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The Superior Court
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CHAMBERS OF
MICHAEL NASH
PRESIDING JUDGE

October 11, 2011

TO: All Participants in the Los Angeles County Juvenile Justice System

FROM: Michael Nash, Presiding Judge, Juvenile Court

**SUBJECT: WIC 241.1 PROTOCOL**

## INTRODUCTION

This memorandum is designed to restate the procedures utilized in implementing Welfare and Institutions Code section 241.1 in Los Angeles County. The Los Angeles protocol has been redesigned to include new developments which include a new assessment process which takes into consideration strengths, needs, and risks; the creation of a multi-disciplinary team to conduct assessments and develop case plans; the court's role in case management; and implementation of Assembly Bill 129 which provides counties the option of creating a dual status jurisdiction for dependents and wards of the court.

Through this new protocol, stakeholders in the Los Angeles juvenile justice system hope to enhance public safety by providing better services to youth and their families, reduce the number of dependent youths who become wards of the Delinquency Court, better serve those who do and limit their time as wards of the Delinquency Court by maintaining Dependency Court jurisdiction when appropriate.

## I. BACKGROUND

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 (b) mandates and describes the protocol to be developed.

Section (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 (d) prohibits a youth from simultaneously being a ward and a dependent of the court, except as noted in section (e).

Section (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 both a dependent and a ward of the court simultaneously. The protocol must be signed by the chief probation officer, director of the social services 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.

## II. DEFINING WHEN WIC 241.1 APPLIES

There are several situations where the 241.1 protocol applies. The first and most typical situation is where a youth who is a dependent of the court pursuant to WIC 300 allegedly commits a crime or exhibits behavior resulting in a petition being filed in the Delinquency Court pursuant to WIC 602. The assessment is to be filed and heard in the Delinquency Court with Probation designated as the lead agency.

The second situation is where a youth who is on probation pursuant to WIC 602 and who is also home on probation is the victim of child abuse and/or neglect. In these cases where a petition is filed pursuant to WIC 300, a joint assessment would then be necessary. The assessment is to be filed and heard in the Dependency Court with DCFS designated as the lead agency.

The third 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 return to. A joint assessment would be necessary. The case would continue to be heard in the Delinquency Court with Probation designated as the lead agency. The process for this is clearly delineated in the memo entitled "WIC 241.1 and Permanency", dated July 23, 2004, attached hereto. (Exhibit A)

The fourth situation where the protocol applies 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 what occurred and child abuse and/or neglect. A joint assessment would then be ordered and heard in the Delinquency Court with Probation designated as lead agency.

In the above situation, the mere fact that a youth is a former dependent of the court does not constitute that nexus. There must be specific and articulable facts suggesting that the youth currently falls within WIC 300 in order for the Delinquency Court to order the assessment.

A fifth situation where a joint assessment is required is where it is requested that a youth who had a previous assessment and was placed on WIC 654, 725, or 790 status should be declared a delinquent for failure to comply with the terms of supervision pursuant to WIC 654, 725, or 790. (See memo dated June 15, 2000, "WIC 241.1 Protocol – Subsequent Assessments" Exhibit B).

In addition to the above, a joint assessment is required in cases where there is a fitness hearing pursuant to WIC 707, the youth is found to be fit for juvenile court jurisdiction, and it appears that the youth falls within WIC 300 and 602. (See memo dated June 18, 1998 entitled, "WIC 241.1 Protocol in Cases With Fitness Hearings" Exhibit C).

A joint assessment is not required when a youth on WIC 654, 725 or 790 status becomes the subject of a WIC 300 petition. The reasons are that it is not required by the WIC and the outcome is obvious in that the youth's WIC 654, 725 or 790 status would not change.

## III. INFORMATION TRIGGERING PROTOCOL

In order to properly implement the protocol, it is important that all the participants in the juvenile justice system be aware of its applicability to particular youths. DCFS social workers must be aware of a youth's WIC 602 status when a youth is detained by them. They must also become aware when a dependent becomes the subject of proceedings in the Delinquency Court. Attorneys in the Dependency Court must know of contacts their clients have with Probation at the earliest possible time so that they can contact their clients as well as have input to the joint assessment. Probation officers and attorneys in the Delinquency system need to know of a youth's WIC 300 status by the time a youth appears in the Delinquency Court for the first time. Judicial officers in both systems must know of the youth's status with both systems at the time of the youth's first appearance in court.

