



Superior Court of California County of Orange

Chambers of
DOUGLAS J. HATCHIMONJI
PRESIDING JUDGE OF JUVENILE COURT

341 THE CITY DRIVE
ORANGE, CA 92868
PHONE: (657) 622-5502

Orange County Juvenile Court Administrative Order: A-100-1-2013 Dual Status Minors – Court Procedures Protocol

A. Applicability of protocol:

1. This protocol shall apply "Whenever a minor appears to come within the description of both Section 300 and Section 601 or 602..." (Welfare and Institutions Code section 241.1. Emphasis added.) (All citations are to the Welfare and Institutions Code unless otherwise noted.) Accordingly, this protocol applies to circumstances when the Court decides to declare a minor both a dependent and a ward, under the adopted 241.1 protocol, *and* as to those occasions when the minor is not formally deemed dual status but still has Section 300 and Section 601 or 602 cases pending.
2. This protocol is intended to supplement the dual status protocol adopted pursuant to section 241.1(e), by Orange County Probation Department and Social Services Agency, entitled "Orange County Juvenile Court Protocol for Welfare and Institutions Code Section 241.1 Proceedings", signed September 5-6, 2013. (A copy of the protocol is attached hereto, as Attachment A, and incorporated herein.)
3. This protocol is intended to supplement the Dual Handling Team Protocol adopted by the Juvenile Court, Orange County Probation Department and Social Services Agency, dated January 30, 2013. (A copy of the protocol is attached hereto, as Attachment B, and incorporated herein.)
4. Teen Courts – this protocol does not supersede, nor rescind, the "Orange County Teen Court Protocol for Welfare and Institutions Code Section 241.1 Proceedings". In the event that this protocol conflicts or is inconsistent with the Teen Court protocol, the Teen Court protocol shall control as to the minors and proceedings conducted by the Teen Courts.
5. This protocol shall supplement the provisions of section 241.1 and Rule 5.512, California Rules of Court. To the extent that it conflicts with either section 241.1 or rule 5.512, the statute or rule shall control.

B. Definitions:

1. "Formal dual handling" – means the proceedings where the minor has been declared both a dependent child and a delinquency ward, pursuant to section 241.1(e).
2. "Handling judicial officer" – means the judicial officer who has been assigned to preside over both the dependency and delinquency proceedings, when single judicial oversight is ordered because of dual handling or informal dual handling.
3. "Informal dual handling" – means proceedings where the minor has been declared a dependent and an informal delinquency disposition has been ordered, pursuant to sections 654, 725, or 790–795 (DEJ); or where a formal or informal delinquency disposition has been ordered and the dependency petition has been dismissed and/or services ordered, pursuant to section 301.

C. Notice of Pending Action:

1. WIC 241.1 provides:
 - a) "Whenever a minor *appears* to come within the description of both Section 300 and Section 601 or 602, the county probation department and the child welfare services department *shall*... initially determine which status will serve the best interests of the minor and the protection of society." (Subdiv. (a), emphasis added.)
2. Each time that a 300, 601, or 602 petition is filed (not including a probation violation notice) regarding a minor that is the subject of a pending 300, 601 or 602 matter, clerical staff shall prepare and send a Notice of Pending Action to each courtroom where the minor's matters are pending and bring the pending matters to the attention of the assigned judge, attorneys and court officers.
 - a) This paragraph is intended to require that a Notice of Pending Action be prepared and served on the first filing, *and on all subsequent filings*, of a petition that crosses over from 300 to 601 or 602, or vice versa, so as to trigger a reconsideration by the judicial officer and counsel of the desirability of ordering a 241.1 joint assessment report.

D. Ordering a WIC 241.1 Joint Assessment Report:

1. Upon receipt of a Notice of Pending Action, the judicial officer assigned the chronologically *last* petition filed shall consider whether a 241.1 Joint Assessment Report, pursuant to Rule 5.512, should be ordered. In considering whether to order a report, the judge may consult:
 - a) With the judge assigned the previously filed case as to the merits of ordering a report; and
 - b) With counsel and court officers on all cases involving the minor.
2. The decision as to whether to order a 241.1 report shall be the responsibility of the judicial officer assigned the chronologically *last* filed petition. In making the decision, the judicial officer should consider:

