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

**Effective Date: January 1, 1988**  
**Current Revision Date: August 10, 2017**

**Policy No.: G-0402**

## **Intercounty Transfers**

**Purpose** To provide guidelines to facilitate transfer of a dependency case to or from another county within California.

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**Approved** This policy was approved by Anne Bloxom, Director of CFS, on August 10, 2017. *Signature on file.*

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**Most Recent Revision** This revision of the Policy and Procedure (P&P) incorporates use of updated rules and newly created forms developed by the Judicial Council, to streamline the intercounty transfer (ICT) process.

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**Background** Welfare and Institutions Code (WIC) Section (§) 375 permits Juvenile Court (Court) to transfer the case of a dependent child or non-minor dependent (NMD) to the child/NMD's county of legal residence.

To better serve children and families and facilitate the transfer of cases between California counties, the Child Welfare Directors Association (CWDA) developed a statewide CWDA ICT Protocol. The CWDA ICT Protocol was approved in March 2004, and updated in March 2010, and September 2012. The CWDA ICT Protocol is included in each county's written policies and procedures (P&Ps).

In 2013, the Juvenile Presiding Judges of several Southern California counties met to discuss ways to improve efficiency of ICTs. As a result of these discussions, a Southern California Intercounty Transfer Protocol was developed to pilot with **Southern California Counties** (see "Definitions" section), commencing on August 4, 2014. This protocol was finalized on September 8, 2015. The protocol was revised on April 3, 2017 to incorporate revised Judicial Council forms as required by the revised California Rules of Court 5.610, 5.612, and 5.613.

The guidelines detailed in this P&P apply to all ICTs, unless otherwise specified. [Attachment 1—Supplemental Guidelines for Southern California Counties](#) details additional policy for ICTs between Orange County and another **Southern California County**.

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## Definitions

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

**Southern California County:** A county subject to the provisions of the Southern California Intercounty Transfer Protocol. These counties include:

- Imperial
- Los Angeles
- Orange
- Riverside
- San Bernardino
- San Diego

**ICT Coordinator:** County liaison designated to assist in facilitating timely transfer of cases between counties.

**ICT In-Box:** In-Box in the Child Welfare Services/Case Management System (CWS/CMS) for counties to receive electronic assignment of cases transferred from other counties.

**Transfer-Out Hearing:** Hearing at which the Court in the sending county makes findings and orders regarding transfer of a case to the receiving county.

**Acceptance of Transfer (Transfer-In) Hearing:** Hearing at which the Court in the receiving county accepts dependency jurisdiction of an incoming case.

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## POLICY

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### ICT County Contacts

Per the CWDA ICT Protocol, designated Orange County staff are available to troubleshoot issues that may arise during an ICT, including an:

- ICT Coordinator
- Foster Care Eligibility Liaison

To identify ICT County Contacts in each county, refer to the “County Information” page on the [Child Welfare Services/Case Management System](#) website.

A Juvenile Transfer Regional Secure Website is also available to identify ICT County Contacts in **Southern California Counties**. Refer to [Attachment 1—Supplemental Guidelines for Southern California Counties](#) for further information.

**Transfer  
Criteria**

A. **Timeframe:**

Per WIC § 375, CFS may recommend an ICT after jurisdictional findings are made and the petition is sustained, if:

- The petition was filed in a county other than the county of legal residence

–Or–

- The legal residence of the child/NMD changes to another county

In accordance with California Rule of Court 5.610, an ICT may occur before or after the Dispositional hearing.

For NMDs re-entering into extended foster care (EFC), California Rule of Court 5.613 provides that an ICT may occur after a petition filed pursuant to WIC § 388(e), to resume dependency jurisdiction, has been granted.

**Note:** If considering an ICT to a **Southern California County**, refer to [Attachment 1—Supplemental Guidelines for Southern California Counties](#) for additional timeframe considerations.

