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

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Jurisdictional/Dispositional Hearing Report

Purpose To provide guidelines to complete a dependency investigation and family assessment, and develop the Jurisdictional/Dispositional Hearing Report (JD Report).

Approved This policy was approved by Nathan Nishimoto, Interim CFS Director, on February 2, 2017. *Signature on file.*

Most Recent Revision This revision of the Policy and Procedure (P&P) incorporates:

- New court report documentation guidelines for the JD Report
- Responsibilities to educate foster children in out-of-home care of their personal rights
- Updated documentation practices for developmental screenings
- Updates to relative notification efforts completed pursuant to Welfare and Institutions Code (WIC) Section (§) 309
- Changes implemented through Senate Bill (SB) 1064 (2012) regarding provision of reunification services to parents detained or deported to their country of origin
- Changes implemented through SB 977 (2014) to consider placement/return of a child to a parent residing in a substance abuse treatment facility
- Changes implemented through Assembly Bill (AB) 1702 (2016) which permits bypass of family reunification services to parents who participated in the sexual exploitation of their child
- Updates to the Guardianship Suitability Study completed pursuant to WIC § 360(a)

Background

At the Detention hearing, the Juvenile Court (Court) may schedule a Pretrial hearing and/or Trial hearing(s) to determine:

- Whether the child falls within the provisions of WIC § 300
- Whether to adjudicate the child a dependent of the Court
- The proper disposition of the case

In accordance with statutory requirements for the hearing(s), the JD Report and associated Case Plan are prepared and submitted to Court by vertical Dependency Intake/Investigations staff in Court Services or Specialized Family Services (SFS), who complete an independent investigation into the allegations of the petition.

These documents provide:

- A. Investigative information regarding the merits of the petition.
- B. A social study and evaluative information upon which an appropriate Court disposition may be based.

During the jurisdictional/dispositional phase of dependency proceedings, Investigations staff are also responsible for:

- General case management and oversight, including the provision of referrals and resources
- Development and implementation of the proposed Case Plan

Definitions

Pretrial Hearing: A hearing to work towards the jurisdiction and disposition of the case by discussing matters of evidence, narrowing the issues that will be tried, and/or determining if the case can resolve without having a Trial on the jurisdictional/dispositional issues.

Note: In circumstances wherein the parent/guardian, or other party, does not consent to a time waiver, a Pretrial hearing will not be calendared and the Jurisdictional/Dispositional hearing will be set as a **No Time Waiver Trial**.

Jurisdictional (Adjudicatory) Hearing: Trial stage at which the Court hears allegations and evidence and decides the merits of the petition and whether the child falls within the jurisdiction of the Juvenile Court.

Dispositional Hearing: If a child falls within the provisions of WIC § 300, the trial stage at which the Court considers the appropriate “disposition” of the case, entering orders for the child’s care, custody and control (e.g., removal from home, placement, services, visitation).

Note: The Court may conduct the Jurisdictional hearing on the same date as the Dispositional hearing, or may bifurcate (separate) the two hearings and hold the Dispositional hearing at a later date.

Investigations Staff: Refers to the (vertical) Dependency Intake/Investigations Senior Social Worker (SSW) and any Family Services Worker (FSW) or CRISP worker who may be dually assigned to a case to assist with parent engagement, placement preservation, visitation, and the provision of expedient and comprehensive services to maintain children in the home or promote timely reunification.

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

POLICY

Investigation and Assessment

The Investigations SSW will complete a jurisdictional/dispositional investigation and family assessment in accordance with WIC §§ 355 and 358, independent of the Emergency Response and Dependency Intake investigation and assessment.

- A. To ensure relevant information is obtained and considered during the jurisdictional/dispositional investigation, thorough interviews will be completed separately and in private with:
 - 1. Each child (as age appropriate) on behalf of whom a petition has been filed, including any child four years of age or older (per WIC § 328).

See the “Advisement of Child’s Rights at Court” Policy section for additional information.

Note: If a Child Abuse Services Team (CAST) interview is scheduled, the child’s statements regarding the allegations of the petition will be obtained from that interview.

2. The parent/guardian, as available, including any alleged/presumed father, provided the parent/guardian is willing to provide a statement and has not invoked his/her fifth amendment right (protects against self-incrimination).

Request the parent/guardian complete and sign an *Authorization for Release of Information (F063-25-228)*, as soon as possible, prior to the exchange or release of client information to any party/agency for which written release of information is required (see CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#)).

Note: As detailed in California Rules of Court, Rule 5.635, a named father remains “alleged” until Juvenile Court determines that he is the “presumed” father. See CFS P&P [Parentage \(G-0602\)](#).