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- a) The facts, circumstances, allegations and legal status of all of the cases involving the minor;
 - b) The likelihood that cross-over issues may have played a factor in the case being filed;
 - c) The request by any party for the preparation of a report; and
 - d) The waiver or lack of waiver by any party for the preparation of the report and/or hearing, required under Rule 5.512.
3. Upon receipt of a Notice of Pending Action, the judicial officer assigned the chronologically last petition filed shall state, on the record or in the minutes, whether or not a 241.1 report is to be prepared.
 - a) In stating whether or not a report is to be prepared, the position of counsel for all parties shall be ascertained and reflected on the record or in the minutes; which may include a waiver of the preparation of the report.
4. Counsel for any party that previously waived the preparation of a 241.1 joint assessment report or who did not object to a report not being prepared may, upon a showing of changed circumstances, subsequently move the Court for an order that a 241.1 joint assessment report be prepared.
 - a) The changed circumstances upon which a motion for preparation of a report may be based includes, but is not limited to: the filing of an amended or subsequent petition; the minor's failure to successfully complete an informal disposition (WIC 654, 725 or DEJ); or circumstances impacting the progress or recommendations of the social worker in the dependency case.
5. Pursuant to the Orange County Juvenile Court Protocol for Welfare and Institutions Code Section 241.1 Proceedings, in the case where the child is already within the Court's jurisdiction, pursuant to section 300, and a petition to bring the minor within section 601 or 602 is subsequently filed, Probation will complete and submit the joint assessment report, after conferring with Probation and the Dual Handling Team.
6. If a 241.1 report is ordered, the judicial officer ordering the report shall set a future Joint Assessment Hearing, pursuant to Rule 5.552(e), before that judicial officer.
 - a) The minute order ordering the report and setting the joint assessment hearing shall be served upon the judicial officer and upon all counsel and court officers assigned handling the previously filed matter(s), any CASA, and any other person required by Rule 5.512(f).

E. Joint Assessment Hearing:

1. At the joint assessment hearing, in order to provide the Court the maximum flexibility in making dispositional decisions in the best interest of the child and the protection of the public, the decisional options available to the Court shall include, but not be limited to:
 - a) Declaring and minor solely a dependent or delinquent ward, under the exclusive jurisdiction of the 300, 601 or 602 court;

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- b) Declaring the minor a dual status child, under the dual jurisdiction of the court, pursuant to section 241.1(e);
 - c) Declaring the minor a dependent, under section 300 (or keeping the minor a dependent if already declared) and ordering an informal delinquency disposition, under sections 654, 725 or 790-795 (DEJ);
 - d) Declaring the minor a delinquent ward or ordering an informal delinquency disposition, under sections 654, 725, or 790-795 (DEJ), and dismissing the dependency petition and ordering services, pursuant to section 301;
 - e) The minor's participation in a Teen Court (Boys or Girls Court), if the minor is eligible, suitable and accepted into a Teen Court.
2. The judicial officer who orders the 241.1 report shall make the final decision as to the following issues:
- a) The disposition of the dual status issues;
 - b) Designation of the lead agency, if declaring the minor both a dependent and a ward and invoking formal dual status jurisdiction as the disposition;
 - c) Determination of the initial handling judge, if single judicial oversight is contemplated or required by the disposition;
 - d) Whether alternate placement orders and/or a Placement Suitability Report is required;
 - e) Whether an alternative Case Plan for the minor should be ordered;
 - f) Whether statutory review hearings are required to be set.
3. Before making decisions regarding the minor's dual status issues, the judicial officers are encouraged to consult with the judicial officer assigned the other case as to what orders will be in the best interests of the child. (NB: California Code of Judicial Ethics; Canon 3B(7)(a); amended 1/1/13.) In consulting regarding the dual status issues to be decided, the judicial officers may consider:
- a) Whether and how dual status jurisdiction is expected to enhance the outcome for the minor and family, and why supervision and services from both Social Services Agency and Probation, at the same time, are necessary to achieve a positive outcome.
 - b) Judicial economy and the impact upon the overall running of court calendars and caseload by a declaration of dual status;
 - c) Determination of the initial handling judicial officer, if single judicial oversight is contemplated or required by the disposition. (Dispositions involving single judicial oversight are not limited solely to dual jurisdiction cases, but also in cases of formal declarations or jurisdiction in one case type and informal handling in the other.) In consulting regarding the initial handling judicial officer, consideration should be given to:
 - Any unique factual or legal issues presented by each case, minor or family;
 - The current status of each case;
 - The prior history each judicial officer has with the minor and/or family;
 - The current placement of the minor;
 - The experience level of each judicial officer to address the legal and factual issues involved in each case.

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4. All parties and counsel, in the dependency and delinquency matters, may appear and have an opportunity to be heard in the Joint Assessment Hearing, pursuant to Rule 5.512(g).

