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**§** **241.1 MOU and PROTOCOL**

**Approved 2014**

**INTRODUCTION**

This Memorandum of Understanding (“MOU”) sets forth the procedures utilized in implementing Welfare and Institutions Code Section 241.1 in Sonoma County.[[1]](#footnote-1) The Sonoma County protocol includes descriptions of the circumstances that will trigger a § 241.1 assessment, procedures for the § 241.1 assessment process, procedures for creating dual status jurisdiction for Dependents and Wards of the Court, procedures for ending dual status jurisdiction, and procedures necessary to implement AB-12/212 for Non-Minor Dependents (or Wards) in appropriate circumstances. It replaces the Dual Status Protocol developed by the Human Services and Probation departments, which was last revised in February 2006.

After considering the resources to ensure best service delivery to youth and families, Sonoma County will continue to utilize a “Lead Court/Lead Agency” model for dual status youth as described in § 241.1(c)(5)(B). Using a “Lead Court/Lead Agency” model will ensure that the roles for the various agencies are clearly defined, thus avoiding duplication of services and confusion about responsibilities. The specific procedures to be followed once a minor has been designated dual status and a particular agency has been given responsibility for the minor’s case supervision are described in detail in the body of this MOU.

For dual status youth approaching the age of majority who would qualify for services under AB-12 (and subsequent legislation that effects this population), Sonoma County Juvenile Probation and the Family Youth and Children’s Division (FYC) agree to the terms set forth in Section VIII, entitled “Extended Foster Care.”

**LEGAL FRAMEWORK**

Welfare and Institutions Code Section 241.1(a) provides that whenever a youth appears to come within the description of both sections 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 241.1(b) mandates that a written protocol be jointly developed by the county child welfare department and the county probation department to ensure local coordination of the assessment process required in § 241.1(a).

Section 241.1(c) mandates that the assessment process be utilized between counties whenever it is alleged that a youth who is under the jurisdiction of the Juvenile Court of one county is alleged to fall within the jurisdiction of the Juvenile Court of another county.

Section 241.1(d) prohibits a youth from simultaneously being a Ward and a Dependent of the Court, except as noted in section (e) [dual status youth].

Section 241.1(e) permits the probation department and child welfare services 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 simultaneously a Dependent and a Ward of the Juvenile Court. The protocol shall be signed by the Chief Probation Officer, Director of the child welfare agency, and the Presiding Judge of the Juvenile Court.

The protocol shall include:

(1) A description of the process to be used;

(2) A description of the procedure to assess the necessity for dual status including the creation of a seamless transition from wardship to dependency status as appropriate;

(3) A provision for ensuring communications between dependency judges and delinquency judges;

(4) A plan to collect data in order to evaluate the protocol;

(5) Utilization of an on-hold system or lead/agency lead/Court system that does not involve simultaneous or duplicative case management provided by both the probation department and child welfare services department.

Note: Nothing in this protocol is intended to limit the independent right of any interested person to use the process described in Welfare and Institutions Code Sections 329 and 331 to seek the filing of a 300 petition by FYC and in seeking review of the FYC decision by the Juvenile Court if FYC should refuse to file a petition under section 300. However, it is agreed that if a 331 petition is filed requesting review by the Juvenile Court while 602 proceedings are pending, the Dependency Court will be the court deciding to commence dependency proceedings.

**AGREEMENT AND PROTOCOL**

**I. DEFINING WHEN WIC § 241.1 APPLIES**

Several situations automatically trigger the need to conduct an assessment for which status, or both, serves the best interest of the youth and the protection of society. In these situations no court order will be required to initiate the § 241.1 process, and the Probation Department and FYC will initiate the assessment process as soon as possible so that a written report will be ready for Court as soon as possible and within the times required by law. The actual process of coordinating the assessment, preparing the report, and the content and timing of the report, is described in detail later in this MOU.

The following is a description of the five automatic trigger situations:

**1. The minor is already under the jurisdiction of the Juvenile Court**

The first and most typical situation is where a youth is already under the jurisdiction of the Dependency or Delinquency Court and a petition is filed in the other Juvenile Court. In these cases, the latter Court must act on the recommendation of the agency as to which status best serves the youth and the protection of society, and the agency which reports to that Court is responsible for initiating the joint assessment and filing the joint assessment report with that latter Court. The Juvenile Court which has already acquired jurisdiction must receive notice and presentation of the joint assessment report.

**2. The minor is a §** **602 Ward who has completed terms of probation successfully/probation dismissed unsuccessfully but there is no fit home**

A second situation is where a youth is under the jurisdiction of the Delinquency Court and probation wants to terminate jurisdiction and return the youth home but is unable to do so because the home is inappropriate due to the potential for abuse and/or neglect or there is in fact no home to which the youth can return. In that scenario, probation will file a report of a “Suspected Child Abuse Report (SCAR)” with FYC and call the ER hotline at FYC. If the subsequent child abuse investigation is substantiated, or if the minor is currently subject to a 300 petition or under a 300 placement order, a 241.1 assessment is necessary. If the allegation is not substantiated and a safe adult (including a relative placement) can be identified to take responsibility for the youth, then no 241.1 assessment is necessary. In this circumstance, the Delinquency Court can request a review under WIC 331, and the Dependency Court will conduct the review[[2]](#footnote-2).The case would continue to be heard in the Delinquency Court with probation primarily responsible to report to the Court until a determination is made concerning the minor’s status. This situation may also include issues relating to ongoing treatment as a Non-minor ward or Dependent created by AB12 if they were previously dual status youth or in foster care by either agency.

If probation is recommending dismissal of 602 services for successful or unsuccessful completion of probation, then a 241.1 report is needed noting the planned termination of 602 services and identifying the minor as a 300 Dependency Status only.

**3. Potential §** **602 where there is a nexus between alleged offense and abuse by parent/caretaker**

The third situation that automatically triggers a 241.1 assessment is when a petition is filed in the Delinquency Court on a youth who is not under the jurisdiction of the Dependency Court but the detention report suggests that there may be a nexus between the alleged offense the minor is charged with and child abuse and/or neglect. In that scenario, Probation will file a report of a “Suspected Child Abuse Report (SCAR)” with FYC and call the ER hotline at FYC. If the subsequent child abuse investigation is substantiated, a 241.1 assessment is necessary. If the allegation is not substantiated and a safe adult can be identified to take responsibility of the youth, then no 241.1 assessment is necessary. In this circumstance, the Delinquency Court can request a review under WIC 331.The case would continue to be heard in the Delinquency Court with Probation primarily responsible to report to the Court until a determination is made concerning the minor’s status..