3. Relevant collateral contacts, including:
 - a. Relatives, friends, or neighbors who have information relevant to the investigation. This may include individuals who witnessed, or have information related to, the circumstances that resulted in Juvenile Court intervention.

Note: No child who is not the subject of a petition may be interviewed without prior consent of the child’s parent/guardian.

- b. Professional collaterals (e.g., law enforcement, medical provider, mental health provider, teacher, prior social workers, etc.).

Consult Public Health Nurse (PHN) and/or Child Abuse Services Team (CAST) medical physician, as necessary and available, when assessing medical information regarding the child.

For guidelines on the exchange or release of client information, including child abuse record information, refer to CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#).

Interviews will address:

- The child's physical safety and well being
- Parent/guardian's willingness and ability to protect
- Specific allegations of the petition including:
 - The child/parent/guardian's response to the allegations
 - Prior incidents similar to those alleged in the petition
- The family's perception of circumstances leading to Juvenile Court intervention, including strengths and needs
- Family composition, including marital/paternity issues (**Note:** Ensure the *Statement Regarding Parentage [JV-505]* is made available to any alleged parent. See CFS P&P [Parentage \[G-0602\]](#))
- Social history of the family, including relevant cultural factors
- Home environment
- Concurrent planning issues
- Medical, developmental, mental health, and educational needs of the child
- Placement needs of the child (as applicable)

Information obtained from interviews will be used to assess the validity of allegations specified in the petition, 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 JD Report.

- B. Best efforts will be made to obtain, review, and consider relevant records, including:
- Prior child abuse reports
 - Legal records of prior child welfare dependencies regarding the child and/or sibling(s)
 - Family Law records
 - Current/prior child welfare services offered/participated in
 - Copies of birth certificates and social security cards
 - Educational records/developmental assessments
 - Medical/immunization records. (**Note:** Throughout the investigation and assessment period, ensure that the most up-to-date medical information regarding the child is obtained)
 - Police reports

- C. 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).

- D. Diligent efforts will be made to locate a parent/guardian whose whereabouts is unknown, including submission of a search referral, as necessary, pursuant to CFS P&P [Absent Parent Search \(G-0801\)](#).
- E. A home assessment will be completed when considering release of a child to a parent/guardian to observe and assess:

- The immediate dwelling, including all rooms and common living areas
- Available resources to meet the child's basic and special needs (e.g., medical equipment)
- Safety hazards (e.g., weapons, medicines, illegal drugs, and/or sharp objects in reach of children)
- Child care arrangements (as applicable)
- Household composition

Circumstances that brought the child into protective custody will also be assessed, as well as remedial measures taken by the parent/guardian.

General Case Management

Throughout the investigation and family assessment period, Investigations staff will complete the following case management activities:

- A. **Compliance Contacts:**
Complete required compliance contacts in accordance with CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#).
- B. **Service Provision:**
Based upon an assessment of service needs of the family, and in compliance with any Court orders, provide service/transportation referrals to the family as often as is necessary, pending Court disposition.

Obtain monthly verbal or written (including by email) reports/updates from service providers regarding:

- Client participation and progress towards treatment goals
- Service provider's professional opinion of:
 - The child's current safety and well-being
 - The client/family's current service needs
- Any Court requested information

If unable to obtain reports/updates from service providers, document all attempts in CWS/CMS contact narratives. See [CWS/CMS Data Entry Standards—Service Providers—How to Search, Attach, and Record a Contact](#)

For guidelines on the exchange or release of client information, including the exchange of electronic information outside of the SSA Network, refer to CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#).

C. Collaborating with CalWORKs:

In accordance with CFS P&P [CalWORKs—CFS Collaboration \(D-0502\)](#), if a family is a mutual client, collaborate with CalWORKs staff to coordinate services.

A family receiving CalWORKs services at the time a child is removed is eligible to continue receiving CalWORKs **supportive services** pending disposition, upon request of the Investigations SSW. See CFS P&P [CFS P&P CalWORKs—CFS Collaboration \(D-0502\)](#).

D. Structured Decision Making (SDM) Tools:

Complete all applicable SDM tools in accordance with CFS P&P [Structured Decision Making \(D-0311\)](#).

E. Maintaining Child's Relationships with Important Persons:

For a child in out-of-home care, 10 years of age and older, facilitate opportunities for the child to maintain relationships with important persons who have attained a level of significance to the child. See CFS P&P [Maintaining Connections with Important Persons \(D-0410\)](#).

F. Health and Education Passport (HEP):

Pursuant to CFS P&P [Health and Education Passport \(I-0403\)](#), if a child remains in out-of-home care:

- Obtain information regarding the child's educational, medical, mental health, and dental history for documentation purposes
- Verify a HEP has been provided to the child's out-of-home caregiver, upon placement and every six months
- Review recommendations for follow-up care made by the PHN and facilitate follow-up care in consultation with the Senior Social Services Supervisor (SSSS) and PHN

G. Completion of the JV-225:

Request the parent/guardian complete and return the *Your Child's Health and Education (JV-225)* for submission to Court by the Jurisdictional/Dispositional hearing.