The ability to keep participants properly informed of the status of a particular youth currently exists within our system. Both DCFS and Probation have access to the Juvenile Automated Index (JAI) which means they have access to information about the WIC 300 or 600 status of any youth who comes into contact with their respective departments. Every youth who is detained or filed upon by DCFS can be run on JAI before that youth's initial appearance in the Dependency Court. With that information in the Detention Report or the Application for Petition, the Court can order that the protocol be implemented at the first hearing. The key is the utilization of JAI by the social worker before the case comes to court. Further, there is no

reason that the social worker cannot or should not contact Probation to initiate the joint assessment as soon as the social worker learns of the youth's WIC 600 status.

The same process applies when a youth is detained and/or filed upon by the Probation Department. Probation can also access JAI on every youth it refers for filing in the Delinquency Court. If the youth is under the jurisdiction of the Dependency Court, the probation officer should contact DCFS so that the preparation of the joint assessment can begin before the case gets to court. When the case comes to the Delinquency Court for the first time, the report from Probation should reflect the youth's active WIC 300 status. In addition, the Delinquency Court calendar contains a notation for every youth who has a connection to the Dependency Court. The Delinquency Court calendar reflects whether the jurisdiction of the Dependency Court is active or inactive. This is another means to alert the judicial officer, the court officer, and the attorneys about the need to implement the 241.1 protocol if implementation has not already begun.

There are two other means of communication which can alert participants of the need to participate in a joint assessment. One means is the START Report which is distributed to each Dependency Court every Wednesday which contains a list of dependent youth who had contacts with law enforcement involving an alleged criminal offense the previous week. (See memo dated June 12, 1998 entitled "DISSEMINATION OF THE START REPORT" Exhibit D). The other means of communication is through the Operational Agreement which provides notice to children's attorneys and social workers from Probation at the time a youth is brought to juvenile hall following arrest. (See attached Operational Agreement Between the Department of Children and Family Services [DCFS], Probation Department [Probation], and Attorneys Representing Juvenile Court Youth – Children's Law Center of Los Angeles [CLC] and Juvenile Court Bar Association [JCBA] Exhibit E).

In sum, there are several ways in existence to alert everyone in our system when youths cross over from one system to the other. There is no reason for any youth to fall through the proverbial cracks between the systems.

## IV. TIME LINES FOR FILING JOINT ASSESSMENT

In order for the WIC 241.1 protocol to be most effective in court, it needs to be filed in a timely manner. The following time lines have been agreed upon. In the first situation, where a petition is filed in the Delinquency Court on a youth who is a dependent of the court, the joint assessment should be completed and filed in the Delinquency Court on or before the time of the appearance on the pre-plea report. As previously noted, Probation is the lead agency for the preparation of the report. In cases where the youth is detained, the appearance on the pre-plea report is generally eight to twelve days after the detention hearing. It is of course imperative that the agencies communicate with each other quickly in these cases because the time line is short. This issue will be discussed later in this memo. In those cases where the youth is not detained, there should be no problem completing the assessment by the time of the pre-plea appearance or sooner. The most important part of this procedure is

ensuring that the assessment is completed before the adjudication without interfering with any statutory speedy trial rights.

In the second situation, where a youth under the jurisdiction of the Delinquency Courts becomes the subject of a petition in the Dependency Court, the joint assessment should be filed in the Dependency Court at the time of the Pre Resolution Conference (PRC), the Mediation Conference, or the adjudication, if a no time waiver trial is set. DCFS is the lead agency in this situation, and given the relatively small number of cases in this category, time should not be a problem in completing this report.

In the third situation, where Probation seeks to terminate jurisdiction of a ward, there is no specific time line. Probation is the lead agency for the preparation of this report which is to be filed in the Delinquency Court after it is ordered by the Court.

In the fourth situation, where there is information suggesting that a youth who is the subject of a petition in the Delinquency Court may have been the victim of child abuse and/or neglect in relation to what occurred, the joint assessment should be filed at or before the appearance on the pre-plea report. The time lines are the same for the first and fourth situations.

In the fifth situation, where a subsequent assessment is ordered, the time line will depend on the youth's custody status. If the youth has been detained, the time line is the same as other detained cases. If the youth is not in custody, the time line will be determined by the Court.

In fitness cases, the Court will order the joint assessment as soon as the youth is found fit for juvenile court jurisdiction. The time line once again will depend on the youth's custody status. Typically, detention time lines will apply.