F. Transfer of court files:

1. In the event that a judicial officer is designated to provide single judicial oversight over the minor and/or family, all 300, 601 and 602 court files will be transferred to that handling judicial officer's inventory.
2. In a formal dual handling situation, all 300, 601 and 602 court files will remain in the handling judicial officer's inventory even though a change in the "lead agency" (with jurisdiction remaining on both cases) is ordered, unless good cause is shown otherwise.
 - a) The rationale for not transferring handling judicial officers with the change in lead agency is to ensure the uninterrupted provision of supervision and services by the new lead agency.
3. Upon the termination of jurisdiction of one case type by the handling judicial officer, if the case that remains open is not the primary case type assignment of the handling judge, unless good cause is shown otherwise, the remaining case shall be transferred to the originating courtroom or to a courtroom designed by the Juvenile Presiding Judge.

G. Future court hearings:

1. If a handling judicial officer is assigned to provide single judicial oversight over the minor and/or family, under a plan of informal or formal dual handling, all cases associated with the minor shall be calendared together for court hearings.
2. If a case is placed on the Court's calendar *solely* for the purpose of keeping the cases together and no legal or factual issues are expected to be addressed on that case, the case will be calendared for a "further proceeding". In all other instances, when legal or factual issues are expected to be addressed on that case, the case will be calendared appropriately to reflect the nature of the proceeding.
3. In the event of changed circumstances, any judge assigned a minor's case may set a hearing to reconsider the decisions made at the Joint Assessment Hearing.
 - a) Any hearing to reconsider the decisions made at the Joint Assessment Hearing shall proceed in the same manner as a Joint Assessment Hearing, including notice to all parties.
 - b) The court may order a new 241.1 report.

H. Appearances and hearings by counsel and court officers:

1. The Court shall attempt to appoint the same counsel for the minor on all cases, whether 300, 601 or 602, in order to foster continuity and consistency.
 - a) In the event that counsel is appointed to represent the minor simultaneously on both dependency and delinquency matters, because of the differences in the substantive issues presented, counsel may submit to

- the Court invoices for both cases. Contracted rates of compensation applicable to each case type shall apply. Counsel may submit to the Court invoices for appearance at the Joint Assessment Hearing. (Since substantive legal or factual issues are not addressed as to cases set for the "further proceedings" described above, it is expected that no invoices will be submitted for such a setting.)
- b) In appointing the same counsel on all cases, the Court shall take into consideration the experience and competency of counsel to provide representation in both case types, including counsel's competency under Rule 5.660(d).
2. In the event that a handling judicial officer is designated to provide single judicial oversight over the minor and/or family (either because of dual jurisdiction handling or the informal handling of one case type), notice of all hearings shall be served by Probation and/or Social Services Agency, upon the parties or counsel for all parties, regardless of whether a hearing is to address dependency or delinquency issues, or both.
 - a) The Court shall cooperate with Probation and Social Services Agency to establish master service lists in such cases.
 3. In the event of oversight by one judicial officer, counsel for the parties may request of the handling judicial officer permission to waive their appearance.
 - a) A request for waiver of appearance shall be in writing, served on all counsel, or made in open court on the record, and the handling judicial officer may grant or deny the request.
 - b) Notwithstanding a prior granted waiver of appearance, the Court may order counsel and/or the client to appear.
 - c) As a matter of professional courtesy, counsel are expected to meet, confer and disclose all issues, requests or motions that each intend to raise at the next hearing, so that other counsel may make an knowing decision as to whether to waive their appearance. The Court may refuse to entertain or rule upon a request or motion by counsel that was not discussed by all other counsel beforehand.
 4. Probation and Social Services Agency court officers shall be required to appear in the courtroom where there is oversight by one judicial officer.
 - a) The appearance by Probation or Social Services Agency court officers may be waived by the handling judicial officer.
 5. At all times, the handling judicial officer and courtroom staff shall keep in mind the impact to other courtrooms and calendars caused by the need for counsel and court officers to appear in different courtrooms, particularly in light of the limited number of attorneys and court officers available in the Juvenile Court.
 - a) The Court shall forthwith call the case when all appearing court officers and counsel are present, in order to return them to their "home" courtroom as promptly and expeditiously as possible.

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I. Proceedings in different counties:

1. In the event that a minor is the subject of proceedings in different counties, the Court, Probation and Social Services Agency shall follow the provisions of Rule 5.512(c), California Rules of Court.