Provide the parent/guardian with assistance in completing the *Your Child's Health and Education (JV-225)*, as needed.

Refer to CFS P&P [Completion of the JV-225 \(I-0405\)](#) for further guidelines regarding documentation and processing of a returned *Your Child's Health and Education (JV-225)*.

H. Mental Health Screening:

Complete an initial mental health screening on behalf of the child, using the *Mental Health Screening Checklist (F063-25-731)*.

Refer to CFS P&P [Mental Health Screening and Treatment \(I-0303\)](#) for circumstances that would necessitate a re-screening of the child, and for guidelines to refer the child for a mental health assessment and/or services, as necessary.

I. Developmental Screening (Children Ages 0-5):

Per CFS policy, and in line with All County Letter 06-54, all children in protective custody, ages zero to five years of age, undergo a developmental screening. Results of this screening are documented by an Early Childhood System of Care (ECSOC) PHN in the developmental screening tab in CWS/CMS, for incorporation into the child's HEP, including:

1. An assessment of the child's physical, developmental, and behavioral well-being.
2. Developmental needs of the child and recommended follow-up care.
3. Agencies to which the child may be referred for additional services.

Investigations staff will complete the following, as applicable:

- Incorporate developmental screening information contained under the Developmental Screening Tab in the child's HEP into the JD Report
- Follow-up with the ECSOC PHN or the assigned PHN when clarification is necessary
- Contact the ECSOC Information Processing Technician (IPT) to obtain the name of the assigned PHN when the HEP does not identify the assigned PHN
- Contact the child's out-of-home caregiver to follow-up with scheduled appointments and recommended actions

If the developmental screening results are not available prior to the dispositional hearing:

- The JD Report will document the status of the developmental screening
- Information regarding the developmental screening will be incorporated into the court report submitted for the next scheduled Status Review hearing

J. **Informing Child of Personal Rights:**

Per WIC § 16501.1, if a child remains in out-of-home care, at least once every six months inform the child of his/her personal rights specified in WIC § 16001.9, in an age and developmentally appropriate manner. Provide the following to the child and caregiver:

- *Foster Care Personal Rights (F063-25-758)*
- *Minor Consent Rights—Reproductive Health Medical Care (F063-25-760)*
- *You have Rights Too! (PUB 395)*

The following additional forms may also be provided, as applicable to the child's placement:

- *Personal Rights in a Resource Family Home (F063-25-682)*
- *Personal Rights—Children's Residential Facilities (LIC 613B)*

Note: Initial advisement is provided by the Placing social worker at the time of placement, as detailed in CFS P&P [Out-of-Home Placement \(K-0208\)](#).

Compliance with Court Orders

The Investigations SSW will adhere to any orders issued by the Juvenile Court and inform CFS staff associated with the case of any court orders relevant to their involvement in the case.

When clarification or modification to an existing court order is deemed necessary, the Investigations SSW will take the following steps in the order listed:

- Contact the Court Officer assigned to the courtroom in which the dependency proceedings are held
- Contact the Deputy County Counsel assigned to the case
- Appear in Court to discuss, if directed to do so by County Counsel
- Complete a *Request to Change Court Order (JV-180)* and forward to a SSSS in the Court Officers Unit for submission to Juvenile Court

Note: When circumstances arise that pose a potential **physical risk to the child's safety**, immediately consult County Counsel.

Placement

A. Identifying Placement Options:

In accordance with WIC §§ 281.5 and 309, if a child is placed into protective custody, Investigations staff will attempt to identify relatives and/or Non-Relative Extended Family Members (NREFMs) for placement consideration (unless the child is already placed with a relative/NREFM).

Investigations staff will notify the Resource Family Approval and Support Program (RFASP) of relatives/NREFMs requesting placement consideration, per the guidelines detailed in the [CFS Resource Family Approval Protocol](#).

B. Relative Placement Assessment Documentation:

In accordance with WIC §§ 358.1 and 361.3, if a relative is assessed for placement purposes, RFASP staff will document consideration of the factors specified in [Attachment 1—Relative Placement Assessment Documentation](#), for inclusion in the JD Report (or any subsequent court report submitted to address placement).

Note: Documentation of the factors specified in [Attachment 1—Relative Placement Assessment Documentation](#) is not required for NREFMs, unless ordered by Court.