B. **Determining Factors:**

In accordance with California Rules of Court 5.610 and 5.613, the assigned social worker will assess the appropriateness of an ICT, based on the child/NMD's:

- Legal residence

–And–

- Best interest

**Note:** If considering an ICT to a **Southern California County**, refer to [Attachment 1—Supplemental Guidelines for Southern California Counties](#) for additional factors to consider.

C. **ICT Restrictions:**

Per Orange County policy, an ICT will not be recommended if:

- An annual reassessment of a relative or non-relative extended family member (NREFM) caregiver is due within 60 calendar days

**–And–**

- The reassessment has not already been completed and entered into CWS/CMS

Refer to [Attachment 2—Intercounty Transfer Restrictions](#) for additional case circumstances that prohibit transfer of a case to another county.

**D. NMD Documentation Requirements:**

Per the CWDA ICT Protocol, the following will be current, completed, signed, and entered into CWS/CMS before recommending an ICT for a NMD:

- *Six-Month Certification of Extended Foster Care Participation (SOC 161)*
- *Mutual Agreement for Extended Foster Care (SOC 162)*
- Applicable placement agreement
- Transitional Independent Living Plan (TILP)
- Transitional Independent Living Case Plan (i.e., Case Plan)
- Special Immigrant Juvenile Status (SIJS) documentation
- Supplemental Security Income (SSI) documentation

**Legal Residence**

Per the CWDA ICT Protocol, the assigned social worker will verify the legal residence of a child/NMD before recommending an ICT. Verification will be completed through:

- Review of documented evidence establishing residency (e.g., signed lease/rental agreement, utility bill and/or school registration, etc.)

**–And–**

- An address check

California Rules of Court 5.610 and 5.613 clarify that the legal residence of a child/NMD may be verified by declaration of a social worker in the sending or receiving county, indicating when/how residency was verified.

**Note:** If considering an ICT to a **Southern California County**, refer to [Attachment 1—Supplemental Guidelines for Southern California Counties](#) for further guidelines and to request an address check be completed by the receiving county.

**A. Child’s Legal Residence:**

Per WIC § 17.1, the county of legal residence of a dependent child will be:

1. The residence of the parent/legal guardian:
  - With whom the child resides or would reside, if Juvenile Court were not involved (see WIC § 375[a])

**-Or-**

  - With the legal right to physical custody of the child, per a prior court order (see California Rule of Court 5.610[a])

**Note:** Consistent with Penal Code § 3003, the county of residence for an incarcerated parent will be considered the county where the parent legally resided at the time of his/her arrest/incarceration.

2. The county where an abandoned infant is found or where an infant is safely surrendered.
3. The county in which the Juvenile Court terminated parental rights.
4. If legal residence cannot be verified as defined above, the county where the child resides provided the child has been living in that county for one year.

**B. NMD's Legal Residence:**

Per WIC § 17.1, the county of legal residence of a NMD will be:

1. The county where the NMD currently resides provided the NMD has been continuously living in that county for one year as a NMD and has expressed an intent to remain in that county.
2. If dependency jurisdiction is resumed as a result of a petition filed pursuant to WIC § 388(e), the county in which the NMD resides at the time the petition is filed, provided the NMD has established that he/she has been continuously living in that county for one year and has expressed an intent to remain in that county.

**Best Interest**

In accordance with California Rules of Court 5.610 and 5.613, the assigned social worker will not recommend an ICT unless it is in the best interest of the child/NMD.

**A. Child's Best Interest:**

When assessing best interest of a dependent child:

1. Consider whether the service needs of the child and family can be met in the receiving county.

If service needs cannot be met in the receiving county, an ICT will not be recommended.

**Note:** If considering an ICT to a **Southern California County**, refer to [Attachment 1—Supplemental Guidelines for Southern California Counties](#) for additional requirements when assessing availability and eligibility for services.

