

**FILED**

**SUPERIOR COURT OF CALIFORNIA** LOS ANGELES SUPERIOR COURT

MAY 18 2012

COUNTY OF LOS ANGELES JOHN A. CLARKE, CLERK  
*S. Hernandez*  
BY S. HERNANDEZ, DEPUTY

**BLANKET ORDER RE: ACCESS TO  
JUVENILE CASE FILES AND PUPIL  
RECORDS OF YOUTH SUBJECT TO  
WELFARE AND INSTITUTIONS CODE  
SECTION 241.1 PROCEEDINGS**

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Welfare and Institutions Code (WIC) section 241.1(a) provides that whenever a youth appears to come within the description of both section 300 and 602, the child welfare services department and the county probation department shall determine which status will serve the best interest of the youth and the protection of society pursuant to a jointly written protocol. Section (b) mandates and describes the protocol to be developed.

Section (e) permits the child welfare services department and the probation department in consultation with the presiding judge of the juvenile court to create a jointly written protocol to allow the departments to jointly assess and recommend that the youth be designated as a dual status youth, thereby allowing the youth to be both a dependent and a ward of the court simultaneously.

In Los Angeles County, the Chief Probation Officer, Director of the Department of Children and Family Services, and the Presiding Judge of the Juvenile Court have agreed to this process and have agreed to implement it county-wide, commencing October 11, 2011.

In order for the Probation Department and the Department of Children and Family Services ("DCFS") to conduct the most comprehensive assessment pursuant to WIC section 241.1(e), the two departments have joined with the Department of Mental Health ("DMH"), and The Alliance for Children's Rights ("ACR") to form a multidisciplinary team (MDT) for the joint assessments.

1 The purpose of the MDT is to gather information about each youth who is the subject of a court-  
2 ordered joint assessment pursuant to WIC 241.1; evaluate that information; make  
3 recommendations to the Juvenile Court about which legal status will serve the best interest of the  
4 youth and the protection of society; develop an appropriate case plan for the youth; and to  
5 participate in case management of the implementation of the court-ordered case plan.

6 In order for ACR to fully participate in this process, the Court finds that ACR must have  
7 access to juvenile case files and pupil records for each youth who is the subject of a WIC 241.1  
8 joint assessment. Accordingly, the Court finds good cause to order the following:

9 1. Representatives of the ACR who are part of an MDT to prepare an assessment pursuant  
10 to WIC 241.1 shall have the same access to juvenile case files as Probation and DCFS as  
11 permitted by WIC 827, California Rules of Court, Rule 5.552 (formerly Rule 1423), and Los  
12 Angeles Superior Court Local Rule 7.2 (formerly 17.1).

13 2. As a member of the MDT, ACR shall have the same access as Probation to pupil  
14 records that is permitted by the California Education Code section 49076(a)(9) and (11). Any  
15 school attended by a youth who is the subject of WIC 241.1 assessment, as part of this WIC 241.1  
16 MDT process only, is ordered to provide pupil records to a representative of ACR who is a  
17 member of the MDT conducting the assessment pursuant to WIC 241.1.

18 3. As a member of the MDT, ACR is permitted to exchange, review and discuss any  
19 confidential or privileged information with other members of the MDT for the purpose of  
20 preparing a report ordered by the Juvenile Delinquency Court pursuant to WIC 241.1, and for the  
21 purpose of participating as part of the MDT in the case management of the implementation of the  
22 court ordered case plan. Information obtained pursuant to this order, or otherwise obtained in the  
23 course of an MDT, shall be kept confidential and shall be used solely for the prevention,  
24 identification, management, or treatment of child abuse, child neglect, or both, or for the provision  
25 of child welfare services including the education needs for the youth in question in accordance  
26 with Welfare and Institutions Code section 18961.7. Accordingly, ACR shall not use documents  
27 released pursuant to this order in any legal action against the County of Los Angeles and its  
28 subdivisions, departments or employees. However, nothing shall preclude ACR from using

1 documents obtained pursuant to other lawful means. All youth subject to the MDT will retain all  
2 rights to pursue any action or claim against any party with the counsel of their choice.

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5 This order shall be effective from May 18, 2012 while Los Angeles County is  
6 implementing its protocol to utilize WIC 241.1(e) in accordance with Assembly Bill 129 (2004),  
7 unless otherwise revoked or extended by the Presiding Judge of the Juvenile Court.

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9 DATED: 5/18/12



Michael Nash, Presiding Judge

Los Angeles Juvenile Court

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