Relative Notification

A. Identification of Relatives:

Pursuant to WIC § 309, within 30 days of a child being placed into protective custody, CFS will complete an investigation to identify and locate all adult relatives of the child (i.e., grandparents, custodial parents of a sibling of the child, adult siblings, and other adult relatives of the child), for notification purposes.

As part of the relative notification process, Investigations staff will, as detailed in [Attachment 2—Suggested Guidelines for Relative Notification](#):

1. Interview the parent(s) and child to gather relative information, as needed.

Note: Interview other relatives and collateral contacts for additional relative information, as necessary.

2. If the relative's whereabouts are unknown:

- Make diligent efforts to locate the relative

–Or–

- Submit a *Relative Information List (F063-25-628)* to the Search Unit (see CFS P&P [Absent Parent Search/Relative Search \[G-0801\]](#))

3. Forward relative information to the assigned IPT (or designee) for input into the CWS/CMS Collateral Notebook (if not already entered).

Note: A *Relative Information List (F063-25-628)* may be used to communicate relative information to the assigned IPT (or designee).

B. Notification to Relatives:

Pursuant to WIC § 309, the assigned IPT (or designee) will mail the following documents to each adult relative with a known address, **no later than 30 calendar days** from the date the child was placed into protective custody:

- *Relative Notification Letter (F063-25-627)*
- *JV-285 Relative Information*
- *JV-287 Confidential Information*

Refer to [Attachment 2—Suggested Guidelines for Relative Notification](#) for further guidelines. Refer to [CWS/CMS Data Entry Standards—Relative Notifications](#) to document relative notification provided, in CWS/CMS.

Following relative notification, provide the assigned Investigations SSW with each of the following, as applicable, for review and filing purposes:

- *Relative Information List (F063-25-628)*
- Relative Notification Report (CWS/CMS)

C. **Response to Relative Notification:**

CFS staff contacted by a relative in response to a *Relative Notification Letter (F063-25-627)* will adhere to CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#) and, in accordance with WIC § 309, will limit disclosures to:

- Date child was removed from parent(s)/guardian(s)
- Options to participate in care and placement of the child
- Methods by which the relative may support the child's out-of-home placement
- Options to maintain contact with the child (as appropriate), while he/she remains in out-of-home care

Note: If a relative expresses a desire for placement of a child in out-of-home care, refer to Policy section entitled "Placement."

CFS staff will forward completed *JV-285 Relative Information* and/or *JV-287 Confidential Information* forms returned by relatives, to the Juvenile Court Clerk's office.

Per California Rules of Court, Rule 5.690, efforts to identify, locate, and notify adult relatives of a child placed into protective custody will be documented in the JD Report.

**Court
Recommendation
Considerations**

Based upon the investigation and family assessment, the Investigations SSW will assess the appropriateness of further Court intervention and services. The following will be considered:

A. **Removal of Physical Custody of a Child:**

To recommend that physical custody of a child be removed from a custodial parent/guardian with whom the child resided at the time the petition was initiated, the JD Report must provide sufficient evidence to Court to support a finding pursuant to WIC § 361(c).

[Attachment 3—Removal of Physical Custody of a Child \(WIC 361\[c\]\)](#) provides a list of the Court findings that would justify removal of physical custody of a child, and the corresponding autotext recommendations to seek such a finding.

Note: Refer to CFS P&P [Indian Child Welfare Act \(G-0309\)](#), for an additional requirement to seek qualified expert witness testimony to remove an Indian child from the custody of his/her parent or Indian custodian.

B. Custody Transfer to a Non-Custodial Parent:

In accordance with WIC § 361.2, if recommending removal of physical custody a child, consider whether there is a parent with whom the child was not residing at the time that the events or conditions arose that brought the child within the provisions of WIC § 300, who desires to assume custody of the child.

Refer to [Custody \(Exit\) Orders and Custody Transfers to Non-Custodial Parents \(G-0201\)](#) for guidelines to conduct and document a placement evaluation of non-custodial parent who indicates a desire to assume custody of the child.

C. Parent in Certified Substance Abuse Treatment Facility:

In accordance with WIC §§ 358.1 and 361.2, if removal of physical custody of the child will be recommended, consider whether the child can be returned to a parent, including a previously non-custodial parent, enrolled in a certified substance abuse treatment facility that allows a dependent child to reside with the parent.

The JD Report will address whether return of the child to a parent enrolled in a substance abuse treatment facility would pose substantial danger to the physical health, safety, protection, or physical or emotional well-being of the child.

D. No Family Reunification Services (WIC § 361.5):

To recommend that FR services not be provided to a parent/guardian (including a previously non-custodial parent seeking FR services), the JD Report must provide sufficient evidence to Court to support a finding pursuant to WIC § 361.5(b).