## V. PROCEDURES FOR JOINT ASSESSMENT

When the Court orders a joint assessment pursuant to WIC 241.1, the case shall be referred to a multi-disciplinary unit known as the MDT. The MDT will consist of members from DCFS, Probation, DMH, (Exhibit F) and an educational representative, currently from the DCFS Education Consultant Unit. (Exhibit G) A blanket order authorizing DMH access to records has been issued. (Exhibit H) In addition to the MDT, each case will have a lead agency as delineated in Section II of the protocol. The responsibilities of the MDT shall include:

1. Preparing all joint assessments
2. Making recommendations to the Court on:
   a. appropriate legal status for the youth
   b. necessary services for the youth
3. Preparing the Post Disposition Report

## A. Contents of Assessment

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 piece as well as a risk assessment.

The report itself should indicate that it was developed by the MDT. It shall summarize the assessment findings and state the reasons for the recommendations. The report should indicate the names and telephone numbers of the team members who collaborated on the report.

The joint assessment shall include interviews with the youth,[1] the youth's parents/guardians, and appropriate collateral contacts including a representative from the youth's current placement. These collateral contacts shall be identified by name and telephone number in the report. The recommendation to the court shall take into account the nature of the referral, the youth's age, current juvenile court status and why, the youth's prior behavioral problems and/or delinquent activities, the number of prior referrals to DCFS and Probation, the number of admissions to mental health facilities, the parents' cooperation with the youth's school and DCFS and/or Probation, the youth's functioning at school, the nature of the youth's home environment, the records of other agencies which have been involved with the youth and the family, and any other relevant information. The assessment shall also include 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 AB3632 mental health services. The departments shall ask the court's assistance in obtaining services from an 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 delinquency attorneys, 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 MDT shall evaluate the information using the methodology developed by the agencies and Professor Denise Herz. (Exhibit I)

After the information has been evaluated, the MDT will make two kinds of recommendations. The first will be the appropriate court status for the youth. (These recommendations will be addressed separately). The other

[1] Unless the minor has been instructed by counsel or chooses not to speak. Any conversation should not include discussion of the current offense. This does not include DMH whose role is discussed in Exhibit F.

recommendation shall be the services plan which should include but not be limited to:

1. A description of the behavior and needs, including mental health needs, that the youth must 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?

For each of the needs and services identified above, a social worker and/or a probation officer shall be designated as responsible to either provide the services or to make sure the service is provided by another agency. Each service plan shall also include a plan for termination of WIC 602 status if that is one of the recommendations.

**B. Recommendations of Legal Status**

There are six possible recommendations:

1. WIC 300 status
2. WIC 300/654 status
3. WIC 300/725 status
4. WIC 300/790 status
5. WIC 300/602 status
6. WIC 602 status

WIC 300 status can be recommended under four circumstances: (1) when a WIC 300 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; and (4) when termination of WIC 602 status is sought because home is unsafe or non-existent.

WIC 300/654/725/790 status can be recommended when a WIC 300 youth is charged in Delinquency Court.

WIC 300/602 status can be recommended under the following circumstances: (1) when a WIC 300 youth is charged in Delinquency Court; and (2) when a WIC 602 youth has a petition filed in Dependency Court.

WIC 602 status can be recommended under the same situations as WIC 300 status as delineated above.

## C. Guidelines for Legal Status Recommendations

*Note* – The MDT will utilize the attached guidelines (Exhibit J) for recommendations on appropriate legal status for the subject youth.

## D. Conflict Resolution

When there is disagreement in the MDT on the recommendation to the court regarding the appropriate legal status for the subject youth, the social worker should refer the matter to the Juvenile Court Liaison Deputy Regional Administrator and the probation officer should refer the matter to the Juvenile Field Services Bureau The Juvenile Consultant with Juvenile Field Services Bureau shall be the final arbiter when DCFS is the lead agency. The Director of Juvenile Court Services shall be the final arbiter when Probation is the lead agency.

When there has been a conflict, the report to the court should include a statement of the issues involved in the conflict, the positions taken by the departments, and what steps were taken to resolve the issues. The report shall indicate if the decision was made jointly by DCFS and Probation, or by either department alone.

## E. Submission of Report

A completed joint assessment shall be provided to the Delinquency and Dependency Court's of record, the youth's dependency and delinquency attorneys, County Counsel, the District Attorney, and the youth's CASA, if any. Consistent with law, the court considering the joint assessment shall have discretion on whether to permit an evidentiary hearing pursuant to WIC 241.1.