The mere fact that a youth is a former Dependent of the Court does not constitute that nexus. There shall be specific and articulable facts suggesting that the youth currently falls within WIC § 300 in order to automatically trigger a §241.1 assessment.

**4. Where prior §** **241.1 and youth has failed informal probation or DEJ**

A fourth situation is when a youth was previously arrested and was subject to a WIC § 300 petition, the new § 602 initiates the process. This circumstance initiated a §241.1 assessment that resulted in a § 602 petition being adjudicated (or not) and the youth is granted WIC §§ 725 formal, 625 informal, or DEJ (Deferred Entry of Judgment) and the youth is not declared a ward. Then a violation occurs and the youth faces adjudication and wardship, this would then trigger a 241.1 on the original § 602.  In this circumstance, the probation officer will initiate the 241.1 process.

A joint assessment is not required when a youth on WIC §§ 654, 725 or 790 status becomes the subject of a WIC § 300 petition. However, FYC will need to communicate with Probation so that they are aware of the youth’s current living situation.

**5. Post Transfer Hearing IF Court finds youth fit for juvenile court AND youth meets any of the above criteria**

Finally, a joint assessment is automatically triggered when there is a Transfer Hearing in the Delinquency Court pursuant to WIC § 707, the youth is found to be competent to stand trial on the charges filed in the Delinquency Court , and it appears that the youth falls within both WIC §§ 300 and 602 as described in another situation listed above.

**II. INFORMATION SHARING**

The § 241.1 assessment process **shall begin immediately** so that the appropriate Juvenile Court will have an initial report identifying possible dual status minors. It is agreed by Probation, FYC and the Court, that it is not necessary to have a representative from both Probation and FYC present at every Court hearing. With this in mind, the Court will attempt to minimize the need for the non- lead agency representative (assigned social worker or probation officer) to appear in the Court proceedings. Specifics concerning the duties of the agencies are discussed in the “Lead and Non-Lead Agency Roles” Section below.

1. **Probation Initiated §** **241.1 Assessments:**
2. **Where minor already** § **300 dependent (Situation 1. above):**

The Intake Probation Officers preparing a detention report and/or § 602 petition will run a CWS/CMS check to find out if the minor is a current § 300 dependent, or the family has a prior history of being investigated for abuse or neglect. If the minor is a current Dependent, the Probation Officer will contact the minor’s assigned Social Worker or supervisor to advise them of the date and time of the § 602 detention hearing. Once contact has been made, the 241.1 assessment process will be initiated.

Once the currently assigned Social Worker has been informed, they will contact the minor’s attorney for the dependency case within 24 hours and will enter the Dual Status Type into the Dual Status Information field on the Child’s ID page in CWS/CMS.

1. **All other trigger situations:**

If the Intake Probation Officer discovers after a search of CMS that the minor is not currently a § 300 Dependent, or pending § 300 proceedings, but the factual situation otherwise meets one of the “trigger” circumstances, the Probation Officer will call the FYC Hotline to report the suspected allegations of abuse. The Probation Officer will provide the Hotline Social Worker with the date and time of the detention hearing or next Court hearing, and all the background information (parents’ names, child’s name, addresses, location of the child, charges, prior delinquency history, etc.). The Probation Officer will also FAX any relevant documents (crime reports, mental health evaluations, etc.).

The FYC Hotline Social Worker will inform the Assigning Supervisor of the referral and the pending Court date, open a referral in CWS/CMS will enter the Dual Status Type into the Dual Status Information field on the Child’s ID page in CWS/CMS, and then refer the matter to the Assigning Supervisor for assignment.

If the Probation Officer is recommending dismissal/termination of 602 status for a dual status youth while 300 status remains, then the 241.1 evaluation and assessment process will be initiated by probation.

1. **FYC Initiated § 241.1 Assessments: :**
2. **Where minor already a § 602 ward (Situation 1. above)**:

Child Protective Emergency Response Social Workers who have detained a minor aged 10 or older are to contact as soon as possible the Intake Unit of the Juvenile Probation Department, to find out if there are or have been any § 602 proceedings concerning the minor, and if the minor has current § 602 proceedings. If the minor is a current § 602 ward the probation department will provide the name and contact information for the assigned Probation Officer to inform them of possible § 300 proceedings and to initiate the § 241.1 evaluation process.

If there are no current Wardship proceedings but prior § 602 involvement, the Intake Probation Officer will provide the Social Worker with the name and number of the Probation Officer or supervisor that can best provide the Social Worker with background information concerning the minor and their family.

1. **All other trigger situations**:

If the Intake Probation Officer indicates the minor is not currently a § 602 ward, but the factual circumstances are such that the situation is one of the “trigger” circumstances, then the Intake Probation Officer will take necessary steps to assist in the § 241.1 evaluation and assessment.

If FYC intends to dismiss 300 proceedings for a dual status youth while 602 status remains, then the 241.1 evaluation and assessment process will be initiated by FYC.

**III. TIMELINES AND DUTIES FOR FILING JOINT ASSESSMENT REPORT**

In order for the WIC § 241.1 joint assessment reports to be most effective in Court, they need to be filed in a timely manner. The following timelines have been agreed upon by Probation, FYC and the Juvenile Courts, and are consistent with Rule 5.512. Probation and FYC shall make their records available to each other as soon as possible, but no later than 48 hours after the request, so that the assessment and evaluation can proceed quickly.

1. **Where Youth Already a** § **300 Dependent**:

Where a petition is filed in the 602 Court on a youth who is a Dependent of the Court, the joint assessment should be initiated as soon as possible, but no later than 48 hours, and both the Probation Department and FYC should be actively working together to obtain and share information concerning the minor, and to make this information available to the Court at the earliest opportunity.

In cases where the youth is detained, the joint assessment hearing must be held within fifteen (15) days of the order of detention, and the report must be filed five (5) calendar days before the hearing.

In cases where the youth is not detained, the joint assessment hearing must be held within thirty (30) days of the date the petition was filed, and the report must be filed five (5) calendar days before the hearing.

Prior to the 241.1 hearing , the Probation Department and FYC may provide oral reports to the Court concerning which status might best serve the minor and the protection of society, what services are available to the minor, and the family history of the minor.