[Attachment 4—No Family Reunification Services \(WIC § 361.5\)](#), details circumstances that would warrant a recommendation of no FR services, and the documentation requirements for the JD Report that are specific to the provisions of WIC § 361.5.

Note: If Court does not order FR services for a parent/guardian whose whereabouts are known, Court will determine the necessity of a WIC § 366.26 Selection and Implementation hearing.

E. **Family Reunification Services for Incarcerated/Institutionalized/Detained/Deported Parents:**

In accordance with WIC § 361.5, the following applies to the parent of a child in out-of-home care, when the parent is:

- Incarcerated/institutionalized
- Detained by the United States Department of Homeland Security
- Deported to his/her country of origin

The parent must be offered or provided reasonable services to facilitate reunification unless:

- FR services need not be provided under another statutory exception (WIC § 361.5[b])

-Or-

- Offering FR services to that parent would be detrimental to the child (WIC § 361.5[e])

Refer to CFS P&P [Case Plans \(D-0101\)](#) for guidelines to develop a Case Plan for a parent who is incarcerated, institutionalized, detained, or deported.

If offering FR services to a parent who is incarcerated, institutionalized, detained, or deported would be detrimental to the child, the Dependency Intake/Investigations SSW will recommend no FR services for that parent. The JD Report will address the factual basis for detriment to the child, as outlined in CFS P&P [Incarcerated and Institutionalized Parents \(G-0308\)](#).

F. **Educational Rights of the Parent/Guardian:**

In accordance with WIC § 361, the Investigations SSW will assess the need to limit the educational rights of the parent/guardian to ensure a responsible party is available and involved in making decisions for a child's education.

If the educational rights of the parent/guardian were temporarily limited at the time of the Detention hearing, the JD Report will incorporate additional information obtained regarding the parent/guardian's inability or unwillingness to make educational decisions for the child.

Refer to CFS P&P [Limiting Educational Rights \(I-0103\)](#) for further guidelines.

G. **Conditional Release to Intensive Supervision Program (CRISP):**

The Investigations SSW will assess the appropriateness of CRISP services for any child placed into protective custody, pursuant to CFS P&P [Conditional Release to Intensive Supervision Program \(M-0103\)](#). Prior to offering or recommending release of a child under a CRISP Agreement, case consultation will be completed with the CRISP SSSS.

The CRISP Assessment and case consultation will be included in the JD Report only when recommending release of a child under a CRISP Agreement, or when ordered to evaluate the suitability of CRISP services by the Court.

Note: CRISP services may only be provided up until the conclusion of the Dispositional hearing.

H. **WIC § 301 Informal Supervision:**

The Investigations SSW will assess the appropriateness of WIC § 301 Informal Supervision for any child placed into protective custody, pursuant to CFS P&P [Voluntary Family Services \(VFS\) and Informal Supervision \(M-0106\)](#).

The appropriateness of Informal Supervision will be documented in the JD Report.

I. **Voluntary Legal Guardianship:**

In accordance with WIC § 360(a) and California Rules of Court, Rule 5.690, at the time of Disposition appointment of a legal guardian may be recommended, provided:

1. Appointment of guardianship is in the child's best interest.
2. The parent is advised of his/her right to FR and/or Family Maintenance (FM) services and waives such right.

Note: The parent is required to submit a *Waiver of Reunification Services (JV-195)* to the Court.

3. All parties, including the child (of sufficient age and comprehension), agree to appointment of the legal guardian.

If guardianship is recommended, the JD Report will include a complete guardianship assessment, as detailed in [Attachment 5—WIC § 360\(a\) Guardianship Suitability Study](#).

Refer to CFS P&Ps [Legal Guardianship—Dependents \(K-0402\)](#) and [Kin-GAP \(H-0113\)](#) for additional activities that must be completed prior to recommending appointment of a legal guardian.

Writing the JD Report

Pursuant to WIC §§ 355 and 358, the Investigations SSW will prepare a JD Report for the scheduled Pre-Trial and/or Trial Jurisdictional/Dispositional hearing, in accordance with the guidelines and format detailed in [Attachment 6—Jurisdictional/Dispositional Hearing Report](#).

The court report will incorporate pertinent, accurate, and objective information, including exculpatory evidence obtained over the course of the investigation and assessment 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 jurisdictional and dispositional issues before the Court, and lends credibility to the assigned SSW's recommendations.

The JD Report 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.

A. **Jurisdiction Section:**

In line with WIC § 355, the Jurisdiction section of the JD Report will provide:

1. Documentation of evidence which supports the factual allegations of the petition.
2. Indications as to which allegations of the petition, if any, are not supported by the evidence/information gathered.

Evidence relevant to the circumstances or acts alleged to bring the child within the jurisdiction of the Juvenile Court will be documented for the Court to consider whether the child is a person described by WIC § 300.