2. Consider the factors detailed in [Attachment 3—ICT Casework Considerations: Dependent Child](#).

**B. NMD's Best Interest:**

Per the CWDA ICT Protocol, an ICT may be in the best interest of a NMD if the ICT will support the NMD's successful transition to adulthood, and each of the following apply:

- NMD requests and/or provides consent for the ICT (**Note:** Do not transfer the case if the NMD does not want to remain in EFC)
- NMD has resided in the receiving county as a NMD for 12 consecutive months
- NMD does not reside in group home placement
- NMD has a connection to the community in which he/she resides (e.g., employment, school, etc.)
- NMD maintains a connection with a person significant to him/her

**Transfer-Out Hearing**

If an ICT appears appropriate based on the transfer criteria, the assigned social worker may recommend transfer of the case to the child/NMD's county of legal residence.

This recommendation may be made at a scheduled statutory review hearing or via a *Request to Change Court Order (JV-180)* (if between hearings).

In accordance with California Rules of Court 5.610 and 5.613, the assigned social worker will complete the following, in preparation for the Transfer-Out hearing:

**A. Court Report:**

Prepare a court report, which includes:

1. The recommendation and rationale for the ICT. Discuss:
  - a. How the county of legal residence was verified.
  - b. Why the ICT is in the best interest of the child/NMD.
2. A request that Court authorize funds for travel, if recommending a child be transported “in-custody” to the receiving county (per WIC § 376).

**Jurisdictional/Dispositional (JD) Considerations:**

If recommending an ICT at a JD hearing, consider the appropriateness of recommending both jurisdictional and dispositional findings or jurisdictional findings only and transfer of the case to the county of residence for disposition.

**B. Transfer Order:**

Prepare one of the following for submission to Court, as applicable:

- *Juvenile Court Transfer-Out Orders (JV-550)*
- *Juvenile Court Transfer-Out Orders—Nonminor Dependent (JV-552)*

A separate transfer order will be prepared for each child/NMD.

The Court Officer will complete the transfer order prepared by the assigned social worker at the Transfer-Out hearing, based on Court’s findings and orders.

**C. Motion for Transfer:**

Prepare a *Motion for Transfer Out (JV-548)* for submission to Court and attach documents establishing legal residency.

A separate *Motion for Transfer Out (JV-548)* will be prepared for each child/NMD.

Prior to submitting the *Motion for Transfer Out (JV-548)* to Court:

1. Provide a copy of the completed form to the following parties:
  - Parents/Legal guardian
  - Child (10 years of age or older) or NMD
  - Attorneys of Record

2. Complete the Proof of Service to verify parties have been notified of the motion to transfer the case to the child/NMD's county of legal residence.

**Note:** If needed, use *Additional Proof of Service – Attachment (F063-25-812)*.

### **Transfer-Out Transition Tasks**

An ICT is considered complete after the receiving county:

- Accepts transfer of dependency jurisdiction
- Receives primary assignment of the case in CWS/CMS
- Assumes responsibility for foster care payments (if applicable)

The following will be completed after Court orders transfer of dependency jurisdiction to the county of legal residence:

A. **Transfer of Court File:**

The Juvenile Court Transfer Clerk will transmit a copy of the court (legal) file to the receiving county, per California Rules of Court 5.610 and 5.613.

**Exception:** If Court orders transport of a child “in-custody” to the receiving county, the assigned social worker will contact the receiving county to arrange for transport/delivery of the child and court file to the receiving county at least two business days before the Acceptance of Transfer hearing (California Rule of Court 5.610).

B. **Verifying Acceptance of Dependency Jurisdiction:**

Per the CWDA ICT Protocol, the assigned social worker will, no later than 14 judicial days after the Transfer-Out hearing, contact the receiving county to verify that the case has been received and filed in the Juvenile Court of the receiving county.

**Note:** If a transfer-out motion is granted, the sending Court will set a date for the Acceptance of Transfer hearing to occur. Refer to the “Transfer-In Hearing” Policy section for further information.