Probation is the agency responsible for the preparation and filing of the § 241.1 report in the 602 Court. Probation will provide an extra copy to the clerk to be forwarded to the Dependency Court for its file. (The contents of the report are discussed on page 14.) The assigned FYC Social Worker for the youth is required to prepare an independent written summary of their evaluation (the contents are described in more detail below) which is to be signed by a supervisor of both agencies and incorporated into the joint assessment.

If the Social Worker cannot get the signed assessment to the Probation Officer in time to be attached to the § 241.1 report, the Social Worker will e-mail their assessment to the assigned Probation Officer and subsequently fax the signed assessment. The Probation Officer will arrange to file the Social Worker’s § 241.1 assessment with the Court clerk and distribute copies to the parties.

As noted above, the FYC Social Worker will not have to appear in the § 602 proceedings unless ordered by the Court prior to the 241.1 hearing to make an oral report concerning their investigation and assessment, or specifically requested to testify at the 241.1 hearing by a subpoena served with sufficient time so that they can be made available.

1. **Where youth is already a § 602 Ward**

Where a youth under the jurisdiction of the Delinquency Court becomes the subject of a petition in the Dependency Court, the joint written § 241.1 assessment should be filed in the Dependency Court at the time of the dispositional hearing. An oral report to the Court by the assigned Probation Officer or Social Worker may be made prior to the dispositional hearing.

The assigned FYC Social Worker or their supervisor will inform the assigned Probation Officer of each scheduled Dependency Court date within 48 hours after a date is set. If the Court requests the attendance of the assigned Probation Officer, the Court will set the matter at least five Court days in advance to permit sufficient time to inform the Probation Officer or their supervisor.

The FYC Social Worker is responsible to prepare the § 241.1 assessment report which is to be filed at least five calendar days prior to the 241.1 hearing. FYC will file the § 241.1 report with the Dependency Court and provide a copy to the clerk to be forwarded to the Delinquency Court for their file. (The content of the § 241.1 report is discussed on page 14.)

If the Probation Officer cannot get the signed assessment to the Social Worker in time to be attached to the § 241.1 report, the Probation Officer will e-mail their assessment to the assigned Social Worker and subsequently fax the signed assessment to the Social Worker. The assigned Social Worker will arrange to file the Probation Officer’s § 241.1 assessment with the Court clerk and distribute copies to the parties.

1. **Where probation seeks to terminate Wardship for successful completion of probation under circumstance where minor is Dual Status and Probation is the lead agency OR where probation believes there is no parent or guardian available to care for Ward (Trigger Situation 2):**

Where Probation seeks to terminate jurisdiction of a ward in either of the following circumstances a hearing **shall** be set to review the current § 241.1 issues:

Where the ward is dual status with the Dependency jurisdiction having been the non-lead agency

Or

Where at the time of successful completion the Probation Officer discovers that there is “no parent or guardian” available to care for the minor.

In either of these situations, there are no specific timelines for conducting assessments under § 241.1. However, in these situations Probation is initiating the action to terminate the wardship and therefore has some lead-time in communicating to FYC its plan to request termination of wardship and/or their concerns about the fitness of the youth’s home before any hearing to terminate the wardship.

In order to facilitate a timely review by the 602 Court, and a smooth transition from wardship to dependency jurisdiction and supervision, the Probation department will calendar a Dismissal of Wardship/ 241.1 hearing in the 602 Court with at least 30 days advance notice to FYC. A § 241.1 report will be prepared and filed at least 5 calendar days before the hearing.

The Probation Officer who anticipates recommending a termination of wardship will provide notice 30 days prior to the hearing at which a recommendation for termination of wardship will be presented. Probation will give FYC written notice of the date and time of the termination/241.1 review hearing. This notice may be provided to the non-lead Social Worker or their supervisor; or where no prior dependency (for a case with no parent or guardian) notice will be given by calling FYC and informing the Hotline Social Worker that there is a youth that meets the § 241.1 trigger circumstances and that a referral is being made for assignment to the Court Intake and Assessment Unit for a joint § 241.1 assessment. The Probation Officer will relay the specific circumstance and allegations being made.

If the circumstance arises that the Ward is detained in a locked facility, the Probation Officer will shorten the time for setting of the hearing to 15 Court days and provide notice to the FYC at least ten Court days before the hearing for dismissal.

The assigned Probation Officer will make all information available to the assigned Social Worker concerning both the youth’s prior § 602 history, their participation in probation treatment which led to the conclusion the minor “successfully” completed probation, or that proceedings should be dismissed and where appropriate, the Probation Officer’s specific information that leads them to believe that return of the youth to their parent or other legal caretaker would subject the youth to abuse or neglect.

Prior to the Delinquency Court hearing, the FYC Social Worker will investigate the current circumstances and provide this information and any relevant prior FYC history to the assigned Probation Officer.

The assigned Probation Officer and Social Worker will discuss the case and possible recommendations.

If youth is **dual status** this notice and information will be given to the non-lead Social Worker or the supervisor of the unit:

**For a dual status youth** - The Social Worker will review the minor’s participation in probation services, their prior placement history and other factors relevant to whether wardship should be terminated and the minor returned to single status jurisdiction (Dependency). The assigned Social Worker will prepare the 241.1 assessment which will be signed and sent to the Probation Officer for attachment to their report at least seven days before the termination hearing. If the Probation Officer does not have the Social Worker’s § 241.1 assessment, then the Probation Officer will arrange to have the Social Worker’s report filed with the clerk and to have copies distributed to the parties.

If the minor is **not yet a dependent**, this referral will be made directly to the FYC Hotline for assignment to an Emergency Response Social Worker:

The assigned Social Worker will review the information provided and conduct an independent investigation into the allegations of abuse or neglect. The Social Worker will prepare a written assessment which will be signed and faxed to the Probation Officer for attachment to their § 241.1 report at least seven days before the termination hearing. If the Probation Officer does not have the Social Worker’s § 241.1 report in time to file as an attachment to the probation report, then **the Probation Officer** will arrange to have the Social Worker’s report filed with the clerk and to have copies distributed to the parties.

Should the Delinquency Court require the attendance of the assigned Social Worker prior to making a final decision and order, the 602 Court shall set the matter within a reasonable time to permit the Social Worker to be able to appear in person. If the youth is in custody, this shall be no longer than five Court days. The clerk of the Court shall fax a copy of the minute order directing the Social Worker to appear to 565-4399, Attn: Emergency Response Assigning Supervisor or [FYCSCAR@schsd.org](mailto:FYCSCAR@schsd.org).