B. Disposition Section:

In line with WIC § 358.1, the Disposition section of the JD Report will include:

1. A social study of the child/family, providing factual information.
2. An evaluative assessment of the family.

For further information regarding specific content of the JD Report, refer to [Attachment 6—Jurisdictional/Dispositional Hearing Report](#).

Addendum Reports

Following submission of the JD Report, at each Trial hearing (including continuances) prior to disposition, an Addendum Report will be submitted, which will:

- Include new information pertinent to the case obtained since the previous hearing
- OR–**
- Indicate that there is no new information to report and refer the Court to the previously submitted JD Report

Addendums may be submitted to the Court Typist for filing with the Juvenile Court any time prior to the scheduled hearing.

Case Plan

If the JD Report includes a dispositional recommendation, the Investigations SSW will develop a Case Plan or Case Plan Update (as appropriate) to be attached to the JD Report, per the guidelines and timeframes detailed in CFS P&P [Case Plan \(D-0101\)](#).

Any Case Plan submitted subsequent to the filing of a JD Report will be attached to a court report (e.g., Addendum, Interim Report, etc.).

Note: Pursuant to Division 31 Regulation 31-210.2, if the Dispositional hearing is not convened within six months of the date the initial Case Plan was completed, a Case Plan Update will be submitted at the Dispositional hearing.

Transitional Independent Living Plan (TILP)

Pursuant to Division 31 Regulation 31-236(a), prior to the Dispositional hearing, a TILP will be completed or updated (as applicable) for any child 15 ½ years of age and older in out-of-home care.

The child's TILP goals will be established and incorporated into the Case Plan per the guidelines detailed in CFS P&P [Independent Living Program \(ILP\) Services \(D-0504\)](#).

Timeframe for Completion/ Submission of Court Reports

The JD Report and any accompanying Case Plan prepared for the Jurisdictional/Dispositional hearing will be e-filed with the Juvenile Court, in accordance with California Rules of Court, Rule 5.690.

Refer to the "Juvenile Court Clerical and Filing Deadlines" guide for **clerical** and **filing** deadlines, which vary based on courtroom assignment.

For guidelines regarding e-filing, refer to CFS P&P [Electronic Signing and Filing of Court Reports \(B-0217\)](#).

Other Court Reports

Per WIC § 365, when a hearing is calendared other than a continuance of the Jurisdictional/Dispositional hearing (e.g., Case Plan Review, etc.), the Investigations SSW will prepare a court report specific to that hearing (e.g., Interim Report).

Refer to the "Juvenile Court Clerical and Filing Deadlines" guide for **clerical** and **filing** deadlines.

Advisement of Child's Rights At Court

In accordance with WIC §§ 349 and 399, the Investigations SSW will inform any child (capable of understanding the concept) who is the subject of dependency proceedings of his/her right to:

- Be present and participate in any dependency court hearing (including the Pretrial and Jurisdictional/Dispositional hearing)
- 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 included in the JD Report.

For additional information regarding advisement of child's rights at Court and facilitating transportation to hearings, refer to CFS P&P [Child's Rights at Court \(G-0303\)](#).

Notice of Hearing

In line with WIC § 291, the Investigations SSW will supplement the Juvenile Court Clerk's efforts to notice parties of the Pretrial and Jurisdictional/Dispositional hearings per the guidelines detailed in CFS P&P [Notices of Hearing \(G-0507\)](#).

For further information regarding provision of notice, refer to:

- CFS P&P [Absent Parent Search \(G-0801\)](#)
- CFS P&P [Indian Child Welfare Act \(G-0309\)](#)
- CFS P&P [Incarcerated and Institutionalized Parents \(G-0308\)](#)

Provision of Court Report to Parent/Guardian

As detailed in CFS P&P [Notices of Hearing \(G-0507\)](#), at the scheduled hearing the Court Officer will provide the parent/guardian a copy of the JD Report, Case Plan, and Addendum(s), as applicable, if not already provided by his/her counsel.

Availability for Court Dates

In accordance with WIC § 355, the Investigations SSW will be available to respond to Court for any Jurisdictional/Dispositional hearing(s), subsequent to the Pretrial hearing, as follows:

- A. The SSW will immediately return telephone calls 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, regardless of flex day.
- C. Upon receipt of a personal appearance subpoena, the SSW will follow the guidelines detailed in CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#).
- D. The assigned SSSS, or designee, will be available to respond to Court if the assigned SSW is unable to do so.