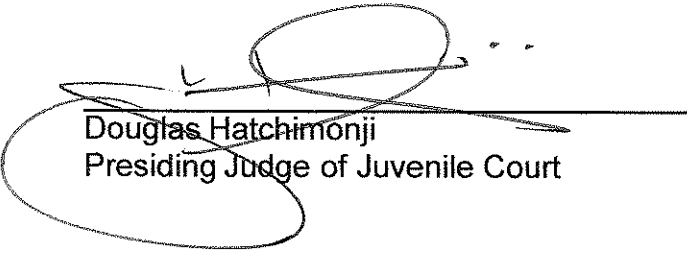
J. Data collection:

1. In connection with the requirement to collect data, pursuant to section 241.1(e)(4), the Court will establish the means to collect the following:
 - a) Number of minors that appear to come within the description of both Section 300 and Section 601 or 602, because of the filing of related cases;
 - b) Number of minors for whom 241.1 reports are ordered prepared;
 - c) Number of minors that are handled as formal dual status children, pursuant to section 241.1(e);
 - d) Number of minors that are handled as informal dual status children, under this protocol;
 - e) Number of minors that are assigned to a handling judicial officer under a plan of single judicial oversight.

SO ORDERED:

Date: _____

11-13-13



Douglas Hatchimonji
Presiding Judge of Juvenile Court

ATTACHMENT A

**ORANGE COUNTY JUVENILE COURT PROTOCOL FOR WELFARE AND INSTITUTIONS CODE SECTION
241.1 PROCEEDINGS**

This Protocol is by and between the Orange County Probation Department ("Probation") and the Orange County Social Services Agency ("SSA") and the Orange County Superior Court, Juvenile Court ("Court"), collectively referred to as "the parties". The parties will jointly administer this Protocol.

The intent of this Protocol is to enable a child who meets specific criteria to be designated as both a dependent child and a ward of the Court. A child who is designated as both a dependent child and a ward of the Court would be known as a "dual status" child.

Section 202 of the Welfare and Institutions Code (WIC) outlines the State Legislature's intent to preserve and strengthen family ties and to reunify families when removal of a child from their home is necessary to ensure the safety and protection of the child and/or the community. In keeping with these goals, this Protocol is intended to provide another tool for Probation, SSA, and the Court to more effectively serve children and families by increasing access to appropriate resources and services in a holistic and timely manner.

WIC Section 241.1 requires Probation and SSA to jointly develop a written protocol to ensure (1) appropriate local coordination in the assessment of a child who appears to come within the description of both Section 300 and Section 601 or 602 of the WIC; and (2) the development of recommendations by Probation and SSA for consideration by the Court.

This Protocol will govern the respective responsibilities of Probation, SSA and the Court in cases where a child, whose case is not assigned to one of the Orange County Juvenile Court Teen Dependency Courts (Boys Court and Girls Court), appears to come within the description of WIC Section 300 ("dependency"), and also WIC Section 601 or 602 ("wardship"). In such instances, Probation and SSA will make every reasonable effort to jointly determine which status: dependency, wardship, or dual, best serves the interests of the child and the safety of the community. The recommendations of both departments shall be presented to the Court.

Probation cases determined to be dual status will be assigned to the Placement Unit for probation supervision. Should the number of dual status cases exceed the capacity of either the Probation Placement Unit or SSA, the terms of this protocol will be evaluated internally at the Department Head level.

For children who appear to come within the description of WIC Section 300 ("dependency"), and WIC Section 601 or 602 ("wardship"), and whose case is assigned to Boys Court and Girls Court, refer to the Orange County Teen Court Protocol For Welfare and Institutions Code Section 241.1 Proceedings (a copy of which is attached, as Attachment A).

I. TERMS

This Protocol constitutes the entire agreement of the parties in the matters contained here and supersedes all previous agreements and understandings.

II. PROCEDURES

a. Referral to Teen Court

With the exception of those cases requiring immediate submission to the District Attorney under WIC Section 653.5(c) , upon the first appearance on a new petition filed pursuant to WIC 601 or 602 against a child already within the Court's WIC Section 300 jurisdiction, or, alternatively, upon the first appearance on a new petition filed pursuant to WIC Section 300 involving a child already within the Court's WIC Section 601 or 602 jurisdiction, the presiding judicial officer shall hear the detention or initial hearing, make appropriate findings and orders as required under Title IV, and determine whether to refer the case to the judicial officer presiding in either Boys Court or Girls Court the Friday immediately following to assess the suitability of transferring the case into Teen Court.