## F. Inter-Court Communication

If the Delinquency Court, upon receipt of a joint assessment, decides that the youth should only be on WIC 300 status, the Delinquency Court should dismiss the WIC 602 case and send a copy of that minute order to the Dependency Court. If the Delinquency Court decides the youth should 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 must proceed to an adjudication. Once the petition has been sustained and the youth is declared a 602, the minute order should 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, that should be reflected in the minute order sent to the Dependency Court.

If the Dependency Court, upon receipt of a joint assessment, decides that the youth should remain on WIC 602 status, the Dependency Court should 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 should be placed on WIC 300 status, the Dependency Court must 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 Delinquency Court is that dual status pursuant to WIC 300/602 is appropriate, that should be reflected in the minute order sent to the Delinquency Court.

**G. Avoiding Conflicts Between the Courts**

The issue of avoiding conflicts between the Dependency Court and the Delinquency Court was previously addressed in the attached memo dated October 26, 1999 entitled , "WIC 241.1 Protocol – Avoiding Conflicts Between the Dependency and Delinquency Court." (Exhibit K) The principles articulated in that memo are still applicable.

**H Procedure for Concurrent Unadjudicated Petitions in Dependency Court and Delinquency Court**

Occasionally a new petition in Dependency Court is followed by a new petition in Delinquency Court while the WIC 300 petition is pending or vice versa. The procedure for dealing with that situation is found in the memorandum of the same name dated September 8, 2003. (Exhibit L)

VI. DUAL STATUS PROCEDURES

There are two types of dual status that occur through the WIC 241.1 Protocol, informal and formal. Informal dual status occurs when a WIC 300 youth is also placed on WIC 654, 725, or 790 status. Formal dual status occurs when a youth is simultaneously on WIC 300 and 602 status. This will address the court and agency supervision procedures for both.

**A. Informal Dual Status**

When a WIC 300 youth is placed on probation without wardship under WIC 654, 725 or 790, the matter shall be handled through the Post Disposition Process. (See Section VII, herein)

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 assessment is required. In that case, the procedures for joint assessment should be followed.

**B. Formal Dual Status**

When a WIC 300 youth is also placed on WIC 602 status or vice versa, the matter shall be handled through the Post Disposition Process. (See Section VII, herein)

During dual status jurisdiction, placement decisions and findings (including Title IV-E) will be made by the Dependency Court. The actual placement location will be determined by the social worker in conjunction with the MDT, taking into consideration any legal impediments to certain placements due to the youth's WIC 602 status. In cases where a suitably placed WIC 300 youth needs to change placement due to the new and additional WIC 602 status, both Dependency Court and Delinquency Court will make suitable placement findings. When this occurs, Probation will be the lead agency in supervising the youth's placement. Either way, this will insure continued representation for parents in Dependency Court and also insure that Probation does not lose access to Title IV-E funds when the youth is placed in a Probation supervised suitable placement.

Custodial decisions, i.e. halls, camps, DJJ will be made by the Delinquency Court. When a WIC 300 youth is committed to camp or DJJ, the Dependency Court's order will be suitable placement on hold pending release from camp or DJJ if the order of the Delinquency Court places the youth on dual status. If a WIC 300 youth who is at home is committed to camp or DJJ, the order of the Dependency Court will continue to be home of parent if the order of the Delinquency Court places the youth on dual status, assuming conditions still exist for WIC 300 jurisdiction.

Dual status jurisdiction should last only as long as it is necessary. For a WIC 300 youth who is at home, dependency jurisdiction will last only as long as there are conditions which justify jurisdiction. Delinquency jurisdiction can continue with the youth at home. On the other hand, delinquency jurisdiction should terminate when no longer necessary and the youth remains at home with dependency jurisdiction as long as the jurisdiction is necessary.

For a suitable placement youth, delinquency jurisdiction should only last as long as necessary and no extra steps are necessary with respect to dependency jurisdiction which remains in effect. However, group home placement can be impacted by the termination of delinquency jurisdiction. Hopefully, those situations will be reduced by the fact that dependency jurisdiction with the participation of the MDT will have consistently maintained a focus on permanency.

The situation is a little trickier with a dependent youth who is at home, is charged in the Delinquency Court, and the MDT recommends WIC 602 status with a suitable placement order. In that situation, if the Delinquency Court orders that disposition, jurisdiction in Dependency Court should be terminated for that youth. There are several reasons for this.

