

FEB 20 2008

JOHN A. CLARKE, CLERK

S. Hernandez
BY S. HERNANDEZ, DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
JUVENILE COURT

On behalf of:

Los Angeles County Commission for Children
and Families,

Petitioner

AMENDED BLANKET ORDER
RE: COMMISSION ACCESS TO
JUVENILE COURT RECORDS

The Los Angeles County Commission for Children and Families ("Commission") is required by law to review all programs administered by Los Angeles County departments that provide services for children at risk. Additionally, the Commission must provide an annual report to the Los Angeles County Board of Supervisors ("Board") on the status of such programs, along with recommendations for their improvement.

GOOD CAUSE APPEARING, the Juvenile Court hereby authorizes a waiver of confidentiality to the Commission for the limited purpose of obtaining information on individual Juvenile Court cases and hereby issues the following Order pursuant to Welfare and Institutions Code 827 and California Rules of Court, Rule 5.552:

1. The Commission may review individual cases within the class of cases described below as necessary to evaluate the Los Angeles County Department of Children and Family Services ("DCFS") and the Department of Probation ("Probation") procedures and

1 practices impacting the safety of children, and thereafter provide a report concerning the
2 effectiveness of these systems and procedures to the Board with recommendations for
3 their improvement.

4 CLASS OF CASES FOR REVIEW:

5 The class of cases includes any pertinent DCFS case in which a child has died, suffered
6 serious injury, including sexual abuse as described in Penal Code section 111651.1, or
7 has been exposed to extreme risk of harm. The class of cases also includes any pertinent
8 Probation case in which a child has died.

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10 2. Designated Commission members and employees as described in Number 6 below may
11 freely inspect the Dependency and Delinquency Court legal file(s), as appropriate,
12 including records of court proceedings, pleadings, minutes, as well as all caseworker and
13 other reports contained therein, including Evidence Code section 730 reports. The Court
14 also authorizes inspection of other case specific records and exchange of relevant (case
15 specific) information with DCFS or Probation staff (including children's social workers
16 and probation officers), as appropriate, on a voluntary basis under existing procedures
17 and in accordance with the law.

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19 3. Files may be inspected only at locations specifically designated by the Juvenile Court,
20 DCFS, or Probation, as appropriate. Personal notes may be made by individuals viewing
21 files and records; however, use of any audio, photographic or videotaping equipment is
22 prohibited. Specific items may be photocopied only under special circumstances and
23 only if specially approved in writing by the Juvenile Court Presiding Judge.

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25 4. Nothing in this Order shall be construed as an order by the Juvenile Court to compel
disclosure of information by DCFS, Probation, or any party or agency against their will

1 or in any manner which is contrary to existing law, agency policy and/or any applicable
2 canons of professional ethics and responsibility.

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4 5. All documents or information made available to the Commission shall be part of the
5 "juvenile case file" as defined in California Welfare & Institutions Code section 827(e)
6 and California Rules of Court, Rule 5.552(a), and are thereby subject to the laws on
7 Juvenile Court confidentiality.

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9 6. To ensure against a breach of confidentiality and unauthorized dissemination of
10 information received pursuant to this Order, the Commission shall:

11 (a) Limit access to confidential juvenile case records to:

- 12 (1) The most recent past Commission Chair;
13 (2) The present Commission Chair;
14 (3) The present Vice-Chairs;
15 (4) The Executive Director, or any Commission employee deemed
16 appropriate by the Commission Chair; and
17 (5) Other Commission members deemed appropriate by the Commission
18 Chair.

19 (b) Maintain a record of the files reviewed and provide said record to the Juvenile Court
20 Presiding Judge on a quarterly basis.

21 (c) Prohibit access to records under this Order to any Commission member or employee
22 who is a party to a Juvenile Court action, who is related to such a party or who has
23 legal standing in such a case, or who has had any prior involvement in a particular
24 case. A full, affirmative inquiry as to the propriety of access by any Commission
25 member, the Executive Director, or other Commission employee shall be conducted

1 by the Chair prior to the review of any records, if deemed to be appropriate in a given
2 case.

3 (d) Abide by the laws pertaining to Juvenile Court confidentiality and the
4 Juvenile Court confidentiality policy. Any and all information obtained pursuant to
5 this Order shall be received in confidence for the limited purpose for which it was
6 provided and shall not be further disseminated.

7 (e) Exclude case specific identifying information from any report to the Board.
8 However, the Commission may seek a further order if it believes inclusion of case
9 information is necessary to a report. Further, the Commission's report must be
10 reviewed and approved by the Juvenile Court prior to release to ensure that, to the
11 extent possible, confidentiality is maintained.

12 (f) Employ all necessary safeguard measures including implementation of in-house
13 procedures and protocols regarding storage, sealing and access, to ensure against
14 breach of confidentiality and unauthorized dissemination of any records or
15 information received pursuant to this Order.

16 (g) Immediately notify the Juvenile Court Presiding Judge should the Commission
17 determine there has been a breach of the confidentiality provisions of this Order and
18 remove the breaching party from the case review and any further case reviews
19 conducted by the Commission.

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21 7. This Order shall remain in effect unless it is revoked or otherwise amended on the motion
22 of the Juvenile Court Presiding Judge or at the request of any interested parties.

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24 8. A true copy of this Order is mailed via U.S. mail this date to Petitioner. The Commission
25 is directed to forward copies of this Order to each member of the Los Angeles County

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Board of Supervisors and all appropriate agency representatives and concerned individuals.

IT IS SO ORDERED.

DATE: 2/26/08



Michael Nash
Presiding Judge, Juvenile Court