b. Joint Assessment Report and Hearing

Upon the filing of the new petition, the Clerk of the Court shall give notice to all parties in both the dependency case and the wardship case that a new petition for wardship or dependency has been filed. When the child initially appears on the petition in Court, the presiding judicial officer may order either Probation or SSA to prepare a joint assessment report pursuant to WIC 241.1, which shall be completed in a time frame specified by the judicial officer, not to exceed a period of fifteen (15) judicial days (California Rules of Court, Rule 5.512[e]). In cases where the child is already within the Court's WIC Section 300 jurisdiction and the child is facing petition charges under WIC 601/602, Probation will complete and submit the joint assessment report, after conferring with SSA and the Dual Handling Team. Conversely, in cases where the child is already within the Court's WIC Section 601 or 602 jurisdiction and a new petition is filed pursuant to WIC Section 300, SSA will complete and submit the joint assessment report, after conferring with Probation and the Dual Handling Team. The report shall be filed with the Court, and served on all parties at least five (5) calendar days before the Joint Assessment hearing (California Rules of Court, Rule 5.512[f]).

It is anticipated that candid communication and a spirit of cooperation will prevail in the mutual review of cases by Probation and SSA staff and that the recommendations of Probation and SSA, as to the status of the child, will be determined by the Dual Handling Team (Orange County Dual Handling Team Protocol, dated January 30, 2013).

All parties and counsel may appear and have an opportunity to be heard at the Joint Assessment hearing. Further, any party objecting to the classification of the child as a dual status child shall file a written objection within 10 days of the receipt of the joint assessment report and shall appear before the Court at the Joint Assessment hearing.

c. Disposition

If Probation and SSA agree that dependency is more appropriate, the new Petition filed pursuant to WIC Section 601 or 602 will be dismissed upon Court approval following the Joint Assessment hearing, pursuant to the Dual Status Court Procedures Protocol. Alternatively, if Probation and SSA agree that wardship is more appropriate, the new Petition filed pursuant to WIC Section 300 will be dismissed upon Court approval following the Joint Assessment hearing, pursuant to the Dual Status Court Procedures Protocol.

Should the new Petition be sustained, the Court will review the 241.1 report and determine if the child should remain a dependent, be declared a ward, or whether dual status is in the child's best interests.

Refer to the Dual Status Court Procedures Protocol (a copy of which is attached, as Attachment B) for conduct of the Joint Assessment hearing.

III. JOINT ASSESSMENT REPORT / DECISION MAKING CRITERIA

Following a mutual review of the case by Probation and SSA, and interviews with the child and parents, each of the following will be addressed in the joint assessment report prepared for the Court to determine whether wardship, dependency, or dual status will best serve the interests of the child and safety of the community (California Rules of Court, Rule 5.512[d]):

- a. Nature of referral
- b. Age of the child
- c. History of any physical, sexual or emotion abuse of the child
- d. Prior record of child's parents for child abuse
- e. The child's prior record of out-of-control or delinquent behavior
- f. The parent's cooperation with the child's school
- g. The child's functioning at school
- h. The nature of the child's home environment
- i. History of involvement of any agencies or professionals with child or his or her family
- j. Any services or community agencies available to assist the child and his or her family
- k. A statement by any counsel currently representing the child
- l. Statement by any court appointed special advocate currently appointed for the child
- m. Applicability of the Indian Child Welfare Act
- n. The recommendations and rationale (including alternative views) of the Dual Handling Team as to the status of the child
- o. If dual status will be recommended, a recommendation as to which agency, Probation or SSA, will be designated as the lead agency, and the reasons for this recommendation

Dependency will be the preferred status whenever the child's behavior is such that he or she will not pose a threat to himself/herself, or others, or the property of others within the control and support

structure of dependency supervision. SSA will be designated to supervise a child while he/she remains under WIC Section 300 jurisdiction.

When a child's behavior cannot be controlled in dependency settings and custody time is available, due to the nature of the child's offense, wardship will be the preferred status to provide enhanced control of the child's behavior. Probation will be designated to supervise a child while he/she remains under WIC Section 601 or 602 jurisdiction.

Dual status may be appropriate when a dependent child who commits a delinquent act requiring the formal intervention of Probation services, and the child would benefit from the continued involvement of SSA. If a recommendation for dual status will be made at the Joint Assessment hearing, the joint assessment report will identify which agency, Probation or SSA, is best suited to assume responsibilities as the lead agency, for placement of the child, case management, and Court-related matters.

IV. EXCHANGE OF INFORMATION

Pursuant to WIC Section 241.1 and Miscellaneous Order 524.4 of the Court, Probation and SSA staff will exchange information regarding the child's history of abuse and neglect, the child's history of delinquent behavior, as well as a potential caregiver's record of abuse, neglect, and criminal history, in electronic or verbal format and through photocopies of each other's case files.