First, if the youth is at home under Dependency Court jurisdiction, it is in most instances not expected that Dependency Court will maintain its jurisdiction for a significant period of time. Second, if the Delinquency Court disposition is suitable placement, there is not an uncomplicated legal mechanism to convert that disposition into a suitable placement order in Dependency Court. Third, if the

delinquency suitable placement is terminated, the youth presumably has a safe home to return to. Fourth, that is a perfect situation for the family to receive family reunification services from Probation, something they are legally required to do. Finally, it is expected that this will occur in very few cases.

## VII. POST DISPOSITION PROCESS

Following disposition in the Delinquency Court, the Delinquency Court clerk will send a copy of the completed disposition minute order to the Dependency Court of record. The Delinquency Court court officer will forward a copy of the minute order to the MDT. The MDT will convert the disposition minute order into a workable case plan as delineated below.

Within two weeks after disposition, the MDT will contact the youth's probation officer and the youth's social worker who will contact the youth and the primary caregiver to schedule a post-disposition case planning meeting. The meeting will be held as soon as possible after disposition, but no later than one month after disposition unless there are extraordinary reasons for it to be held later.

The MDT will also inform the youth's dependency and delinquency attorneys and County Counsel of the date of the post-disposition meeting. Any or all of them can arrange a meeting with the MDT to discuss any significant issues that should be clarified prior to the post-disposition meeting with the MDT. Other relevant parties or individuals may also be informed of the date of the post-disposition meeting. These may include a representative from the youth's placement, non-custodial parents or guardians, the youth's therapist, a school representative, and anyone else identified by the youth as a community support person.

The purpose of the post-disposition planning meeting is to discuss how the case plan ordered by the court will be specifically implemented. The youth, the social worker, the probation officer, the caregiver, and other relevant individuals should know exactly what is expected of each of them by the time they leave the meeting.

At the post-disposition meeting, the MDT will solicit input from the youth, the youth's attorney(s), and others present. The goal is to achieve consensus on the specifics of the implementation in a non-adversarial atmosphere without repeating issues that were discussed at any meetings which occurred prior to the post-disposition meeting. To the extent there are any differing views presented, the MDT will consider the disparate views and will have the final say in the resolution of those differences.

If the youth is not satisfied with the resolution of any difference, the youth, through his/her attorney can seek modification of the plan in court. If the issue to be resolved involves services to the youth, such as health, mental health, dental, education, or the youth's family or placement, the youth can address those concerns in the Dependency Court at one of the court hearings outlined below. If the issue to be resolved involves an accountability issue such as community service or restitution, the youth can address the concerns in the Delinquency Courts at one of the court hearings outlined below.

It should also be noted that if the social worker or probation officer has any issues with the case plan, those issues can be addressed in their respective courts as well.

For a youth who has 300/602 status, the probation or social worker on the MDT will serve as the lead person at the post-disposition meeting. For youths who have 300/654, 300/725, 300/790 status, the DCFS representative on the MDT will serve as the lead person at the post-disposition meeting.

Following the post-disposition meeting, the MDT will call the clerk of the Dependency Court of record to schedule a 241.1 Progress Report Hearing. The hearing should occur 10 calendar days after the post-disposition hearing. The MDT will notify the attorneys of record once the date has been determined. The court clerk shall also endeavor to confirm the date with the attorneys. The MDT shall provide a written report for the Progress Report Hearing two days in advance of the hearing. That report shall not only report on the disposition and the post-disposition meeting, but shall also contain an outline of the obligations of the youth, the social worker, the probation officer, the caregiver and anyone else included in the plan. The Court will make the report available to the attorneys.

Following the post-disposition meeting, the MDT will also call the clerk of the Delinquency Court of record to schedule a 241.1 Progress Report Hearing. The hearing should occur 30 calendar days after the post-disposition hearing. The MDT will also notify the attorneys of record once the date has been determined. The court clerk should also endeavor to confirm the date with the attorneys. The MDT will provide a written report for the Progress Report hearing two days in advance of the hearing. That report shall report on the post-disposition meeting and shall contain an outline of the obligations of the youth, the probation officer, the social worker, the caregiver and any one else included in the plan. The Court will make the report available to the attorneys.

Once the 241.1 Progress Report Hearings are scheduled, the involvement of the MDT with the case is finished unless there are questions regarding the report prepared by the MDT.