The Delinquency Court, after reviewing both the assessment by the Social Worker and the Probation Officer, will make a determination as to the most appropriate status of the minor and make any order necessary to facilitate that determination as permitted by law.

If the Delinquency Court does not agree with the determination of child welfare to not pursue filing a 300 petition, the Delinquency Court may request a review under § 331.

Where Probation and FYC agree that the youth comes within the provisions of section 300 and that a petition should be filed on the behalf of the youth, nothing in this section shall prevent FYC from filing a 300 petition prior to the 241.1 hearing.

**Court proceedings - Dual Status ward:**

The decision to resume Dependency jurisdiction will be made by the 602 Court, after reviewing the § 241.1 written report.

If the Court orders that Dependency jurisdiction is to resume and for FYC to become the sole agency responsible for the youth, that order will be made on a minute order that reflects both the delinquency and the Dependency Court numbers. The Court at the time of ordering resumption of the dependency case, shall set the dependency matter on calendar before a Dependency judge on a Wednesday at 1:30 pm no sooner than seven calendar days, in Department 12 for the resumption of jurisdiction.

A copy of the order ending dual status and the resumption of supervision by the 300 Court and the § 241.1 report shall be sent to the Dependency Court clerk for filing in the dependency file. The Probation Officer will also inform the assigned Social Worker of the Court’s order as soon as possible. The FYC Social Worker will provide a case plan for the youth and family and recommendations with a new status review date for the first appearance to reinstate dependency.

**Court proceedings - Successful/Unsuccessful completion of Probation but home unsafe:**

Following the procedures in WIC 331, the Delinquency Court shall order that the youth’s delinquency file, along with the § 241.1 report and the recommendation of the Probation Department to dismiss wardship, be forwarded to the Dependency Court for consideration to initiate dependency proceedings.

In this case, assuming that § 300 jurisdiction is obtained, and the youth is still in compliance with his/her terms of probation, the Dependency Court shall terminate the § 602 wardship at the time the youth is adjudicated a § 300 dependent (although the Dependency Court may dismiss wardship at an earlier stage after the filing of a petition if it deems it necessary in order to serve the best interests of the minor and to facilitate an appropriate placement for the youth). The order of dismissal of wardship shall be entered on the appropriate minute order in the delinquency case file, and a copy of the minute order will be provided to the assigned Probation Officer by the clerk of the Court.

If after reviewing the matter it is determined that a 300 petition will not be filed, the Dependency Court will refer the matter back to Delinquency Court with its findings.

**D. Potential § 602/Informal/DEJ/725 (b) where there is a nexus between the alleged offense and abuse by parent/caretaker (Trigger Situation 3.)**

When there is information suggesting a nexus between the alleged offense of a youth who is the subject of a pending 602 petition and possible abuse or neglect, a joint § 241.1 assessment shall be initiated automatically by the juvenile intake Probation Officer by calling the FYC Hotline to file a Suspected Child Abuse Report identifying the allegations of abuse.

If the minor is **not yet a dependent**, the Hotline Social Worker will forward the referral directly to the FYC Hotline Supervisor to ensure assignment to an Emergency Response Social Worker.

The timelines for the 241.1 assessment hearing and report are set forth in Rule of Court 5.512(e) and (f).

1. **If the youth is already a 300 Dependent:**

Probation and FYC shall make their records available to the other Agency as soon as possible, but no later than 48 hours, so that the assessment and evaluation can proceed quickly.

Probation is the agency primarily responsible for the preparation and filing of the § 241.1 report. The 241.1 joint assessment will be prepared and reviewed at the weekly Placement Assessment Review Committee (PARC). The report will be filed in the Delinquency Court. Where there is agreement between Probation and FYC, Probation will write the report and FYC will provide a written summary of their evaluation and recommendation that is to be attached to the Probation Officer’s report.

Where Probation and FYC do not agree on their evaluation of which status best serves the interests of the youth and protection of society, the matter will be referred to Mid-Level for review to determine a joint recommendation. In the event that an agreement still cannot be reached, the decision will be referred to the Director level for resolution.

The 241.1 report must be signed and faxed to the Probation Department for attachment to the Probation Officer’s report six days before the 241.1 hearing. The Probation Officer will arrange to have the FYC assessment filed with the Court clerk and will provide copies to the parties to the § 602 case. The Probation Officer shall have the § 241.1 report filed five calendar days before the 241.1 hearing.

1. **If the youth is not already a § 300 dependent**:

Following the procedures in WIC 331, the Delinquency Court shall order that the youth’s delinquency file, along with the § 241.1 report and the recommendation of the Probation Department to dismiss wardship, be forwarded to the Dependency Court for consideration to initiate dependency proceedings.

In this case, assuming that § 300 jurisdiction is obtained, and the youth is still in compliance with his/her terms of probation, the Dependency Court shall terminate the § 602 wardship at the time the youth is adjudicated a § 300 dependent (although the Dependency Court may dismiss wardship at an earlier stage after the filing of a petition if it deems it necessary in order to serve the best interests of the minor and to facilitate an appropriate placement for the youth). The order of dismissal of wardship shall be entered on the appropriate minute order in the delinquency case file, and a copy of the minute order will be provided to the assigned Probation Officer by the clerk of the Court.

If after reviewing the matter it is determined that a 300 petition will not be filed, the Dependency Court will refer the matter back to Delinquency Court with its findings.

**E. Where there was a prior § 241.1 and youth has failed informal probation or Deferred Entry of Judgment (DEJ)**

If a subsequent assessment is ordered where a youth was previously assessed and has previously been supervised by the Probation Department through some form of informal supervision, the timeline for submission of the Probation Officers § 241.1 report with an attached assessment by the Family Youth and Children’s Division will depend on the youth’s custody status. If the youth has been detained, the timeline is the same as other detained cases described in situation one above. If the youth is not in custody, the timeline will be the same as in other non-detained cases described above (see Rule of Court 5.512(e)).

**F. Where youth found fit for Delinquency jurisdiction (Trigger Situation 5.)**

In fitness cases described above where the minor has been found fit for juvenile delinquency jurisdiction, and it appears to the Court that the minor might come under both §§ 300 and 602 jurisdiction, the Court will order the joint assessment as soon as the youth is found fit for juvenile Court jurisdiction.

The timeline and duties for the § 241.1 assessment and report to the Court will be as outlined above in situation I.