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

Following Court Disposition

The Investigations SSW will follow all Court orders and complete one of the following pursuant to the disposition of the case:

A. **Case Closure:**

Close the case in accordance with CFS P&P [Case Closure \(E-0106\)](#) when one of the following occurs:

- The petition is dismissed (unless dismissed pursuant to WIC § 301 Informal Supervision)
- The child is declared a ward pursuant to WIC § 601 or 602 (Juvenile Probation). (**Note:** This does not include a Dual Status Child under Court jurisdiction pursuant to WIC § 300 and WIC §§ 601 or 602)

Return of Child to Parent/Guardian: Pursuant to WIC § 361.1, a child previously removed from the physical custody of a parent/guardian, will **immediately** be returned to the parent/guardian if the Court finds the child is not a person described in WIC § 300.

B. **Case Transfer:**

Transfer the case to the appropriate CFS program, per CFS P&P [Case Transfers \(D-0302\)](#), when Court orders one of the following:

- Services for the family and/or dependent child, as defined in WIC § 16501, including:
 - FR services
 - FM services
 - Permanent Placement (PP) services
- Release of a child to the parent/guardian pursuant to WIC § 301 Informal Supervision
- Appointment of a legal guardian (with/without dependency)
 - For guidelines on guardianship cases, refer to CFS P&Ps [Legal Guardianship—Dependents \(K-0402\)](#) and [Legal Guardianship—Non-Dependents \(K-0404\)](#)

Note: Prior to case transfer, enter any amended counts to a sustained Petition into CWS/CMS, per [CWS/CMS Data Entry Standards—Create an Amended Petition](#).

Release of Child to Parent/Guardian: If the disposition involves release of a child to a parent/guardian under FM or WIC § 301 Informal Supervision, the Dependency Intake/Investigations SSW will facilitate release of the child prior to case transfer.

**Child Return/
Release—
Placement
Change
Notification**

Per CFS P&P [Placement Change Notification \(K-0209\)](#), following return/release of a child to a parent/guardian, or when there is a change in placement circumstance, the Investigations SSW will immediately:

- A. Notify the Placement Change Hotline or submit a *Placement Coordination Stop Payment Memo (F063-29-61)*.
 - B. Complete a *Placement Information Change Notice (F063-28-301)*.
-

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—Relative Placement Assessment Documentation](#)
 - [Attachment 2—Suggested Guidelines for Relative Notification](#)
 - [Attachment 3—Removal of Physical Custody of a Child \(WIC 361\[c\]\)](#)
 - [Attachment 4—No Family Reunification Services \(WIC § 361.5\)](#)
 - [Attachment 5—WIC 360\(a\) Guardianship Suitability Study](#)
 - [Attachment 6—Jurisdictional/Dispositional Hearing Report](#)
 - [CWS/CMS Data Entry Standards—Writing a Court Report Using CWS/CMS](#)
 - [CWS/CMS Data Entry Standards—Create an Amended Petition](#)
 - [CWS/CMS Data Entry Standards—Relative Notifications](#)
 - [EZ Mapping for CMS Case Plan—Initial](#)
 - [EZ Mapping for CMS Case Plan—Update](#)
-

Hyperlinks

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

- CFS P&P [Absent Parent Search \(G-0801\)](#)
- CFS P&P [CalWORKs—CFS Collaboration \(D-0502\)](#)
- CFS P&P [Case Closure \(E-0106\)](#)
- CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#)
- CFS P&P [Case Plans \(D-0101\)](#)
- CFS P&P [Case Transfers \(D-0302\)](#)

- CFS P&P [Child's Rights at Court \(G-0303\)](#)
- CFS P&P [Clearances—Relative Assessment \(K-0101\)](#)
- CFS P&P [CLETS \(B-0116\)](#)
- CFS P&P [Completion of the JV-225 \(I-0405\)](#)
- CFS P&P [Conditional Release to Intensive Supervision Program \(M-0103\)](#)
- CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#)
- CFS P&P [Custody \(Exit\) Orders and Custody Transfers to Non-Custodial Parents \(G-0201\)](#)
- CFS P&P [Electronic Signing and Filing of Court Reports \(B-0217\)](#)
- CFS P&P [Maintaining Connections with Important Persons \(D-0410\)](#)
- CFS P&P [Incarcerated and Institutionalized Parents \(G-0308\)](#)
- CFS P&P [Independent Living Program \(ILP\) Services \(D-0504\)](#)
- CFS P&P [Indian Child Welfare Act \(G-0309\)](#)
- CFS P&P [Kin-GAP \(H-0113\)](#)
- CFS P&P [Legal Guardianship—Dependents \(K-0402\)](#)
- CFS P&P [Legal Guardianship—Non-Dependents \(K-0404\)](#)
- 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 [Psychotropic Medication: Dependent Child \(I-0306\)](#)
- CFS P&P [Placement Change Notification \(K-0209\)](#)
- CFS P&P [School Placement and Transfer \(I-0102\)](#)
- CFS P&P [Structured Decision Making \(D-0311\)](#)
- [CFS P&P Voluntary Family Services \(VFS\) and Informal Supervision \(M-0106\)](#)
- [CFS Resource Family Approval Protocol](#)
- [Structured Decision Making Policies and Procedures Manual \(Via SDM Application\)](#)
- [Autotext—Court Report Recommendations](#)

