previously assigned SSW
- Transfer case to Voluntary Family Services (e.g., WIC 301 Agreement to participate in voluntary family services)

Note: Verify contacts and relevant information are documented in the child’s Permanent Record, and that demographic information in CWS/CMS is up-to-date and accurate.

Determining Which Type of Petition to File

There are three types of petitions that may be filed. Determining which petition to file depends upon the circumstances of the case and whether the child is already a dependent of the Juvenile Court:

A. **Original Petition:**

An Original Petition is filed pursuant to WIC § 300 for a child who is not currently a dependent of the Orange County Juvenile Court, including cases where:

1. A child has been temporarily placed into protective custody.
2. A child remains in the care of one or both parents but needs the protection or supervision of the Juvenile Court.

B. **Subsequent Petition:**

A Subsequent Petition is filed for a child who is currently a dependent of the Orange County Juvenile Court.

Pursuant to WIC § 342, a Subsequent Petition will be filed when there are **new allegations other than those under which the Original Petition was sustained**, sufficient to state that the child is a person described under WIC § 300.

A Subsequent Petition may be filed for:

1. A dependent child who suffers new acts of abuse or neglect while in his parent’s care under Family Maintenance (FM) supervision.
2. A dependent child placed in out-of-home care receiving Family Reunification (FR) services, when there are allegations of abuse or neglect described in WIC § 300, subdivisions (a) through (j), which were not known when the Original Petition was sustained on the child’s behalf.

Example: When there are new allegations of sexual abuse regarding a child originally declared a dependent due to acts of physical abuse.

C. **Supplemental Petition:**

A Supplemental Petition is filed for a child who is currently a dependent of the Orange County Juvenile Court and has to be removed from a parent's/legal guardian's physical custody when the child had previously been returned to the parent/legal guardian on a plan of FM. Pursuant to WIC § 387(b), the petition must state facts sufficient to show that, "the previous disposition has not been effective in the rehabilitation or protection of the child."

Pursuant to WIC § 387, a Supplemental Petition is appropriate when removing a child due to **new allegations of abuse that are related to the allegations sustained in the Original Petition.**

Example: When a child, originally declared a dependent due to acts of physical abuse, again suffers physical abuse while in the parent's custody. The child is returned to protective custody due to the new acts of physical abuse by the parent.

**Writing
Petition
Allegations**

The following guidelines will be followed when writing allegations for Original, Subsequent, or Supplemental Petitions:

- A. Petition allegations will be written as statements of fact. Allegations will detail the nature and extent of abuse or neglect, who was injured/neglected, the person inflicting harm, the specific behavior, and specific timeframes/dates of abuse or neglect (if known). The evidence supporting each allegation must be documented in the accompanying court report (DHR). The petition allegation will not cite the source of information that supports the allegation, unless there is doubt as to the credibility of that source.

• **Example 1:**

Detention Hearing Report: "On August 1, 2006, the child's mother informed the assigned social worker that she used methamphetamines on a daily basis since she was thirteen years old. The child's mother also stated that she last used methamphetamines on July 31, 2006."

Petition Allegation: "The child's mother has used methamphetamines on a daily basis since she was

thirteen years old with her most recent acknowledged use of methamphetamines occurring on July 31, 2006.”

- **Example 2:**

Detention Hearing Report: “On August 1, 2006, the ER SSW observed the child to have three red, linear marks on his back that appeared consistent with being hit with a belt. The child disclosed that his father had struck him with the belt on multiple occasions during the previous evening. The child reported being in physical pain as a result of his father hitting him with a belt. Further, the child’s brother reported that he witnessed his father using a belt to strike the child on the back.”

Petition Allegation: “On or about July 31, 2006, the child’s father struck the child on his back, causing the child to sustain three red, linear marks on his back and, further, causing the child pain and suffering.”

B. Petition allegations for Original and Subsequent Petitions are made under WIC §300, Subdivisions (a), through (j) and include:

- serious physical harm
- (b)(1) failure to protect
- (b)(2) commercially sexually exploited
- serious emotional damage
- sexual abuse
- severe physical abuse (child under the age of five)
- caused another child’s death through abuse/neglect
- no provision for support
- freed for adoption
- cruelty
- (j) abuse of sibling

Allegations are listed in numerical order (e.g., a-1, a-2, a-3, etc.).

C. For Original and Subsequent Petitions, allegations made under Subdivisions (a), (c), (d), (e), (f), (g), (h), (i), and (j) will also be included as allegations under Subdivision (b)(1).