**IV. PROCEDURES FOR JOINT ASSESSMENT WHERE COURT ORDERED**

As described above, if there is a triggering circumstance for a § 241.1 assessment and report, the Probation Department and FYC will automatically initiate the assessment process as soon as possible, without the need of a Court order. However, in circumstances described above where the Delinquency or Dependency Court orders an assessment pursuant to § 241.1, the following procedure shall be followed:

1. The clerk of the Court shall forward a copy of the minute order to the agency who is not primarily responsible for the case, the clerk shall direct the minute order to the attention of the agency’s Intake Supervisor in order to be directed to the correct unit for assignment.

(2) The agency that has primary responsibility for the writing of the report (as delineated above) will make phone contact with the secondary agency within 24 business hours of the order so that the secondary agency may begin the assessment process. The information shall include the name, location, and contact information of the youth and any caretaker for the youth, and the name, location, and contact information of a parent or legal guardian, or reasons why that cannot be provided, and the name and contact information of the primary agency Probation Officer or Social Worker, so the two investigators/evaluators can share information and work cooperatively to prepare the assessment for the Court.

(3) A representative of the primary agency shall be present at future Court hearings set on the § 241.1 issue. As in other circumstances, the secondary agency need not have a representative present at the § 241.1 hearing unless the Court decides it needs information or testimony from the person assigned by the secondary agency. In those circumstances the primary agency will communicate with the secondary agency that their presence is required. Only if the Court considers it to be necessary, written notice will be given via a subpoena or order to appear to the preparer of the report (primary or secondary) with sufficient time to reasonably be available. (This procedure shall be the rule in all § 241.1 cases whether initiated by the primary agency before a Court proceeding or initiated by a Court order).

**V. THE § 241.1 ASSESSMENT AND THE WRITTEN REPORT**

1. **CONTENTS**

The most important part of the WIC § 241.1 Protocol is the joint assessment. There are two parts to the assessment. First is the accumulation of facts for the assessment. The second is the method used to evaluate the facts which should include a “strengths and needs” section as well as a risk assessment.

The report itself should indicate that it was developed after consultation and sharing of information between both the Probation Officer and the FYC Social Worker.

The report may be a stand-alone document or it may be incorporated in any other report pending before the Court at the same time. In no event shall the 241.1 hearing be delayed due to a delay in the preparation of a different report.

It shall summarize the assessment findings and state the reasons for the recommendations. The report should indicate the names and telephone numbers of the persons involved in the assessment including any collateral professionals such as mental health or school professionals.

The joint assessment shall include statements from the child and family team to include the youth, the youth’s parents/guardians and the youth’s current caregivers concerning issues of placement as well as the Child & Adolescent Needs and Strengths (CANS) assessment.

The recommendation to the Court shall take into account the nature of the referral, the youth’s age, current juvenile Court status and the youth’s prior behavioral problems and/or delinquent activities, the number and type of prior referrals to the Family Youth and Children’s Division and Probation, whether or not prior referrals were deemed substantiated, inconclusive or unfounded, the number of admissions to mental health facilities, any relevant school information, if they have an IEP, the parents’ cooperation with the youth’s school and FYC and/or Probation, the youth’s functioning at school, the nature of the youth’s home environment, the records of other agencies which are or have been involved with the youth and the family, and any other relevant information.

The assessment shall also include information concerning any outside services or financial assistance that the youth is receiving or might be eligible for, and whether the youth would be eligible for each of these services if the youth is declared a Dependent or Ward, including but not limited to special education services, regional center services, Supplemental Security Income, and mental health services. **FYC/Probation shall ask the Court’s assistance in obtaining services from another agency identified as having appropriate services for the youth, but which has been uncooperative or unwilling to provide said services in the past.**

In addition, information shall be solicited from the youth’s Dependency and/or Delinquency attorney(s), the Court Appointed Special Advocate (CASA) if there is one, and current Social Worker and/or Probation Officer.

After the information has been gathered, the assigned Probation Officer and Social Worker shall evaluate the information. After the information has been evaluated, the report will make two kinds of recommendations.

The first will be the appropriate Court status for the youth (see legal status options below).

The other recommendation shall be the services/case plan, which should include but not be limited to:

(1) A description of the behavior and needs, including mental health needs, that the youth should address to be successful without the supervision of the Juvenile Court.

(2) What services will be provided to address each need identified?

(3) What person and/or agency will provide these services?

(4) When will those services be provided?

(5) Are there any obstacles that would prevent the timely provision of services?

(6) Does the youth have special education needs; are they being addressed?

(7) Will family reunification services be provided?

(8) If recommendation is for § 602 status: the service plan shall also include a plan for termination of WIC § 602 status.

Where the assigned Probation Officer and the assigned Social Worker are in agreement as to the recommendation, the primary agency will prepare a complete report with the contents as described above. The other agency will only be required to do the assessment and evaluation section and the recommendation section of the report.

The 241.1 assessment will be put on the agenda at the Placement Assessment Review Committee (PARC) to review the recommendations. The PARC team is multi-disciplinary and is comprised of representatives from probation, child welfare, behavioral health, education, wraparound and community partners serving dependent/delinquent youths.

If the Probation Department and FYC are not able to reach agreement as to the recommendation at PARC, the cases will be referred to Mid-Level. If after being reviewed at Mid-Level[[3]](#footnote-3) there is still no agreement, then each Agency will provide a complete 241.1 report as described herein. Please refer to the Conflict Resolution section below.

**Possible Recommendations of Legal Status:**

There are six possible recommendations:

(1) WIC § 300 dependent status only;

(2) WIC § 300 dependent /654 status (300 lead);

(3) WIC § 300/790 (deferred entry judgment) dual status (300 lead);

(4) WIC § 300/725 dual status (with one agency being deemed the lead agency)

(5) WIC § 300/602 dual status (with one agency being deemed the lead agency)

(6) WIC § 602 ward status only.

Either WIC § 300 OR § 602 status can be recommended under four circumstances:

(1) When a WIC § 300 dependent youth is charged in Delinquency Court;

(2) When a WIC § 602 youth has a petition filed in Dependency Court;

(3) When a youth is charged in Delinquency Court and child abuse is suspected;

(4) When termination of WIC § 602 status is sought because the youth has completed their probation and rehabilitation programs, or is unsuccessful and probation is to be dismissed, but their family home is unsafe or non-existent.

WIC § 300/654/725/790 status can be recommended when a WIC § 300 dependent youth is charged in Delinquency Court but it is felt his/her § 602 matter can be handled under one of the provisions that provides for probation supervision without adjudication of wardship. (Note: if there is a WIC § 654 or § 790 status and there is a pending § 602 petition pending, the youth CANNOT be housed at the Sonoma County Children’s Shelter.) A WIC § 300/725 youth can be held at Juvenile Hall pending placement should the Court find this is in the best interest of the minor.