Contact the receiving county to determine the transfer status of an outgoing case.

C. **Initiate Transfer of Foster Care Payment Case:**

If there is an open foster care payment case, the assigned social worker (or Unit Clerk) will notify Foster Care Eligibility to initiate transfer of the foster care payment case to the receiving county.

Per Eligibility and Assistance Standards (EAS) Manual § 40-190, notification will be provided to Foster Care Eligibility once it is verified the receiving county has accepted dependency jurisdiction of the case.

**Note:** Notification will be provided regardless of whether the ICT involves a placement change.

Refer to CFS P&P [Placement Change Notification \(K-0209\)](#) for guidelines regarding:

- Initial notification (e.g., Placement Hotline, etc.)
- Completion of a *PIC Notice (F063-28-301)*

**Note:** If available, include a copy of the transfer order with the *PIC Notice (F063-28-301)* forwarded to Foster Care Eligibility.

Per EAS Manual § 40-187, transfer of the foster care payment case may take 30 to 60 calendar days. During the transfer period:

1. The assigned social worker will:
  - a. Communicate any changes in placement circumstance to Foster Care Eligibility.
  - b. Respond to requests from the receiving county.
2. The assigned Unit Clerk will provide the following to Foster Care Eligibility:
  - a. *Foster Child's Data Record and AFDC-FC Certification (SOC 158A)*.
  - b. Minute Order from receiving county verifying acceptance of dependency jurisdiction.
  - c. One of the following transfer orders, as applicable:

- *Juvenile Court Transfer-Out Orders (JV-550)*
- *Juvenile Court Transfer-Out Orders—  
Nonminor Dependent (JV-552)*

d. Other Minute Orders, as required.

3. Foster Care Eligibility will notify the assigned social worker of the date foster care payments will end.

Per EAS Manual § 40-187, Orange County will remain responsible for foster care payments until the receiving county determines eligibility and assumes responsibility for foster care payments.

**D. Case Management Services:**

Per the CWDA ICT Protocol, the assigned social worker will remain responsible for case management and service provision until verifying:

- The case has been received and filed in the receiving county
- Dependency jurisdiction has been accepted

**E. Compliance Contacts:**

Per the CWDA ICT Protocol, the assigned social worker will remain responsible for compliance contacts for the calendar month in which transfer is approved in CWS/CMS.

**F. Communication:**

Per the CWDA ICT Protocol, the assigned social worker will:

1. Alert the receiving county of extraordinary case circumstances and special needs of the child/NMD and family. This may include clarification of ongoing costs associated with services provided.

**Note:** To avoid disruption in services, confirm outstanding financial obligations for services have been resolved before initiating an ICT.

2. Inform parents and caregivers that as a result of the ICT, service levels and/or foster care rates may change, as determined by the receiving county.

**Note:** If a relative or NREFM caregiver receives a Special Care Increment (SCI), advise that a move to another county may adjust the SCI rate, based on the rate determined by the new county of residence.

G. **Transfer of Hard Files:**

Per the CWDA ICT Protocol, the assigned social worker (or designee) will, upon request, forward hard copies of case information not contained in CWS/CMS, to the receiving county within five business days of the request.

**Note:** For case transfer to a **Southern California County**, refer to [Attachment 1—Supplemental Guidelines for Southern California Counties](#) for alternative guidelines regarding transfer of hard files to the receiving county.

H. **CWS/CMS Updates:**

Per the CWDA ICT Protocol, before transferring primary assignment of the case in CWS/CMS to the receiving county, the assigned social worker (or designee) will:

1. Review CWS/CMS Notebooks for completion and accuracy and update the following, as necessary:
  - Client demographics (identifying/contact)
  - Compliance Contacts
  - Health
  - Education
  - Placement information (current and historical)
  - Relative/NREFM placement assessment documentation, as applicable
  - Indian Child Welfare Act (ICWA)
  - Case management (e.g., service component, court/voluntary status indicator, etc.)
  - Case Plan
  - Court (e.g., hearings, court reports, petitions, specific court orders, etc.)

