



**CITY AND COUNTY OF SAN FRANCISCO  
HUMAN SERVICES AGENCY AND JUVENILE PROBATION DEPARTMENT  
PROTOCOL FOR IMPLEMENTATION  
OF  
WELFARE & INSTITUTIONS CODE §241.1 and  
CALIFORNIA RULES OF COURT 5.512; AND 5.651(c)  
(updated February 2019)**

**Section 1. Purpose**

The purpose of the Juvenile Court Committee for Assessment & Status Evaluation (CASE) is to assess a minor's family, educational, medical, history of delinquency, prior abuse and neglect, emotional and behavioral history in order to produce a Joint Assessment Report which will recommend to the Juvenile Court whether dependency or delinquency jurisdiction will best serve the minor's interests and protection of society as required by Welfare and Institutions Code §241.1 and California Rules of Court §5.512 and §5.651(c). This agreement supersedes all prior protocols on the development of Joint Assessment Reports pursuant WIC §241.1 and California Rules of Court §5.512 and §5.651(c) between the Human Services Agency and the Juvenile Probation Department of San Francisco.

**Section 2. Appropriate Cases for Status Assessment by CASE**

Only those cases in which the minor, including but not limited to unaccompanied youth, non-minor dependents under the transition jurisdiction of the juvenile court, or youth potentially affected by CSEC issues, is actively under the jurisdiction of either the dependency or delinquency division of the Juvenile Court at the time of the filing of a subsequent petition are appropriate for CASE review.

CASE shall review, assess and report to the Juvenile Court only on cases that come within either of the following categories:

- a) the minor is an active dependent of the Juvenile Court whose conduct has given rise to the filing of a delinquency petition; or,
- b) the minor is an active ward of the Juvenile Court, currently on formal or informal probation, is placed in the home of a parent or guardian and is subject to the filing of a dependency petition as the result of a substantiated referral for child abuse or neglect perpetrated in the home.

**Section 3. Initiation of Status Assessment Review Process**

Every case where a minor appears to come within the jurisdiction of both sections 300 and 602 of the Welfare and Institutions Code shall be referred to CASE for assessment. In all cases in which the minor is a current dependent or ward, and a subsequent petition has been, or is likely to be, filed in another division of the Juvenile Court, the minor's case shall be referred to CASE for assessment and review. The referral to CASE shall be made at the earliest possible time.

Probation officers shall immediately conduct an inquiry through the Human Services Agency whether a minor who is, or is likely to be in the imminent future, the subject of a delinquency petition, is an active court dependent. If so, the probation officer shall

immediately notify the Juvenile Probation Department's ("JPD") CASE representative of the need for CASE review. Prior to filing an initial dependency petition on a minor aged 10 years or older, child welfare workers shall contact the JPD to determine if the minor is an active ward. If so, the child welfare worker shall immediately notify the Human Services Agency's ("HSA") CASE representative of the need for CASE review.

Either Co-Chair may place a minor's matter onto the CASE for review at CASE's next regularly scheduled meeting. (See sections 4 and 5 below for further discussion regarding membership and structure.)

#### **Section 4. CASE Meeting Membership**

CASE will be made up of two standing members, one appointed by the department head of JPD, and one appointed by the department head of the HSA. JPD's CASE representative shall hold the position of supervising deputy probation officer or above. The HSA's CASE representative shall hold the position of protective services supervisor or above. In the event of a scheduled or unscheduled absence from work, a standing member of CASE shall designate a substitute representative from the CASE member's agency to temporarily serve and execute CASE responsibilities.

Every effort shall be made to secure the attendance and participation of the minor's case-carrying probation officer and minor's case-carrying child welfare worker at each meeting for which that minor is being evaluated. If the minor's case-carrying probation officer and/or minor's case-carrying child welfare worker not be available, the minor's case-carrying probation officer and/or minor's case-carrying child welfare worker may ask their respective supervisors or a coworker to present the minor's information at the CASE meeting for that minor.

#### **Section 5. CASE Meeting Structure and Administration**

(a) JPD's representative and HSA's representative shall serve as standing members of CASE and as Co-Chairs. Each Co-Chair shall be responsible for notifying the staff members from their respective agencies of the date, time and location of each meeting and for coordinating the collection of appropriate information from their agency related to the cases to be assessed.

(b) CASE shall meet weekly – or less frequently as needed.

(c) At the CASE meeting, the minor's case-carrying probation officer and the minor's case-carrying child welfare worker will each present any and all relevant information about the minor's history with their respective agency including family history when appropriate to help the standing members of CASE determine which status to recommend to the juvenile court which will serve the best interests of the minor and the protection of society. In accordance with WIC §241.1(a)(2), the information shared by the case-carrying probation officer and case-carrying child welfare worker shall include, but is not limited to, the age of the minor, the prior record of the minor's parents for child abuse, the prior record of the minor for out-of-control or delinquent behavior, the parents' cooperation with the minor's school, the minor's functioning at school, the nature of the minor's home environment, and the records of other agencies that have been involved with the minor and his or her family.