Example:

- A-Count:

a-1 On or about July 31, 2006, the child’s father struck the child on his back, causing the child to sustain three

red, linear marks on his back and, further, causing the child pain and suffering.

- B-Count:

b-1 On or about July 31, 2006, the child's father struck the child on his back, causing the child to sustain three red, linear marks on his back and, further, causing the child to suffer undue pain and suffering.

b-2 The child's father has caused the child severe emotional distress by repeatedly telling the child that he is "worthless and pathetic" as evidenced by the child attempting to commit suicide on August 1, 2006.

- C-Count:

c-1 The child's father has caused the child severe emotional distress by repeatedly telling the child that he is "worthless and pathetic" as evidenced by the child attempting to commit suicide on August 1, 2006.

- D. Allegations that a parent or legal guardian "failed to protect" a child or "knew or reasonably should have known" that a child was at risk of abuse and/or neglect will not be included in the petition without a factual basis for this conclusion.
- E. Allegations on a Supplemental Petition will be written in numeric order using only s-counts (e.g., s-1, s-2, s-3, etc.).
- F. The date on which the child was first declared a dependent of the Orange County Juvenile Court and a summary of the reasons the child was first declared a dependent will be included in the first count of Supplemental and Subsequent Petitions (s-1 in a Supplemental Petition and b-1 in a Subsequent Petition).

Example:

- S-Count:

s-1 On January 1, 2012, the child was declared a dependent of the Juvenile Court of Orange County, under section 300(a) of the Welfare and Institutions Code, due to physical abuse inflicted by the child's mother.

- G. The date on which the child was returned to the parent's care under FM supervision and a summary of the FM case plan will be included in the second count of a Supplemental Petition (s-2 in a Supplemental Petition).

Advisement of Child's Rights at Court

The Dependency Intake SSW will attempt to inform a child (capable of understanding the concept) who is in protective custody or requires Court supervision of her/his right to:

- Be present and participate in any dependency hearing regarding his/her case
- Make a statement to the Court, including an opinion about placement (if placement decisions are being considered)

Documentation of the above advisement and statements made by the child will be documented in the DHR.

For additional information, refer to CFS P&P [Child's Rights at Court \(G-0303\)](#).

Notice of Hearing

If not already completed by the ER SSW, the Dependency Intake SSW will provide notice of a Detention hearing. Refer to CFS P&P [Notices of Hearing \(G-0507\)](#) for notice of a Detention hearing.

Note: If expedited mail service is needed, complete *Detention/Initial Petition Hearing Notice (F063-25-703)* and forward to TFC Notices Inbox. This may also apply to a parent incarcerated in a California state prison or county jail, if oral notice cannot be provided.

Writing the Detention Hearing Report

The Dependency Intake SSW will prepare a petition and accompanying court report (DHR) for the Detention hearing. The DHR will be prepared pursuant to the guidelines and format detailed in [Attachment 2—Detention Hearing Report](#).

The DHR will contain documentation of evidence outlining the reasons a child was placed into protective custody or requires Court supervision. The report must support the allegations as outlined in the petition.

The court report will incorporate pertinent, accurate, and objective information, including exculpatory evidence obtained over the ER and Dependency Intake investigation period. Information incorporated into the court report will be consistent with information documented in the child's Permanent Record. Objectivity and accuracy on behalf of the assigned SSW is paramount. This ensures a factual representation for Court to make a determination

regarding the child's safety and the need for protective custody, and lends credibility to the assigned SSW's recommendations.

The DHR will be written in complete, concise sentences. Documentation of interviews/correspondence with collateral contacts/service providers will include:

- Date on which interview/correspondence was completed
- Method by which interview/correspondence was conducted (e.g., in person, phone, letter, etc.)
- Notation of language (other than English) or interpreter services used
- Full name, title, and agency affiliation (as applicable)
- Contact information, unless there is a compelling reason to keep the information confidential

Note: Attempts to obtain required information not available for inclusion in the court report will be documented in the court report.

**SSSS
Responsibilities**

The assigned SSSS (or designee) will:

- A. Provide case consultation and support to the Dependency Intake SSW.
- B. Prior to approval of the DHR, review the court report for:
 - Consistency with information documented in the child's Permanent Record
 - Pertinent, accurate, and objective information, including known exculpatory evidence
- C. Confirm the Dependency Intake investigation is complete and that known facts of the case support the recommendation.