**Note:** Update the Hearing Notebook to assign a court date for each Ex Parte hearing.

2. Apply special projects codes, if applicable. Refer to [CWS/CMS Data Entry Standards Special Project Codes](#).
3. Review and update the Adoption and Foster Care Automated Reporting System (AFCARS) Navigation tool, per CFS P&P [AFCARS \(E-0110\)](#).
4. End-date the following in CWS/CMS:

- Juvenile Court Number
- Associated Attorney Relationships (Client Notebook)

I. **Transfer of CWS/CMS Assignment:**

Per the CWDA ICT Protocol, within five business days of verifying that dependency jurisdiction has been accepted by the receiving county, the assigned social worker will complete the Transfer Request page in CWS/CMS and request supervisory approval.

If approved, the assigned supervisor will transfer primary assignment of the case in CWS/CMS to the receiving county's ICT In-Box.

**Note:** For case transfer to a **Southern California County**, refer to [Attachment 1—Supplemental Guidelines for Southern California Counties](#) for additional guidelines regarding transfer of CWS/CMS assignment.

The assigned social worker (and other staff as needed) will retain secondary assignment until:

- Orange County terminates dependency jurisdiction
- No further data entry is required in CWS/CMS
- Transfer of the foster care payment case (as applicable) is complete. (**Note:** The end-date for an Orange County placement will coincide with the date foster care payments stop)

J. **Court Notification:**

As necessary, the assigned social worker will submit an Ex Parte to the Orange County Juvenile Court to:

- Inform Court of receipt/acceptance of the case by the receiving county
- Request that Court vacate future hearings (if any)

K. **ICT Return:**

If the receiving county accepts transfer of dependency jurisdiction and returns the dependency proceedings to Orange County during this transition period, the case will be returned to the assigned social worker.

**Transfer-In Hearing**

Per WIC § 375, Orange County will assume dependency jurisdiction of an incoming ICT case after the following are received from the sending county, and filed with Court:

- Finding of facts upon which the Juvenile Court assumed dependency jurisdiction
- Transfer order

An Acceptance of Transfer hearing will be calendared by the sending Court pursuant to WIC § 378 and California Rules of Court 5.610, and 5.613. The hearing will be held within 10 judicial days from the date of the transfer order (if a child is transported “in custody” to Orange County, the hearing will occur within five judicial days).

**Note:** If the case is received from a **Southern California County**, the Acceptance of Transfer hearing shall be 10 judicial days from the date of the transfer order.

Per California Rules of Court 5.612 and 5.613, Court may not reject an incoming case once a transfer order is received (see *In Re R.D. [2008]*). The case can only be returned to the sending county on the basis of new evidence or changed circumstances presented at a separate Transfer-Out hearing, or an appeal to the original transfer order (see *In Re Andrew J [2013]*).

**Transfer-In  
Transition  
Tasks**

The Orange County ICT Coordinator will complete the following to facilitate receipt of an incoming ICT case:

**Exception:** If a child is transported “in custody” to Orange County, the responsibilities detailed below will be completed by the ICT Coordinator, as time permits.

- A. Review incoming court (legal) file received from the Juvenile Court Transfer Clerk.

**Note:** If the case is received from a **Southern California County**, a Portable Document Format (PDF) copy of the court file will be transmitted to CFS via the eCase eXchange program, within five judicial days of the transfer order.

- B. Per California Rule of Court 5.612, provide notice of the Acceptance of Transfer hearing, as required and time permitting.

**Note:** If the case is received from a **Southern California County**, the Juvenile Court of the sending county will notice parties of the Acceptance of transfer hearing.

- C. Contact the sending county to confirm receipt of the case and verify case information.