The 241.1 Progress Report Hearing in both courts will be an appearance hearing in which the youth and the social worker or probation officer must appear in their respective courts. Both courts will make sure there is an adequate understanding of each court's component of the case plan. In addition, each court will make any orders necessary to the implementation of the case plan. Thereafter, the case management responsibility will shift to the courts. The courts will be the ultimate monitor of the case plan in terms of implementation and progress. In order to do so, each court will schedule 30 day appearance progress reports each month for at least the following six months to monitor implementation of the case plan in both systems. Each progress report in each court will contain a summary of the implementation efforts in the other court. At each progress report, the court will make any orders necessary to the implementation of the case plan. The appearance of the youth is not mandatory at each hearing unless ordered by the Court or requested by the youth or the youth's attorney.

## VIII. DATA COLLECTION

All data necessary to comply with WIC 241.2 for evaluation of the protocol shall be collected and maintained by the MDT.

## IX. CONCLUSION

This memorandum is intended to provide a framework for improvement and expansion of Los Angeles County's WIC 241.1 Protocol. With the cooperation of all participants in our juvenile justice system, we should be able to utilize this process to achieve better outcomes for many of the youth who pass through our system while making our community a safer place.

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Attachments

# EXHIBIT A

JUVENILE DIVISION
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CHAMBERS OF
MICHAEL NASH
PRESIDING JUDGE

July 23, 2004

TO: All Participants in the Los Angeles Juvenile Court System

FROM: Michael Nash, Presiding Judge
Juvenile Court

**SUBJECT: WIC 241.1 AND PERMANENCY**

Development of a permanent plan is a key part of the delinquency process for youth in out-of-home care. It is the responsibility of Probation and the Courts, as well as attorneys representing youth in the Delinquency Court to develop, implement, order, advocate for appropriate permanent plans for wards of the court in out-of-home care.

The WIC 241.1 process can be very helpful in the development of a permanent plan for many of these youth, specifically those youth under Delinquency Court jurisdiction who no longer need supervision, are eligible for termination of jurisdiction, but do not have a home or a safe home to which they can return. In those cases, WIC 241.1 will be utilized as follows:

The Delinquency Court, on its own motion, or on the motion of the Probation Department, a minor's attorney, the minor, or any other interested person, may order Probation and DCFS to prepare a joint assessment to recommend to the Court whether a minor, who is currently a ward of the Court, shall remain a ward or shall become the subject of a WIC 300 petition upon the following showing:

1. Specific reasons why Delinquency jurisdiction is no longer necessary or appropriate.

2. Specific reasons why return home is inappropriate such as, there is no home or the minor is at risk of abuse or neglect at home.

    a. Specific reasons why the minor is at risk of abuse or neglect must be stated.

3. The minor's perspective on the possibility of Dependency jurisdiction in place of Delinquency jurisdiction.

4. All efforts made to develop a permanent plan with a relative, guardian, or other caretaker.

After the above showing has been made, the Delinquency Court shall order Probation and DCFS to prepare a WIC 241.1 assessment with Probation as the lead agency. The joint assessment shall recommend which court's jurisdiction is most suitable for the minor and the development of a permanent plan, and which court's jurisdiction is best for the community. This joint assessment may also recommend other suitable alternatives for the Court to consider in the development of a permanent plan which can be accomplished through the jurisdiction of the Delinquency Court.

If the Court decides that Dependency jurisdiction is most appropriate, it shall order DCFS to file a WIC 300 petition, and shall terminate Delinquency jurisdiction and order Probation to transfer custody and control of the minor to DCFS in accordance with existing transfer protocols.

The procedures outlined in this memo are intended to supercede any procedures previously created for the utilization of WIC 241.1 to consider WIC 300 jurisdiction for a youth who is currently a declared ward of the court pursuant to WIC 602.

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# EXHIBIT B

JUVENILE DIVISION
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CHAMBERS OF
MICHAEL NASH
SUPERVISING JUDGE
JUVENILE DEPENDENCY COURT

June 15, 2000

To: All Participants in the Los Angeles County Juvenile Justice System

From: Michael Nash, Supervising Judge, Juvenile Dependency Court

Subject: **W.I.C. 241.1 PROTOCOL — SUBSEQUENT ASSESSMENTS**

A question has arisen as to the need for subsequent assessments by the Probation Department and the Department of Children and Family Services on cases where a youth has already been the subject of an assessment pursuant to Welfare and Institutions Code section 241.1.