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
Relative Notification Letter	F063-25-627
Relative Notification Letter (Spanish)	F063-25-627Sp
Relative Notification Letter (Vietnamese)	F063-25-627VN
Relative Information List	F063-25-628
RFA Emergency Placement Assessment (EPA) Information Sheet	F063-25-773
Acknowledgement of Participation in Case Plan Development	F063-28-244
Acknowledgement of Participation in Case Plan Development (Spanish)	F063-28-244SP
Placement Coordination Stop Payment Memo	F063-29-61
Request for Live Scan Service Form	BCII 8016
Statement Regarding Parentage	JV-505
Waiver of Reunification Services	JV-195
Request to Change Court Order	JV-180
Relative Information	JV-285
Confidential Information	JV-287
Personal Rights—Children’s Residential Facilities	LIC 613B
Foster Care Personal Rights	F063-25-758
Personal Rights in a Resource Family Home	F063-25-682
Minor Consent Rights—Reproductive Health Medical Care	F063-25-760

Hard Copy Forms

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

Form Name	Form Number
Authorization for Release of Information	F063-25-228
Authorization for Release of Information (Spanish)	F063-25-228Sp

[WIC § 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.

[WIC § 328](#) provides any child, four years of age or older, who is the subject of an investigation and in protective custody be interviewed to obtain his/her view of the home environment for inclusion in the court report submitted at the adjudicatory hearing.

[WIC § 355\(b\)](#) and California Supreme Court Decision *In re Malinda S. (Cal. 1990)* provide the JD Report submitted to Court is admissible and constitutes competent evidence upon which a finding of jurisdiction pursuant to WIC § 300 may be based.

[WIC § 358](#) requires, for any child found to be a person described in WIC § 300, that the social worker prepare a court report and case plan to aid Court in arriving at the proper disposition.

[WIC § 358.1](#) specifies the content that must be included in the JD Report prepared by the social worker.

[WIC § 360\(a\)](#) details the assessment that must be included in the JD Report when recommending a legal guardian be appointed in lieu of or in conjunction with a declaration of dependency.

[WIC § 360\(d\)](#) authorizes the Court to declare a child who is described in [WIC § 300](#), a dependent of the Court.

[WIC § 361\(c\)](#) specifies the findings under which physical custody of a child may be removed from a parent/guardian.

[WIC § 361.1](#) details the timeframe in which a child previously removed from the physical custody of a parent/guardian must be returned, after a finding by Court that the child is not a person described in WIC § 300.

[WIC § 361.5\(b\)](#) outlines the conditions whereby the Court has the authority to deny Family Reunification (FR) services.

[WIC § 361.3](#) outlines the factors that must be assessed in consideration of relative placement, and the need to document consideration of these factors in the JD Report.

[WIC § 16501.1](#) and California Department of Social Services (CDSS) Division 31 Regulations, Chapter 200 detail the development, content, and timeframe for completion of the case plan.

[WIC § 16501.1](#) and All County Letters (ACLs) [08-51](#) and [16-30](#) detail the responsibility of social workers to educate foster children in out-of-home care of their personal rights.

[WIC § 16504.5](#) authorizes child welfare agencies to access state summary criminal history information to conduct an investigation involving a child alleged to come within WIC § 300.

[California Rules of Court, Rule 5.651\(c\)](#) details educational information that must be documented in any report submitted to the Court.

[California Rules of Court, Rule 5.690](#) and [Rule 5.695](#) detail general conduct of the Dispositional hearing, including timeframes for submission of the social study (court report).

[All County Information Notice I-27-13](#) details a provision that FR services need not be provided to a parent or guardian who is required by Court to be registered on a sex offender registry under the federal Adam Walsh Child Protection and Safety Act of 2006.

[Child Abuse Prevention and Treatment Act \(CAPTA\) \(Public Law 93-247\)](#) and [Keeping Children and Families Safe Act \(Public Law 108-36\)](#) require that children under three years of age who are involved in a substantiated case of child abuse or neglect, be referred to early intervention services.

[ACL 06-54](#) provides strategies for policy implementation, as it relates to referring children under three years of age who are involved in a substantiated case of child abuse or neglect, to early intervention services.

REVISION HISTORY

Since the Effective Date of this P&P, and prior to the Current Revision Date, the following revisions of this P&P were published:

September 8, 2009
May 14, 2010
August 23, 2010