- D. Per the CWDA ICT Protocol, request hardcopies of case information not already documented in the legal file or CWS/CMS.
- E. Per California Rules of Court 5.610 and 5.613, verify the legal residence of the child/NMD. Per best practice, complete an in-person visit whenever possible.

**Note:** If the case is received from a **Southern California County**, refer to [Attachment 1—Supplemental Guidelines for Southern California Counties](#) to determine if an in-person visit is necessary to verify legal residence.

- F. If the child or child’s attorney requests that the child attend the Acceptance of Transfer hearing, contact the sending county to coordinate transportation of the child.
- G. Prepare an Acceptance of Transfer Report pursuant to the guidelines and format detailed in [Attachment 4—Acceptance of Transfer Report](#).

The report will be filed with Court no later than two judicial days prior to the hearing date, or as otherwise requested by the bench officer, whichever is earlier.

- H. Identify a CFS program for case assignment, and transfer primary assignment of the CWS/CMS case to the receiving social worker.

**Note:** The assigned social worker will notify the sending county of any placement changes or case information that may impact foster care eligibility, until transfer of the foster care payment case is complete.

- I. Notify relevant parties when primary assignment of the CWS/CMS case and dependency jurisdiction belong to Orange County

For further guidance, refer to [Attachment 5—Suggested Guidelines to Process Incoming ICT Cases](#).

### **Transfer-In Re-Live Scan**

Health and Safety Code § 1522 authorizes transfer of criminal record clearances (including sub-arrest notification) and exemptions regarding a relative/NREFM caregiver.

**Note:** All County Letter (ACL) 08-58 details the transfer of sub-arrest notification. At this time, the Department of Justice (DOJ) does not process requests to transfer sub-arrest notification.

In the absence of a reliable procedure for transferring criminal record clearances and exemptions, designated staff in the Resource Family Approval (RFA) Program will:

- A. Immediately re-live scan relative/NREFM caregivers, and other associated adults, pursuant to CFS P&P [Clearances-Relative Assessment \(K-0101\)](#).
- B. Verify relative/NREFM assessment documentation is up-to-date and entered into CWS/CMS.

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## REFERENCES

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### 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—Supplemental Guidelines for Southern California Counties](#)
- [Attachment 2—Intercounty Transfer Restrictions](#)
- [Attachment 3—ICT Casework Considerations: Dependent Child](#)
- [Attachment 4—Acceptance of Transfer Report](#)
- [Attachment 5—Suggested Guidelines to Process Incoming ICT Cases](#)
- [CWS/CMS Data Entry Standards Special Project Codes](#)

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### Hyperlinks

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

- CFS P&P [AFCARS \(E-0110\)](#)
- CFS P&P [Clearances-Relative Assessment \(K-0101\)](#)
- CFS P&P [Live Scan Fingerprinting \(B-0115\)](#)
- CFS P&P [Placement Change Notification \(K-0209\)](#)
- [CWDA Intercounty Transfer \(ICT\) Protocol](#)
- [Child Welfare Services/Case Management System website](#)
- [Juvenile Transfer Regional Secure Website](#)

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### Other Sources

Other printed references include the following:

None.

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## FORMS

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**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
<a href="#">Motion for Transfer Out</a>	JV-548
<a href="#">Juvenile Court Transfer-Out Orders</a>	JV-550
<a href="#">Juvenile Court Transfer-Out Orders—Nonminor Dependent</a>	JV-552
<a href="#">Request to Change Court Order</a>	JV-180
<a href="#">Notice of Hearing Letter/Transfer In</a>	F063-25-605
<a href="#">Notice of Hearing Letter/Transfer In (Spanish)</a>	F063-25-605Sp
<a href="#">Additional Proof of Service – Attachment</a>	F063-25-812

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**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
None.	