WIC § 300/602 dual status can be recommended under the following circumstances:

(1) When a WIC § 300 youth is charged in Delinquency Court;

(2) When a WIC § 602/725 youth has a petition filed in Dependency Court.

1. **Conflict Resolution**

When there is disagreement between Probation and FYC on the recommendation to the Court regarding the appropriate legal status for the subject youth even after a review at the PARC meeting, the Social Worker and the Probation Officer will refer the matter to the Mid-Level Committee. Should there continue to be disagreement, the decision will be handed off to the respective directors to resolve the conflict.

1. **Distribution of §** **241.1 report**

A completed § 241.1 assessment report shall be provided to the Delinquency and Dependency Courts of record, the youth’s Dependency and Delinquency attorneys, County Counsel, the District Attorney, and the youth’s CASA, if any.

All completed 241.1 reports shall also be distributed to the Probation and FYC management representatives at the PARC meeting.

It is the responsibility of the primary agency (Probation or FYC) to file the report with the clerk of the Court, and to provide copies to the parties to the proceedings. If the secondary agency has not provided their report with sufficient time for it to be attached to the primary agency’s § 241.1 report, the primary agency will still arrange for the report to be filed with the clerk of the Court and copies distributed to the parties.

1. **Evidentiary Hearing**

The Juvenile Court considering the joint assessment shall have discretion as to whether an evidentiary hearing pursuant to WIC § 241.1 will be ordered.

**VI. Inter-Court Communication**

1. **§ 241.1 Pending in Delinquency Court**

If the Delinquency Court, upon receipt of a joint assessment for dual status youth, decides that the youth should only be on WIC § 300 status, the Delinquency Court will dismiss the WIC § 602 case and send a copy of that minute order to the Dependency Court.

If the Delinquency Court decides the youth will remain on WIC § 300 status with WIC §§ 654, 725, or 790 status as well, the Delinquency Court shall send a copy of the minute order to the Dependency Court after the youth has been placed on WIC §§ 654, 725, or 790 status.

If the Delinquency Court decides that the youth should be placed on WIC § 602 status, the matter shall proceed to jurisdiction. Once the petition has been sustained and the youth is declared a § 602, the minute order shall be sent to the Dependency Court so that jurisdiction can be terminated if the intent is that § 602 is to be the sole jurisdiction.

If the intent of the Delinquency Court is that dual status pursuant to WIC § 300/602 is appropriate, the Court shall suspend the dependency proceedings and vacate any future Dependency Court appearances.

A copy of the minute order will be sent by the Delinquency Court clerk to the Dependency Court clerk.

1. **§** **241.1 Pending in Dependency Court**

If the Dependency Court, upon receipt of a joint assessment, decides that the youth will remain on WIC § 602 status, the Dependency Court will dismiss the WIC § 300 petition and send a copy of that minute order to the Delinquency Court.

If the Dependency Court decides that the youth will be placed on WIC § 300 status, the Dependency Court shall send a copy of the minute order which declares the youth a dependent of the Court to the Delinquency Court so that it can terminate its jurisdiction if the intent of the Dependency Court is that § 300 is to be the sole jurisdiction.

If the intent of the Dependency Court is that dual status pursuant to WIC § 300/602 is appropriate, the Dependency Court will order which agency should be “lead agency” and document that finding in the minute order. The lead Court shall suspend proceedings and vacate any future Court appearances in the non-lead Court.

A copy of the minute order will be sent by the Dependency Court clerk to the Delinquency Court clerk.

**VII. DUAL STATUS PROCEDURES**

1. **Informal Dual Status – §** **300 Dependency with FYC as Primary Agency**

When a WIC § 300 youth is placed on probation without wardship under WIC §§ 654, 725 or 790, the matter shall be under FYC as the Agency responsible for providing services to the minor and their family as outlined in the minor’s case plan. The case plan shall include any provisions for reporting to or cooperating with probation terms as previously agreed upon or ordered by the Delinquency Court.

The Social Worker will continue to prepare the scheduled reports for the Dependency Court, copies of which will be mailed to the Probation Department so that they are aware of the current situation involving the youth.

In the event that a youth violates the conditions of his/her WIC §§ 654, 725, 790 supervision and WIC § 602 status is being considered, a subsequent joint § 241.1 assessment is required. In that case, the procedures for joint assessment should be followed as described above.

1. **Formal Dual Status Procedures**

When a WIC § 300 youth is also placed on WIC § 602 status or vice versa, the youth’s status will be handled as follows consistent with the decision that Sonoma County is a “Lead Agency” county as described in § 241.1(5)(B).

After the Juvenile Court makes a determination that the minor is to be dual status and has designated which Agency and Court shall have responsibility for case management, the other Court and Agency shall be informed of the ruling as described above in Inter-Court Communication.

1. **If §** **602 Primary:**

If the Delinquency Court determines probation will be the lead agency, the Court shall vacate any future Dependency Reviews. A copy of this order will be sent to Dependency Court for notice and filing and to FYC, for the attention of the Placement Section Manager for distribution to the assigned Social Worker, or unit supervisor. The original will be placed in the § 602 file.

All case management will be conducted by an assigned Probation Officer and review hearings required by law will be conducted in the Delinquency Court. Please see the section below titled “Dual Status Lead and Non-lead Agency Roles.”

There will be no further reviews by the Dependency Court, and no case management by the Family Youth and Children’s Division, until a new § 241.1 hearing is held pursuant to the section above labeled **For a Ward Where Successful Completion of Probation but Home Unsafe.**

If, after a new § 241.1 hearing is held in Delinquency Court under this section, the Delinquency Court finds successful completion of the terms of probation and that the youth’s best interests are served by resuming the § 300 dependency, then the Delinquency Court will make this finding and order resuming the dependency jurisdiction. The Court at the time of ordering resumption of the dependency case, shall set the dependency matter on calendar before a dependency judge no sooner than seven calendar days, in Dependency Court for the resumption of jurisdiction. The clerk will fax a copy of the order to the Dependency Court clerk and to FYC, Attn: Placement Section Manager or to the supervisor of the Social Worker.