**Conditional
Release to
Intensive
Supervision
Program
(CRISP)**

When a child is placed into protective custody, the Dependency Intake SSW will assess the appropriateness of CRISP services. Prior to recommending release of the child to a parent/legal guardian under a CRISP Agreement, the Dependency Intake SSW will verify the following has been completed:

- A. Home Assessment (including background clearances completed on all adults residing in the home).
- B. CRISP consultation (among Dependency Intake SSW, assigned SSSS, and CRISP SSSS).

C. Completion of the following forms:

- *CRISP Release Agreement (F063-25-237) or CRISP Release Agreement—Substance Abuse (F063-25-237A)*, (as applicable)
- *Consent for Release of Information—CRISP (F063-25-255)*

Refer to CFS P&P [Conditional Release to Intensive Supervision Program \(CRISP\) \(M-0103\)](#) for further guidelines.

Filing Petition and Accompanying Report

Pursuant to WIC § 313(a), the petition and accompanying court report (DHR) must be filed with the Court Clerk at the Orange County Juvenile Court **within 48 hours** (excluding non-judicial days) of when:

- The child was placed into protective custody
- Or–
- It was determined that a child required protective orders to remain in the care of one or both parents

This time is documented on the *Application for Petition (F063-28-43)* under the “Temporary Custody and Notification” section.

Example: When a child is placed into protective custody on Monday at 2:00 p.m., the petition and Court report must be filed by no later than 2:00 p.m. on Wednesday.

Refer to CFS P&P [Electronic Signing and Filing of Court Reports \(B-0217\)](#) for further guidelines.

Availability for Court Dates

The Dependency Intake SSW will be available to respond to Court on the date of the Detention hearing as follows:

- A. The SSW will immediately return a telephone call received from the courtroom.
- B. The SSW will make an in-person response to Court at the time specified by the Court, when the SSW’s presence is requested. The SSW will be available to respond to Court regardless of flex day.

The assigned SSSS, or designee, will be available to respond to Court if the SSW is unable to do so.

Note: The SSW will inform the assigned SSSS in advance, when unavailable for a scheduled hearing.

**Casework
Responsibility**

The Dependency Intake SSW will remain responsible for casework, case-related decisions, and court-ordered service requirements **until detention/protective orders are made**. This may include, but is not limited to, completion of the following:

- Provision of service referrals to meet newly identified service needs of the family
- Responding to phone calls/inquiries from clients
- Addressing:
 - Visitation issues
 - Child safety issues
 - Placement needs

**Case Transfer
Within Three
Days**

Following completion of the Detention hearing, if dependency proceedings will continue, and the case is not already assigned to a (vertical) Dependency Intake/Investigations SSW, the case will be re-assigned to an Investigations SSW within **three business days** of the Detention hearing.

For further guidelines regarding transfer of a case, refer to CFS P&P [Case Transfers \(D-0302\)](#).

Note: Verify contacts and relevant information are documented in the child's Permanent Record, and that demographic information in CWS/CMS is up-to-date and accurate.

**Petition
Dismissed**

If Court dismisses the petition, the Dependency Intake SSW will arrange for release of the child as soon as possible, follow all other orders made by the Court, and either close the case or return the case to the previously assigned SSW, as applicable.

REFERENCES

**Attachments
and CWS/CMS
Data Entry
Standards**

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

- [Attachment 1—Suggested Guidelines for Relative Notification](#)
- [Attachment 2—Detention Hearing Report](#)
- [CWS/CMS Data Entry Standards—Creating Detention Hearing Reports and Petitions](#)

Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS P&P [Abuse Investigations—Practice Guidelines \(A-0412\)](#)
- CFS P&P [Absent Parent Search/Relative Search \(G-0801\)](#)
- CFS P&P [Case Transfers \(D-0302\)](#)
- CFS P&P [Child Abuse Services Team \(CAST\) \(A-0401\)](#)
- CFS P&P [Child's Rights at Court \(G-0303\)](#)
- CFS P&P [Clearances—Relative Assessment \(K-0101\)](#)
- CFS P&P [Conditional Release to Intensive Supervision Program \(CRISP\) \(M-0103\)](#)
- CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#)
- CFS P&P [Electronic Signing and Filing of Court Reports \(B-0217\)](#)
- CFS P&P [Incarcerated and Institutionalized Parents \(G-0308\)](#)
- CFS P&P [Indian Child Welfare Act \(G-0309\)](#)
- CFS P&P [Limiting Educational Rights \(I-0103\)](#)
- CFS P&P [Notices of Hearing \(G-0507\)](#)
- CFS P&P [Out-of-Home Placement \(K-0208\)](#)
- CFS P&P [Parentage \(G-0602\)](#)
- CFS P&P [Placement Change Notification \(K-0209\)](#)
- CFS P&P [Relative/NREFM Placement Assessments \(K-0105\)](#)
- CFS P&P [Team Decision Making \(D-0308\)](#)
- CFS P&P [Telephone Rights \(D-0411\)](#)
- [Court Report Recommendations—Autotext](#)

Other Sources

Other printed references include the following:

None.