V. CONFIDENTIALITY

Probation and SSA shall maintain the confidentiality of all records in accordance with all applicable federal, state and local laws relating to confidentiality, including WIC Sections 827 and California Rules of Court 5.552. All information and records concerning any and all matters referred to Probation and SSA shall be considered and kept confidential by all parties and their respective staff, agents, employees and volunteers. Information obtained by Probation or SSA in the performance of this protocol shall not be used for any purpose other than the performance of this protocol, except as may be required by law.

In addition to the general confidentiality provisions of this section, Probation and SSA employees, agents, staff, and volunteers associated with this protocol agree to comply with Juvenile Court Administrative Order No. 12/003-903: Exchange of Information, dated March 29, 2012, or as it may be amended, which governs the confidentiality of juvenile record information.

VI. RESOLUTION OF CONFLICTS

Any conflicts arising from this Protocol will promptly be discussed among the designated Social Worker and Probation Officer in each department for resolution. If the conflict cannot be resolved at this level, it will promptly be referred to the next level in each agency's respective chain of command for further discussion in an attempt to reach resolution in an expeditious manner and at the lowest level possible. The SSA Director and the Chief Probation Officer will be the final arbitrators. If the parties reach an impasse, the issue shall be presented to the judicial officer presiding over the case for resolution.

VII. MODIFICATIONS

Any modifications to this Protocol will be made in writing, with the mutual consent of the parties. Any modifications to the policies and procedures developed by Probation and SSA to implement the provisions of this Protocol will be made with the mutual consent of Probation and SSA.

VIII. TRACKING OF DUAL STATUS CASES

On any case that is eligible for dual status, both SSA and Probation will provide the Court with statistical information as required. The Court will ensure that the Court Clerk's Office will complete and submit the necessary statistical reports to the Administrative Office of the Courts. Outcome measures and performance indicators will be developed by Probation, SSA and the Court, and will be periodically reviewed.

IX. TERMINATION

This Protocol may be terminated by either Probation or SSA with 60-days written notice.

**IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS ORANGE COUNTY JUVENILE COURT
PROTOCOL FOR WELFARE AND INSTITUTIONS CODE SECTION 241.1 PROCEEDINGS IN THE COUNTY OF
ORANGE, STATE OF CALIFORNIA**

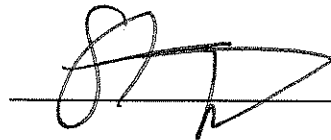


Dr. Michael Riley, Director

County of Orange

Social Services Agency

Dated: 9/5/13 

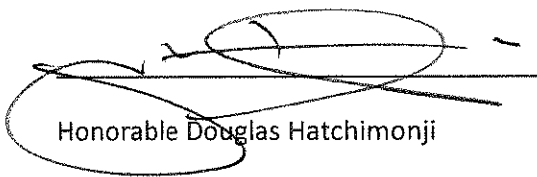


Steven Sentman, Chief Probation Officer

County of Orange

Probation Department

Dated: 9/5/2013



Honorable Douglas Hatchimonji

Orange County Superior Court

Presiding Judge of the Juvenile Court

9/6/13.

Dated: _____

ATTACHMENT B

Orange County Dual Handling Team Protocol

A. Dual Handling Team Establishment:

1. Orange County juvenile justice partners have agreed to the establishment of an Orange County Dual Handling Team, pursuant to this protocol.
2. The Orange County juvenile justice partners participating in the establishment of the Dual Handling Team and this protocol include representatives of: the Probation Department, Social Services Agency, District Attorney, County Counsel, Public Defender, the law offices of Denise Schleicher, the law offices of Harold LaFlamme and the Juvenile Court.

B. Outcome/Goal Statement:

1. The juvenile court justice partners have agreed upon goals to be achieved acknowledge that those goals will drive the policies and procedures that will govern the team, and will impact the nature and extent of the resources each agency dedicates to the program.
2. By the establishment of a dual handling team, the juvenile court justice partners seek to achieve the following goals:
 - a) Increase the amount and quality of information available to social workers and probation officers regarding the minors and families involved in dependency and/or delinquency matters.
 - b) Restructure the delivery of available service resources that are provided to minors and families involved in dependency and/or delinquency matters, particularly through the delivery of more tailored services and agency responses.
 - c) Increase the stability of out-of-home placements.
 - d) Leverage the different skill sets of probation officers and social workers in addressing the needs of at-risk children and families, particularly by officers and social workers working as a team in the supervision of a child and family.
 - e) Increase the level of and provide for quicker, accountability of minors and families.
 - f) Provide better transitions of youth into independent living.
 - g) Perform better assessments and provide improved recommendations in WIC 241.1 reports to the Court, by increasing

the level of knowledge concerning the services provided by Probation and SSA to children and families.