Generally, the situation arises where a youth who is a dependent of the court has a petition filed in the Delinquency Court and is placed on supervision pursuant to W.I.C. 654 or 725. There is no dispute that a joint assessment is necessary if a subsequent delinquency petition is filed. Both Probation and DCFS agreed in the 1999 Memorandum of Understanding on Dual Supervision Cases that a joint assessment is appropriate under that circumstance. However, there is a question whether a subsequent assessment is needed where it is alleged that a youth should be declared a delinquent because of a failure to comply with the terms of supervision pursuant to Section 654 or 725. For the following reasons, our policy will require a subsequent assessment.

Welfare and Institutions Code section 241.1(a) specifically states,

> "Whenever a minor appears to come within the description of both Section 300 and Section 601 or 602, the county probation department and the county welfare department <u>shall, pursuant to a jointly developed written protocol</u>..., initially determine which status will serve the best interests of the minor and the protection of society." (Emphasis added.)

The language of the code clearly states that a joint assessment is necessary when a youth can fall within both the 300 and 600 sections of the code.

In addition to the code, Los Angeles County has developed a protocol for joint supervision of a youth who is a dependent of the court and is placed on informal supervision pursuant to section 654 or 725. The dual supervision protocol establishes the duties and responsibilities of the probation officer and social worker with respect to that youth. When it is alleged that the youth should be declared a ward of the court because of failure to comply with the terms of 654 or 725 supervision, it stands to reason that both the probation officer and the social worker should have input before that youth is declared a ward because of their joint responsibility toward that youth. Therefore, a joint assessment should be required as a matter of policy as well as law.

This subsequent assessment should not restate what was stated in the original assessment. It shall incorporate the original assessment and provide new information to the court in the same categories required for the original assessment. The same individuals who have input for the original assessment shall have an opportunity to provide input to the new assessment. Finally, the same process for conflict resolution which currently exists shall be utilized.

MN:sa

# EXHIBIT C

JUVENILE DIVISION
The Superior Court
201 CENTRE PLAZA DRIVE, SUITE 3
MONTEREY PARK, CALIFORNIA 91754-2158

CHAMBERS OF
MICHAEL NASH
PRESIDING JUDGE

TELEPHONE
(213) 526-6377

June 18, 1998

TO: All Participants in the Los Angeles County Juvenile Justice System

FROM: Presiding Judge Michael Nash
Juvenile Court

SUBJECT: **WIC 241.1 PROTOCOL IN CASES WITH FITNESS HEARINGS**

This memo is to alert all participants in the Juvenile Justice system regarding the procedure that should be followed in regards to WIC 241.1 in cases where there is a fitness hearing pursuant to WIC 707. In those cases where a dependent of the court is charged with an offense for which a fitness hearing will be held, there is no need to order a joint assessment pursuant to WIC 241.1 prior to the fitness hearing. Subsequent to the hearing, if the minor is found to be fit for juvenile court jurisdiction, a WIC 241.1 joint assessment shall be prepared if the minor appears to fit the description of both Section 300 and Section 601 or 602.

There are essentially two reasons to utilize this procedure. First, in those cases where a fitness hearing will occur, it cannot be said that a minor fits the description of both Sections 300 and 601 or 602. Therefore, there does not appear to be a need to prepare the assessment under those circumstances. Secondly, it is not an efficient use of resources to prepare such an assessment when there is a fitness hearing pending. Although the information in the assessment can be very useful, some of the same information will be contained in the report sent to the court for the fitness hearing. Further, since numerous 241.1 reports are being prepared every month, we should not further burden the departments with preparing them in these cases until and unless they meet the statutory criteria.

As was stated above, if a dependent minor is found fit for juvenile court jurisdiction after a fitness hearing, and if the evidence suggests that the minor fits the description of Sections 300 and 601 or 602, the joint assessment must be prepared. It appears, based on the evidence, that the court has some discretion at this point about whether the assessment is required. However, it can also be argued that the assessment is required any time a dependent minor is subject to charges in the delinquency court absent a fitness hearing. Certainly there are obvious benefits to having a joint assessment in all cases. However, I believe that issue should be resolved in the individual courts.

MN:ns

# EXHIBIT D

JUVENILE DIVISION
The Superior Court
201 CENTRE PLAZA DRIVE, SUITE 3
MONTEREY PARK, CALIFORNIA 91754-2158

TELEPHONE
(213) 526-6377

CHAMBERS OF
MICHAEL NASH
PRESIDING JUDGE

June 12, 1998

TO: All Dependency Court Judicial Officers and Attorneys

FROM: Presiding Judge Michael Nash
Juvenile Court

SUBJECT: DISSEMINATION OF THE 'START' REPORT

Effective Wednesday, June 24, 1998, and every Wednesday thereafter, a newly developed report will be available to alert attorneys representing minors in the Dependency Court of alleged criminal activity by their clients. The report, which will be known as the "START Report" (Start Taking Action Responsibly Today), will contain a list of all minors who are dependents of the court who have had contact with law enforcement involving an alleged criminal offense the previous week, from Sunday to Sunday.