FORMS

Online Forms

Forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
Six-Hour Detention Letter	F063-28-48
Application for Petition	F063-28-43
Team Decision Making Meeting Summary	F063-25-447

Team Decision Making Meeting Summary (Spanish)	F063-25-447Sp
Supplement to the Hospital Hold	F063-25-125A

Hard Copy Forms

Forms that may be completed in hard copy (including multi-copy NCR forms) are listed below. **For reference purposes only**, links are provided to view these hard copy forms, where available.

Form Name	Form Number
Consent for Release of Information (CRISP)	F063-25-255
Consent for Release of Information (CRISP) (Spanish)	F063-25-255Sp

CWS/CMS Forms

Forms that may **only** be obtained in CWS/CMS are listed below. **For reference purposes only**, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
Placement Information Change (PIC) Notice	F063-28-301
CRISP Release Agreement	F063-25-237
CRISP Release Agreement (Spanish)	F063-25-237Sp
CRISP Release Agreement/Substance Abuse	F063-25-237A
CRISP Release Agreement/Substance Abuse (Spanish)	F063-25-237A Sp

Brochures

Brochures to distribute in conjunction with this procedure include:

Brochure Name	Brochure Number
None.	

LEGAL MANDATES

[Welfare and Institutions Code Section \(§\) 290.1](#) and [California Rules of Court Rule 5.524\(e\)](#) give the requirements for noticing parties of a Detention hearing hearing.

[Welfare and Institutions Code § 213.5](#) describes the protective orders that may be issued by Juvenile Court following the filing of a petition to declare a child a dependent of the Court.

[Welfare and Institutions Code § 300](#) describes the conditions under which a child may be adjudicated a dependent of the Juvenile Court and defines each count under which a petition may be filed.

[Welfare and Institutions Code § 309](#) and [California Department of Social Services \(CDSS\) Policies and Procedures Manual, Division 31-135](#) require that a Dependency Intake investigation be completed upon a child being placed into protective custody.

[Welfare and Institutions Code § 309\(e\)](#) provides that within 30 days of a child being placed into protective custody, an investigation be completed to identify and locate all adult relatives of the child, for notification purposes.

[Welfare and Institutions Code § 313\(a\)](#) provides that whenever a child is placed into protective custody, a petition be filed to declare the child a dependent of the Juvenile Court, within 48 hours (excluding non-judicial days).

[Welfare and Institutions Code § 313\(b\)](#) provides that a written explanation be prepared/provided whenever a child who has been held in protective custody for more than six hours is subsequently released and no petition is filed.

[Welfare and Institutions Code § 315](#) mandates that a Detention hearing be held on behalf of a child in custody who is not returned to his/her parent or legal guardian.

[Welfare and Institutions Code § 319](#) describes information the social worker will provide at a Detention hearing and defines the conditions for Juvenile Court to order a child to remain in protective custody.

[Welfare and Institutions Code § 342](#) outlines the conditions under which a Subsequent Petition will be filed.

[Welfare and Institutions Code § 349\(a\)](#) details the rights of a child who is the subject of a Juvenile Court hearing to be present at the hearing.

[Welfare and Institutions Code § 387](#) outlines the conditions under which a Supplemental Petition will be filed.

[Welfare and Institutions Code § 399](#) details the right of a child being considered for placement in a foster home to make a brief statement to the Juvenile Court about placement.

[Welfare and Institutions Code Section 16504.5](#) allows child welfare agencies to access state summary criminal history information via the CLETS to conduct an investigation involving a child alleged to come within the jurisdiction of the Juvenile Court under WIC § 300.

[California Rule of Court 5.520](#) provides with limited exception, the social worker has sole discretion to determine whether to file a WIC § 300 petition.

[California Rules of the Court Rule 5.651](#) details the educational rights of a child who is the subject of a Juvenile Court hearing, and conduct of the Detention hearing, as it relates to a child's education.