



CHAMBERS OF
MICHAEL I. LEVANAS
PRESIDING JUDGE

JUVENILE DIVISION
The Superior Court
201 CENTRE PLAZA DRIVE
MONTEREY PARK, CALIFORNIA 91754

February 22, 2017

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TO: All Delinquency Court Judicial Officers and All Interested Parties

FROM: Michael I. Levanas, Presiding Judge
Los Angeles County Juvenile Courts

**SUBJECT: PSYCHOTROPIC MEDICATION MONITORING PROTOCOL FOR
DELINQUENT YOUTH IN SUITABLE PLACEMENT**

Attached is the new Psychotropic Medication Monitoring Protocol for Delinquent Youth in Suitable Placement. It takes effect on April 15, 2017. Please read it carefully and note the following:

1. It applies to all *new* requests to administer psychotropic medication to delinquent youth or requests to increase the dosage of a previously approved medication.
2. It applies *only* to youth in suitable placements; that is, foster homes, group homes (including Dorothy Kirby Center), or relative placements with a suitable placement order.
3. Judicial officers will schedule a progress report by completing line 7 of the JV-223—Order Regarding Application for Psychotropic Medication (see attached) with a 45-day date.
4. All judicial assistants must check each JV-223 to schedule the matter on calendar.
5. Youth's attorneys and Probation must note the progress report date after they receive the JV-223. It is the only notice they receive.
6. Following the 45-day Progress Report, future progress reports shall be within the discretion of each judicial officer.
7. All progress reports shall utilize the JV-224 form.

MIL:ns
Attachment



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Psychotropic Medication Monitoring Protocol for Delinquent Youth in Suitable Placement

Introduction

Many youth under the jurisdiction of the Delinquency Court in Los Angeles are being administered psychotropic medication(s) approved by the Court pursuant to Welfare and Institutions Code section 739.5; California Rules of Court, Rule 5.640; and Los Angeles Superior Court Local Rules, Rule 7.7. To monitor the well-being of these wards of the Delinquency Court who are in suitable placement and receiving these medications, the following protocol will be consistently used.¹

Protocol

1. Whenever the Court approves a request to administer to a suitably placed ward of the Delinquency Court a new psychotropic medication, or an increased dosage of an already approved medication, the Court shall write in line 7 of JV-223–Order Regarding Application for Psychotropic Medication a date 45 days after the approval date. The judicial assistant shall proceed to calendar the matter.
2. Following the Court's approval of a request to administer psychotropic medication to a ward of the Court, the Court's Psychotropic Desk Clerk provides a copy of JV-223 to the youth's attorney, JCMHS, the Probation Placement Unit, and the prescribing physician.
3. Upon receipt of the JV-223, the Probation Placement Unit provides a copy of JV-223 to the youth's probation officer and caregiver. In addition, the Probation Placement Unit or the youth's probation officer shall contact the caregiver to make sure the caregiver is aware of the purpose of the approved medication, potential negative side effects, what action to take in the event of a negative reaction to the medication, and whether the caregiver knows how to obtain the medication. If the youth is in a

¹ Pursuant to Welfare and Institutions Code sections 5328.04 and Civil Code section 56.103(d), mental health information submitted to the Court in accordance with court orders for progress reports related to the administration of psychotropic medication is intended to aid Probation and the Court in ensuring appropriate treatment for the youth. This information is inadmissible against the youth in any criminal or delinquency proceeding, and shall not be further disseminated.

4. group home, Probation shall ascertain the name, title, and contact information of the individual(s) responsible for administering the medication and monitoring its effects. Probation will also inform the caregiver that the youth must be seen by the prescribing physician within 30 days of starting the medication. If necessary, Probation will work with the caregiver to ensure that such a visit has been scheduled.
5. Two weeks after the initial contact, Probation shall contact the caregiver and the youth and inquire whether the youth is taking the medication and about the effects, if any, of the medication. Probation shall work with the caregiver and the youth to ensure that any necessary action occurs. Probation will also verify the date for the youth's follow-up visit with the prescribing physician.
6. On the date established by the Court for a progress report, Probation shall report, using the JV-224 form, when the caregiver was contacted by Probation about the medication; whether the youth is taking the medication²; the name, title, and contact information of group home personnel administering the medication and monitoring its effects; any perceived effects of the medication, whether positive or negative; any necessary steps that have been taken in light of the perceived effects; and the date of the follow-up visit with the prescribing physician. At a minimum, Probation shall have communicated with the youth and the caregiver and shall indicate the dates of those communications.
7. Future progress reports shall be within the discretion of the Court and shall be submitted on the JV-224 form.
8. Every status review report for suitably placed wards shall contain information on the effects of the psychotropic medication(s). Required information includes reporting on every medication the youth is taking; how the youth is doing on the medication(s); how the youth feels on the medication(s); whether or not the medication is successfully treating the targeted symptoms; and how the prescribing/treating physician thinks the youth is responding to the medication. The report should also indicate who Probation has contacted, including but not limited to the youth, caregiver, teacher, and family members, and the dates of those communications. This information should be attached to the court report by using the JV-224 form.

² If a child is refusing to take the medication, this refusal is a therapeutic issue that should be address, among others, by the caregiver, the physician, and the child. In addition, upon referral, the Juvenile Court Mental Health Services Unit may provide assistance.



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Psychotropic Medication Authorization Process

Delinquency Court

1. Physician Duties¹

- a. Physician completes JV-220A–Prescribing Physician’s Statement
- b. Physician faxes JV-220A to Probation Placement unit
- c. If the request is from the same physician to continue a medication at the same dosage previously authorized, the physician may use the JV-220B–Physician’s Request to Continue Medication form in lieu of the JV-220A.