- h) Enhance the provision of interventions to preserve families and preclude minors' engagement in delinquent behavior.
- i) To better serve at-risk children and families in the appropriate statutory system (300 and/or 600) that best fits their needs.

C. Target Population

1. The juvenile court justice partners have agreed to establish a dual handling team that will assist in the provision of services to "dually involved" youth and their families. This protocol shall apply to dually involved youth for which a petition (300 or 600) has been filed. ("Dually involved" youth are those that have some level of concurrent involvement (diversionary, formal or a combination of both) with either the child welfare or juvenile justice systems, or both.)
 - a) The "dually involved" youth that this protocol will cover includes, but is not limited to:
 - Children declared dependents of the juvenile court.
 - Children declared wards of the juvenile court.
 - Truancy;
 - 601 status offenses, including informal traffic handling court;
 - Youth being handled informally under WIC §§ 654; 725 and 790 (DEJ).
 - Families receiving voluntary family services by SSA.
 - b) The families of dually involved youth, including parents, caretakers and siblings of the youth.

D. Role of the Dual Handling Team

1. Scope of duties: The probation officers and social workers assigned to the Dual Handling team will work as a collaborative unit with the following duties:
 - a) Informal consulting, case handling & recommendation resource: the Dual Handling Team shall serve as a resource to other probation officers and social workers assigned to children and families, consulting and making recommendations to those assigned officers/workers so as to achieve the goals described

above. In the course of acting as a resource to officers/workers, the Dual Handling Team, in collaboration with the assigned officer/worker, may provide informal services directly to the minor and family by providing interventions to preserve families and preclude minors' engagement in delinquent behavior.

- b) WIC 241.1 report preparation and recommendations: The Dual Handling Team will consult and make recommendations to the designated preparers of reports ordered pursuant to WIC 241.1.
- 2. Multidisciplinary team: the Dual Handling Team shall be deemed a juvenile justice multidisciplinary team, within the meaning of Welfare and Institutions Code, section 830.1, regarding the exchange of information.
- 3. The Dual Handling Team supervisors shall establish procedures for data collection and tracking of work performed by the Team pursuant to this protocol.

E. WIC 241.1 report procedures:

- 1. As to all 241.1 reports prepared by Probation or SSA, before submission to the Court, the Dual Handling Team shall make the recommendation concerning whether the minor should be declared a WIC 300 dependent, a WIC 602 ward, or both as a dual jurisdiction matter.
- 2. WIC 241.1 screening meeting: once per week (date, time and location to be determined by the team), the Dual Handling Team shall conduct a WIC 241.1 screening meeting. The purpose of the screening meeting shall be to assess all cases for which a WIC 241.1 report has been ordered by the Court for the purposes of making the recommendation concerning whether the minor should be declared a WIC 300 dependent, a WIC 602 ward, or both as a dual jurisdiction matter.
 - a) In the event that the date the 241.1 report has been ordered to be filed with the Court prevents the presentation and consideration of the report at the next regularly scheduled screening, the Dual Handling Team shall make special accommodations to complete screening of the matter so that the report can be submitted timely.
 - b) The Dual Handling Team shall notify Investigating Deputy Probation Officers and assigned Social Workers of the scheduled date, time and location for the screening meetings.
- 3. Responsibilities of the Investigating Deputy Probation Officers and assigned Social Workers:

- a) The assigned Investigating Deputy Probation Officer and assigned Social Workers for the minor, or designee, shall attend the screening meeting, either in-person or by conference call.
 - b) The assigned Investigating Deputy Probation Officer shall send, by email, the proposed WIC 241.1/Placement Referral Form to the designated member of the Dual Handling Team at least two days before the screening meeting. The designated member of the Team shall be responsible for forwarding the proposed report to the rest of the Team.
4. WIC 241.1 report shall state the recommendation of the Dual Handling Team and the rationale for its recommendation.
- a) In the event that the Team cannot reach a consensus recommendation and the recommendation is made at the supervisory level, the report shall state all alternative views of the members of the Dual Handling Team and the reasons therefore.