1. **If §** **300 is Primary:**

After a § 241.1 hearing and determination by a juvenile Court, if the decision of the Court is that the § 300 dependency case is to be the lead, then the Delinquency Court will place the § 602 file on non-lead status after any adjudication of any underlying petition and make orders concerning terms of probation. From that point, until a new or different order is made, all direct case management shall be through the Family Youth and Children’s Division staff and the Dependency Court. The Delinquency Court will not need to conduct review hearings, and the Probation Department will not provide any case management services unless the youth violates the terms of probation or commits a new law violation. (See the “Lead and Non-Lead Agency Roles” below)

If the Delinquency Court determines that Probation will be the Non-Lead Agency, the Delinquency Court will schedule a hearing in the 300 Court no sooner than seven calendar days (setting the matter at 1:30 p.m. in Department 12) and will have faxed a copy of the minute order to the Dependency Court clerk for filing in the dependency file, and to FYC, Attention Placement Section Manager for distribution to the assigned Social Worker, or unit supervisor.

The assigned Social Worker is responsible to confirm with the Dependency Court clerk that the § 300 matter is scheduled, and will make sure that the parties (parent/guardian/minor/attorneys) are informed of the outcome of the § 241.1 hearing and of the Court date scheduled for the Dependency Court.

At the Court hearing held in the Dependency Court, the Court will review the

§ 300 file and ensure that the Dependency Court has a status review scheduled in accordance with the statutory guidelines (normally 6 months from the last status review held by the 602 Court, or within 60 days from this hearing if no recent status review was conducted by the 602 Court).

All case management will thereafter be conducted by an assigned FYC Social Worker and review hearings required by law will be conducted in the Dependency Court. Please see the section below titled Dual Status “Lead and Non-lead Agency Roles.”

Should the assigned Social Worker determine that a violation of probation or new violation of law has occurred, the Social Worker will as soon as possible inform the Probation Department Intake Unit. If the Probation Department is not intending to take action to file a new § 602 petition or a new Violation of Probation petition, the assigned Social Worker will calendar the matter before the Dependency Court to request that the 300 Court initiate a new § 241.1 assessment to determine which Court best serves the minor’s needs.

**VIII. EXTENDED FOSTER CARE**

1. **Introduction**

AB 12 and subsequent legislation provides a system for providing probation and child welfare youth access to the Extended Foster Care (EFC) Program. The EFC Program allows foster youth, including eligible probation wards, to continue in foster care after age 18 to receive foster care benefits (Aid to Families with Dependent Children-Foster Care (AFDC-FC) payments), and services. The young adults remain under the jurisdiction of the Court, supervision of the county, and must reside in eligible licensed or approved placements to receive AFDC-FC. These young adults are referred to as Non-Minor Dependents (NMDs).

AB 212 allows for and determines how wards of the Court can participate in the EFC Program. Eligible minor wards can transition to Welfare and Institutions Code § 300 dependency status or Welfare and Institutions Code § 450 transition jurisdiction status at the time their delinquency jurisdiction is being terminated to allow them to remain in foster care and participate in the EFC Program after reaching 18 if they also meet the eligibility criteria for EFC.

1. **EFC participation**

The NMD can participate in EFC if he/she meets the eligibility requirements and participation conditions for EFC. An NMD under transitional and dependency jurisdiction has all the decision making authority of a legal adult including the right to make all decisions regarding educational rights, health and mental health treatment and records. The young adult may opt out of EFC at any point and opt back in if the other eligibility criteria are met. Initial or subsequent opting out does not change the supervising agency determination.

1. **Participant Conditions**

Once the young adult agrees to a supervised placement in an approved home and completes the necessary paperwork, he/she must meet at least one (1) of the following participation conditions:

* Complete secondary education or a program leading to an equivalent credential
* Enroll in an institution which provides post-secondary or vocational education on, at least, a half-time basis
* Work at least 80 hours per month
* Participate in a program or activity designed to promote or remove barriers to employment
* Have a disability that prevents the youth from doing any of the above, including a short-term or long-term medical condition, and/or receive Supplemental Security Income (SSI), State Disability Insurance (SDI), Regional Center Services or Social Security Disabled Adult Child benefits.

1. **Transition from delinquency to dependency jurisdiction**

For the purpose of participation of EFC, prior to recommending transition or resumption of dependency jurisdiction, the Probation Officer will:

* Ensure that the ward is 17 years 5 months to 18 years of age
* Investigate if there was a prior dependency
* Assess and document the minor’s progress toward completion of rehabilitative goals

If the ward was a Sonoma County Dependent, the Probation Officer must request that the Court order a 241.1 hearing at least 30 days in advance of the ward’s completion of rehabilitative goals and 60 days prior to his /her 18th birthday.

The 241.1 assessment must address the following:

* Nature of offense
* Dangerous propensities
* Relationship with Probation Officer/Social Worker
* Probation history and status
* Current placement
* Future plans of NMD
* Whether the rehabilitative goals of this minor have been met and whether juvenile Court jurisdiction over the child as a ward is no longer required
* Dependency history
* Reunification to parent(s) (i.e. wrap, counseling, etc.)
* Family search and engagement activity

1. **Case management of NMD under transition jurisdiction (Welfare and Institutions Code** § **450)**

**A 241.1 is not required if** the NMD was not a prior FYC dependent, has achieved his/her rehabilitative goals, and meets all the requirements for transitional jurisdiction, then his/her extended foster care and case management services will be provided by Probation.

**A 241.1 is required if** the NMD was a prior FYC dependent, achieved his/her rehabilitative goals prior to his/her 18th birthday and meets all requirements for transitional jurisdiction, the Probation Officer will follow the established 241.1 protocol.

**Note**: If NMD achieved rehabilitative goals after his/her 18th birthday and meets requirements for transition jurisdiction, EFC will be provided by Probation.

1. **Dual Status Youth**

For dual status youth, FYC is responsible for placement and supervision of the NMD under EFC regardless of lead agency, if the Court finds that the youth’s rehabilitative goals have been met and a return to the home of the parent or legal guardian would be detrimental to the youth.

If the dual status youth has not met his/her rehabilitative goals by his/her 18th birthday, the probation department is responsible for placement and case management of the NMD (WIC 450 transition jurisdiction) under EFC regardless of who was the lead agency.

**If the Social Worker and Probation Officer do not agree on a recommendation to the Court including whether or not the minor’s rehabilitative goals have been met, then the case will be referred to the PARC. If consensus is not reached at the PARC meeting, the case will be referred to the Mid-Level Committee for resolution.**

**Case management when NMD becomes subject to adult probation**

When a Non-Minor Dependent becomes subject to adult probation supervision, it does not change the non-minor’s ability to participate in EFC and it does not change the agency responsible for the case management services of the Non-Minor Dependent.