2. Probation Placement Unit

- a. Receives forms and issues log number; ensures that case number appears on all pages
 - i) Returns incomplete or illegible forms to physician
 - ii) Beginning April 15, 2017, rejects earlier version of JV-220A
- b. JV-220A or JV-220B and JV-220 are sent to youth’s probation officer, who completes JV-220 and returns it to Probation Placement unit within two business days of receipt
- c. Upon receipt of JV-220 from youth’s probation officer, Probation Placement unit sends to parent/guardians, tribe (if applicable), and the youth’s caregiver a letter stating that a physician is asking to treat the youth’s emotional or behavioral problems by beginning or continuing the administration of a psychotropic medication, and the name of the psychotropic medication. The letter must also include a statement that the application is pending before the court. In addition, the letter must state that it is accompanied by a copy of the JV-217–Info form, the JV-219–Statement About Medicine Prescribed form, and the JV-222–Input on Application for Psychotropic Medication form.

¹ The PMA process is required for all youth who have been removed from the physical custody of the parent under WIC 726 and placed into foster care. It should also be used for any youth in juvenile hall or probation camp when the parents are “whereabouts unknown” or when the agency seeks to override a refusal of parents to authorize the administration of a psychotropic medication.

The letter shall instruct the parent/guardians, tribe (if applicable), and caregivers to complete and return the JV-219 and/or the JV-222 form to the court within four days of receipt of the letter, if they wish to provide input. The Probation Placement unit will provide a self-addressed, stamped envelope for that purpose.

- d. The Probation Placement unit completes page 1 of JV-221–Proof of Notice: Application Regarding Psychotropic Medication
- e. JV-220, JV-220A or JV-220B, page 1 of JV-221, and copies of the letter sent to parents/guardians, tribe (if applicable), and caregivers are faxed to the Delinquency Court Psychotropic Desk at the appropriate Delinquency Court location listed below:

LOCATION	FAX NUMBER
Compton	310 898-2796
Eastlake	562 637-0754
Inglewood	562 637-0725
Lancaster	562 753-0461
Long Beach	562 753-0920
Las Padriños	562 753-0437
Pomona	562 753-0654
Sylmar	562 753-0532

3. Court Psychotropic Desk Duties—Days 1 and 2

- a. Receives forms
- b. Enters information into psychotropic medication tracking log
- c. Validates case information in JAI
- d. JV-217, JV-218, JV-219, JV-220, JV-220A or JV-220B, and JV-222 are given to youth’s attorney in a manner appropriate for each Delinquency Court location²
 - i) If the youth is a crossover youth (WIC 300/602) in a probation placement with Probation as lead agency, youth’s delinquency attorney should inform youth’s dependency attorney.
- e. Pages 2 and 3 of JV-221 are completed

² The youth’s delinquency attorney shall work with the youth to complete the JV-218–Child’s Opinion form prior to the court’s decision on Day 7 or by the 45-day progress report, unless circumstances merit walking the matter on to court at an earlier time.

- f. JV-220 and JV-220A or JV-220B are given to the Juvenile Court Mental Health Services unit (JCMHS)

4. JCMHS Duties—Days 2 through 4

- a. JCMHS reviews JV-220 and JV-220A or JV-220B and returns them to the Court Psychotropic Desk at the appropriate Delinquency Court location with recommendations/comments

5. Court Psychotropic Desk Duties—Days 2 through 4

- a. Upon receipt of forms from JCMHS, clerk enters date into tracking database
- b. Desk clerk retrieves court file or prints JAI printout if file cannot be found
- c. Desk clerk provides copy of JCMHS recommendation to youth's attorney
- d. Clerk provides to court JV-220, JV-220A or JV-220B, JV-221 (pages 1 and 2), JCMHS recommendation/comment form, any JV-218, -219, -222 forms received, and JV-223—Order Regarding Application for Psychotropic Medication

6. Judicial Officer Duties—Day 7

- a. Court receives form and completes JV-223 (grant, deny, set hearing)
 - i) As needed, judicial officer must complete form in absence of regular judicial officer
 - ii) If Court is not staffed, case must be delivered to Delinquency Court location supervising site judge or other open court at the location if the supervising site judge is absent
- b. Court must wait until Day 7 to rule on request, to allow sufficient time for any JV-218, -219, -222 forms to be submitted.
- c. If matter is set for hearing, court must complete new JV-223 form following that hearing
- d. For new medications or increased dosages approved by the Court, Court must order 45-day progress report

7. Court Assistant/Judicial Assistant Duties—Day 7

- a. After Court completes JV-223, Judicial Assistant makes one copy of signed JV-223 and delivers to Court Psychotropic Desk
- b. Judicial Assistant places JV-218, JV-219, JV-220, JV-220A or JV-220B, JV-221, JV-222, and JV-223 form—plus JCMHS recommendation/comments—in youth's confidential legal envelope in the court file
- c. Judicial Assistant returns file to Court Psychotropic Desk

- d. If Court sets matter for hearing, Judicial Assistant notifies all parties and JCMHS with JV-223

8. Psychotropic Desk Duties—Days 7 and 8

- a. Clerk tracks date JV-223 is received from courtroom
- b. Clerk provides copies of JV-223 to youth's attorney, JCMHS, Probation Placement unit, and prescribing physician
 - i) If the youth is a crossover youth (WIC 300/602) in a probation placement with Probation as lead agency, youth's delinquency attorney should inform youth's dependency attorney.
- c. Clerk returns file to courtroom or the shelf

9. Probation Placement Unit Duties—Days 7 and 8

- a. Copy of JV-223 provided to youth's probation officer and public health nurse
- b. Copy of JV-223, JV-220, the last two pages of JV-220A or JV-220B, and all medication information sheets provided to youth's caregiver within two business days