(d) In accordance with California Rule of Court §5.512(d)(11), any counsel currently representing the minor either in dependency or delinquency who is the subject of the CASE committee meeting will be invited to electronically submit a written statement to

the case carrying child welfare worker and/or case carry probation officer prior to the meeting. If that statement is received prior to the CASE meeting, that statement will be shared at the meeting with the CASE committee to aid the committee in arriving at its decision. That statement will additionally be attached to the resulting Joint Assessment Report. In order to be attached to the Joint Assessment Report, the statement must be received by close of business the day of the CASE meeting.

(1) The CASE co-chairs shall be responsible for determining who the minor's attorney(s) and CASA are (if applicable). The HSA co-chair shall identify and notify minor's dependency attorney and CASA (if applicable) of the CASE meeting. The JPD co-chair shall identify and notify minor's delinquency attorney (if applicable) of the CASE meeting.

(e) In accordance with California Rule of Court §5.512(d)(12), any CASA volunteer currently appointed for the minor who is the subject of the CASE committee meeting will be invited to submit a written statement prior to the meeting. If that statement is received prior to the CASE meeting, that statement will be shared at the meeting with the CASE committee to aid the committee in arriving at its decision. That statement will additionally be attached to the resulting Joint Assessment Report. In order to be attached to the Joint Assessment Report, the statement must be received by close of business the day of the CASE meeting.

(f) After hearing from the case-carrying probation officer and case-carrying child welfare worker, and after reading any written statements received prior to the CASE meeting from any counsel currently representing the minor and any CASA volunteer currently appointed for the minor, the CASE co-chairs will each recommend which system they believe will best serve the minor's interests and protection of society.

(g) Should the CASE co-chairs agree on which status to recommend, that joint recommendation will be so noted in the resulting Joint Assessment Report. However, should the CASE co-chairs disagree on which status to recommend, each agency shall prepare a separate status recommendation and supporting statement to be included within the Joint Assessment Report.

(h) In matters involving nonminor dependents, the agency (HSA or JPD) assigned to supervise the youth in foster care upon completion of their treatment program shall supervise the youth as a nonminor dependent in accordance with the provisions of WIC section 450 et seq.

The Probation Officer will call the FCS hotline and initiate the 241.1 CASE meeting to discuss the modification of jurisdiction from Delinquency to Dependency and the alternative plan for supervision. Nonminor Dependent matters under JPD jurisdiction shall be supervised in Juvenile Delinquency Court and those matters assigned to HSA shall be supervised in Juvenile Dependency Court except in circumstances as listed above.

(i) The Co-Chair from the agency responsible for preparation of the assessment report pursuant to Section 6 below, shall sign the assessment report.

#### **Section 6. Preparation of Joint Assessment Reports**

JPD shall assume primary responsibility for necessary investigation and preparation of assessment reports in cases coming within Section 2, paragraph (a). HSA shall assume

primary responsibility for necessary investigation and preparation of assessment reports in cases coming within Section 2, paragraph (b).

Following the CASE assessment meeting described in Section 5, a Joint Assessment Report shall be generated in compliance with the requirements of WIC §241.1 and California Rules of Court §5.512(d) and §5.651(c).

**Section 7. Dissemination of Joint Assessment Reports**

All assessment reports prepared pursuant to this protocol shall be filed in both dependency and delinquency court files, assuming both such court files exist. If one division of the Juvenile Court has not yet opened a file for the minor, the report shall be filed as soon as practicable following the opening of that file.

JPD shall be responsible for ensuring that the Joint Assessment Report is filed in the minor's delinquency court file and that copies of the report are disseminated to the HSA CASE representative, the minor's delinquency counsel of record, and the District Attorney's Office.


The HSA CASE representative shall be responsible for ensuring that the Joint Assessment Reports are filed in the minor's dependency court file and that copies of the report are disseminated to the JPD CASE representative, the minor's dependency counsel of record, dependency counsel of record for the minor's parent(s) or legal guardian(s), the minor's court-appointed CASA, if any, and the City Attorney's Office.

Additionally, in accordance with Cal. Rules of Court §5.512(f), a copy of the Joint Assessment Report must be provided to the child, the child's parent or guardian, all attorneys of record, any CASA volunteer, and any other juvenile court having jurisdiction over the child at least 5 calendar days before a hearing on the Joint Assessment Report. That copy of the Joint Assessment Report will include notice of the hearing directed to the judicial officer or department that will conduct the hearing.

**Section 8. Rights to a Hearing**

Nothing in this protocol is intended to create additional rights, not afforded by statute or other provisions of law, to a court hearing on the contents of the assessment report.

Date:   
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TRENT RHORER  
Director  
Human Services Agency

Date: 2-20-19  
  
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ALLEN NANCE  
Chief Probation Officer  
Juvenile Probation Department