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**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
<a href="#">Foster Child's Data Record and AFDC-FC Certification</a>	SOC 158A
<a href="#">Six-Month Certification of Extended Foster Care Participation</a>	SOC 161
<a href="#">Mutual Agreement for Extended Foster Care Placement Information Change (PIC) Notice</a>	SOC 162 F063-28-301

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**Brochures** Brochures to distribute in conjunction with this policy may include:

Brochure Name	Brochure Number
None.	

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## LEGAL MANDATES

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[Welfare and Institutions Code \(WIC\) section \(§\) 17.1](#) defines the legal residence of a child and a non-minor dependent (NMD).

[WIC § 375](#) provides if the legal residence of a child or NMD is in another county, Court may transfer the dependency case to the county of residence. The conditions for transfer and assumption of jurisdiction are also detailed.

[WIC § 376](#) provides the sending county is responsible for costs associated with an ICT, including care and support of the child, until a transfer order is received and filed with the receiving county.

[WIC § 377](#) provides a transfer order include all findings and orders made on the case, and requires a copy of the Court (legal) to be provided to the receiving county.

[WIC § 378](#) provides if a transfer order from another county is filed with Juvenile Court, the transfer order will be placed on calendar and heard by Court at the earliest possible time.

[WIC § 379](#) recognizes sending and receiving counties as “parties” to an Intercounty Transfer, with appeal rights.

[WIC § 380](#) allows Juvenile Court to maintain jurisdiction over a dependent child residing in another county and permits courtesy supervision.

[Health and Safety Code § 1522](#) provides a child welfare agency with criminal record clearance and exemption authority may accept transfer of relative/NREFM clearances and/or exemptions from another county.

[Penal Code § 3003](#) defines the legal residence of an incarcerated parent, for the purposes of parole or post-release supervision.

[California Rules of Court, Rule 5.610](#) details the parameters and timeframes for transfer of jurisdiction, conduct of the Transfer-Out hearing, and calendaring of the Acceptance of Transfer hearing.

[California Rules of Court, Rule 5.612](#) details transfer of jurisdiction and conduct of the Acceptance of Transfer hearing.

[California Rules of Court, Rule 5.613](#) details the parameters and timeframes for transfer of jurisdiction and conduct of the Transfer-Out hearing and Acceptance of Transfer hearing for a NMD.

[All County Letter 00-52](#) and [Errata](#) detail CWS/CMS data entry requirements to meet full utilization mandates.

[All County Letter 08-58](#) and [Errata](#) provide instruction to counties regarding transfer of relative/NREFM criminal record clearances and/or exemptions.

[Eligibility and Assistance Standards \(EAS\) Manual §§ 40-187 through 40-190](#) detail the transfer period for foster care payment cases and the responsibilities of the sending and receiving county.

[EAS Manual § 40-189](#) provides for the purposes of AFDC-FC, a child placed by a public agency is considered to make their home in the county in which the Court having jurisdiction for the child is located.

*In Re Andrew J.*, 213 Cal. App. 4th 678 (2013) holds if the receiving county disagrees with a transfer order, the case can only be returned to the sending county on the basis of new evidence or changed circumstances presented at a separate Transfer-Out hearing, or an appeal to the original transfer-order.

*In Re R.D.*, Cal. App. 4th 679 (2008) holds the rules governing the Transfer-In hearing mandate acceptance of jurisdiction, and that jurisdiction cannot be accepted by the receiving county for the sole purpose of return of jurisdiction to the sending county.

[Child Welfare Directors Association \(CWDA\) Intercounty Transfer \(ICT\) Protocol \(2012\)](#) provides guidelines regarding ICTs, including case transfer criteria, CWS/CMS assignment protocols, and casework practice considerations.

[Southern California Inter-county Transfer Protocol \(2017\)](#) provides ICT guidelines for select Southern California Counties, as it relates to implementation of uniform forms and court orders, standards for determining the appropriateness of transfer, advance confirmation of hearing dates, and timely transfer of case records.

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## REVISION HISTORY

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

July 14, 2006  
August 4, 2014  
December 7, 2015  
April 19, 2017