1. **Re-Entry**

If the NMD exits (opts out of) EFC and then decides to re-enter (opts into) EFC, the non-minor dependent can choose which agency will supervise them and will opt back in and file for re-entry with that agency and court.

1. **Guidelines for EFC Services**

The Probation Department and FYC have decided upon the following guidelines as to which Agency shall provide case management services under Extended Foster Care (EFC):

|  |  |
| --- | --- |
| FYC WILL PROVIDE EFC SERVICES | |
| ITEM | CIRCUMSTANCE |
| 1 | Dependent minor with no juvenile probation history |
| 2 | Dependent minor is currently Dual Status (Probation or FYC is the lead agency) and has met rehabilitative goals prior to their 18th birthday |
| 3 | Dependent minor on non-ward probation (654 WIC, 725(a) WIC, 790 WIC-DEJ) |
| 4 | NMD on adult summary probation & no history of juvenile probation |
| 5 | NMD on adult summary probation & prior non-ward probation (654 WIC, 725(a) WIC, 790 WIC-DEJ) |
| 6 | NMD on adult formal probation & no history of juvenile probation |
| 7 | NMD on adult formal probation & prior non-ward probation (654 WIC, 725(a) WIC, 790 WIC-DEJ) |
| **PROBATION WILL PROVIDE EFC SERVICES** | |
| **ITEM** | **CIRCUMSTANCE** |
| 8 | Delinquent ward on probation with no prior FYC involvement |
| 9 | Delinquent ward is currently Dual Status (Probation or FYC is the lead agency) and has **not** met rehabilitative goals |
| 10 | NMD on adult formal probation & prior ward with no FYC history |
| 11 | NMD on adult summary probation & prior ward status on juvenile probation with no FYC history |

**IX. Lead and Non-Lead Agency Roles**

The Probation Department and the Family Youth and Children’s Division shall work as a collaborative team and utilize the least restrictive options to ensure that the best interests of the minor and the community are preserved.

A dual status designation may be considered as a recommendation option in the 241.1 report for a minor who requires simultaneous WIC 602 and WIC 300 status.

Dependency and/or wardship may be terminated once the transition is complete and the minor’s needs and safety are no longer in question, and/or the minor no longer poses a threat to him/herself and the community.

The following is a list of agency roles for lead and non-lead agency:

**Lead agency responsibilities:**

* Placement
* Case management and coordination of service delivery with the non-lead agency
* Coordination of child and family team meetings
* Attend Court hearings (or by agency represented staff)
* Writing and submitting Court reports
* Complying with the mandates of WIC 300 and WIC 602 hearings, Division 31 and Title IV-E regulations
* Completing monthly face-to-face contacts with the minor and family
* Maintaining monthly (at minimum) contact with the non-lead agency worker to confer/collaborate on progress of case, assessments and recommendations

**Non-lead agency responsibilities:**

* Assign secondary worker/officer to the case. Where possible, this should be the previously assigned social worker or probation officer who knows the youth and their family
* Coordinate service delivery with lead agency worker/officer
* Participate in child and family team meetings
* Be available to attend Court hearings if requested
* Write and submit an assessment for the Court report to the primary worker/officer no later than 45 days prior to the Court hearing
* Comply with the mandates of WIC 300 and WIC 602 hearings, Division 31 and Title IV-E regulations
* Maintain monthly (at minimum) contact with the lead agency worker to confer/collaborate on progress of case, assessments and recommendations
* Share all necessary information and documentation including, but not limited to birth certificate, immunization records, social security card, etc. to aid in out-of-home placement (This information shall be provided within three (3) workings days after dual status is designated by the Court if available)

Client contacts and services shall be provided and documented by both agencies in adherence to their Department’s policy regarding face-to-face contacts. All contacts made by the lead and non-lead agency shall be documented in their respective databases. Probation Officers are required to enter data into Jrs. and to enter placement contact and service notes into Child Welfare Services/Case Management System (*CWS/CMS*). The Child Welfare Social Worker will enter their contact notes into CWS/CMS.

**X. DATA COLLECTION**

All data necessary to comply with WIC § 241.2 for evaluation of the protocol shall be collected and maintained by FYC via CWS/CMS (per ACL 17-59 and 241.2 WIC) as follows:

On a biannual basis:

(1) FYC will track how many § 241.1 reports are filed;

(2) FYC will track how many § 241.1 orders result in a Dual Status order and the number that result in an order that FYC be the lead agency and Probation be the non-lead agency, and the number that result in an order that Probation be the lead agency and FYC is the non-lead agency.

(3) FYC will track how many Probation as Primary cases shift back to FYC as Primary.

(4) In order to facilitate the tracking by FYC, the Delinquency Court clerk will fax to FYC a copy of any minute order that reflects a 241.1 finding made by the Delinquency Court.

**CONCLUSION**

This memorandum is intended to provide a framework for improvement of Sonoma County’s WIC § 241.1 Protocol by clarifying duties, responsibilities, and timelines. With the ongoing collaboration of all participants in the juvenile justice system and juvenile dependency system, Sonoma County is committed to utilizing this process to achieve better outcomes for youth who pass through the juvenile dependency and delinquency systems while making the community a safer place.

**SUPERIOR COURT OF SONOMA COUNTY JUVENILE COURT**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Honorable Kenneth Gnoss,

Presiding Juvenile Court Judge

**SONOMA COUNTY HUMAN SERVICES**

**DEPARTMENT, FAMILY YOUTH AND CHILDREN’S DIVISION**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Nick Honey, FYC Division Director

**SONOMA COUNTY PROBATION DEPARTMENT**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

David Koch, Chief Probation Officer

1. Hereinafter all references to code sections are to the Welfare and Institutions Code unless otherwise noted [↑](#footnote-ref-1)
2. §331: When any person has applied to the Social Worker, pursuant to Section 329, to commence juvenile court proceedings and the Social Worker fails to file a petition within three weeks after the application, the person may, within one month after making the application, apply to the juvenile court to review the decision of the Social Worker, and the court may either affirm the decision of the Social Worker or order him or her to commence juvenile court proceedings. [↑](#footnote-ref-2)
3. Mid-Level is a multidisciplinary team comprised of managers from Family Youth and Children’s Division, Probation, Behavioral Health and Sonoma County Office of Education. [↑](#footnote-ref-3)