F. Informal consulting, case handling & recommendation procedures:

1. The goals and purposes of the informal consultation and recommendation role of the Dual Handling Team, as to each agency, shall be:
- a) Social Services Agency shall consult with and assist Probation by assessing and referring families of declared wards who may be in need of relevant County and community resources. This shall be accomplished by:
 - A Dual Handling Team social worker accompanying the assigned deputy probation officer to visit and assess the family; and/or
 - A Dual Handling Team social worker making recommendations to the assigned deputy probation officer regarding the family's needs; and/or
 - A Dual Handling Team social worker explaining the dependency system to the family.
 - b) The Probation Department shall consult with and assist Social Services Agency in preventing dependent children from crossing-over into delinquent conduct. This shall be accomplished by:
 - A Dual Handling Team probation officer accompanying the assigned social worker to visit and assess the minor; and/or

- A Dual Handling Team probation officer making recommendations to the assigned social worker regarding the minor's needs; and/or
 - A Dual Handling Team probation officer explaining the delinquency system to the minor and offering relevant County and community resources and assistance.
2. Referral procedures for Dual Handling Team consultation:
- a) The assigned probation officer or social worker seeking to consult with the Dual Handling Team shall submit, by email, a "Referral For Dual Consultation" form.
 - Probation officers shall email the completed form to the Probation Dual Handling Supervisor.
 - Social Workers shall email the completed form to the Senior Social Services Supervisor for Boys and Girls Court.
 - b) Upon receipt of the "Referral For Dual Consultation" form, the receiving member of the Dual Handling Team will contact the referring DPO or SSW within three working days of receipt.
 - c) Pending adoption of an amended protocol, at this time, for resource reasons, referrals for consultation with the Dual Handling Team may only be made by the assigned SSW or DPO.
3. Field visit and assessment procedures:
- a) Contact with the family and/or minor and coordination of a joint SSA/Probation visit shall be the responsibility of the assigned/referring DPO/SSW.
 - b) The assigned/referring DPO/SSW shall have the responsibility to prepare any reports regarding the assessment and recommendations, and initiating any Child Abuse Reports, if necessary.
 - c) The assigned/referring DPO/SSW shall have the responsibility to document all assistance, recommendations, assessments and/or referrals made by the Dual Handling Team.
4. Termination of consultation – within thirty days of the initial assessment, an informal assessment will be completed by the Dual Handling Team to determine the need for the continued involvement of the Team.

G. Court Procedures and Handling

1. Reports to Court: Social Services Agency and Probation shall implement procedures and directives requiring that information concerning the consulting, recommendations and services provided by the Dual Handling Team be included in reports made by the assigned social worker or assigned probation officer to the Court.

H. Dual Handling Team Protocol Review:


1. Probation, Social Services Agency and the Juvenile Court shall periodically review the Dual Handling Team and this protocol, considering:
 - a) The impact on the outcomes of the target population served by the Team;
 - b) The resource implications of the Team, including: workload, achievement of Team outcome and goals, service objectives and limitations.
 - c) The need for protocol, process and procedures improvement or modification.

The undersigned, on behalf of the Orange County Juvenile Court, Orange County Probation Department and Orange County Social Services Agency, endorse the establishment of the Orange County Dual Handling Team, pursuant to the terms of this protocol.

Date: 1-30-13


ORANGE COUNTY JUVENILE COURT

By: _____


Douglas Hatchimonji
Presiding Judge of the Juvenile Court


Date: 1/11/2013

ORANGE COUNTY PROBATION DEPARTMENT

By: 
Steven J. Sentman
Chief Probation Officer

Date: 1/21/13

ORANGE COUNTY SOCIAL SERVICES AGENCY

By: 
Michael Riley, PhD.
Director Social Services Agency

REFERRAL FOR DUAL CONSULTATION

Assigned to: _____

Date & Time of Scheduled Intake: _____

Case Name: _____ Case # _____ J/L# _____

SSW/DPO: _____ Program _____ Bldg.#: _____ Ph # _____

Supervisor: _____ Ph#: _____ Date & Type of next Court Hearing: _____

Dependency/Delinquency Status: _____

CLIENT(S) TO BE SERVED:

Name & DOB: _____

If minor, caretaker name: _____

Relationship to child(ren): _____

Address: _____

City/ Zip: _____

Telephone number: _____

REASONS FOR REFERRAL

2) _____

3) _____

What other services is the client receiving?

1) _____ 3) _____

2) _____ 4) _____

Recommended Services:

1) _____ 3) _____

2) _____ 4) _____

Witness (DPO) Signature

Date

Client Signature

Date

Witness (SSW) Signature

Date

Parent Signature

Date