The START Report will be printed weekly and will be made available on a clipboard in each courtroom.

CONTENTS OF REPORT

A sample copy of the START Report is attached to this memo which explains all the categories of information contained in the report. Essentially, the report will include the Dependency Court department number, the name of the minor's attorney and affiliation (whether panel or DCFS), the minor's name, Dependency JAI number, date of birth, Delinquency JAI number, arrest date, arresting agency, and the alleged offense.

This report is similar to the DEAR Report which has been used for the past few years. However, it does contain some significant differences. The DEAR Report lists only those minors with hearings scheduled in the upcoming week and who have had a law enforcement contact leading to a Probation Department referral. The START Report lists all dependent minors with law enforcement contact over the previous week without reference to any upcoming proceedings. It should also be noted that START does not include citations for offenses to the Informal Juvenile and Traffic Court. It is our intention to discontinue the DEAR Report after the START Report has been in existence for a few months.

UTILIZATION OF REPORT

Welfare and Institutions Code section 317(e) states in part that "...counsel shall investigate the interests of the minor beyond the scope of the juvenile proceeding and report to the court other interests of the minor that may need to be protected by the institution of other administrative or judicial proceedings." The purpose of the START Report is to alert minor's attorneys at an early point in time to the possibility of Delinquency proceedings . Early notice of alleged criminal activity will allow minors' attorneys to contact their clients directly to determine what occurred. Potential follow-up may include contact with law enforcement and/or Probation to learn whether charges will be filed, early involvement in the WIC 241.1 process, or contact with the CSW regarding intensified services to the minor to prevent further delinquent behavior, assuming charges are not filed on the instant occasion.

Many participants in our system have long complained of a lack of communication between the Dependency and Delinquency systems, and the need for timely information when a dependent minor exhibits the type of behavior which threatens to bring that minor into the jurisdiction of the Delinquency Court. The START Report is designed to close the information gap between the two systems and to alert all of us to those minors who are in immediate need of additional services. Hopefully, productive use will be made of this source of information.

If there are any questions about the START or DEAR Reports, please contact Dependency Court Administrator Randy Henderson at (213) 526-6662.

MN:ns
Attachment

cc: Presiding Judge Robert W. Parkin
Assistant Presiding Judge Victor E. Chavez
John A. Clarke, Executive Officer/Clerk
John Walker, Court Manager, Juvenile Court Services
Randy Henderson, Dependency Court Administrator
Michael Roussel, Delinquency Court Administrator
Richard Martinez, Assistant Dependency Court Administrator
Sylvia Wells, Assistant Delinquency Court Administrator
Sandy Montoya, Assistant Division Chief
Peter Digre, Director, Department of Children and Family Services
Richard Shumsky, Chief Probation Officer, Probation Department
Gil Garcetti, District Attorney
Michael Judge, Public Defender
Board of Supervisors

# HOW TO READ THE START REPORT

PAGE 1
E JAIBHAU
6/03/98

SUPERIOR COURT OF LOS ANGELES COUNTY
JUVENILE DEPENDENCY COURT
S T A R T
START TAKING ACTIONS RESPONSIBLY TODAY
MULTI-DISCIPLINARY HIGH RISK MINORS
ALL ACTIVE DEPENDENCY JAINS WITH DELINQUENT OR 601 ARREST ACTIVITY
FOR RUNDATE FROM 05/26/98 TO 06/01/98

JOB NAM
DATE: 0

| 1 DEPT | 2 LAST ATTORNEY | 3 FUTURE HEARING DATE | 4 ATTY TYPE | 5 DEPENDENCY JAIN | 6 LAST NAME | 6 FIRST NAME | 7 DOB | 8 DCFS STATUS | 9 CASE NUMBER | 10 PRS ID | 11 DCFS OFC | 12 CSW |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| [illegible] | [illegible] | 07/22/98 | [illegible] | 0-009386 | [illegible] | [illegible] | 05/24/[illegible] | [illegible] | 3370169 | 07 | [illegible] | [illegible] |

| 13 DELINQUENCY JAIN | 14 ARREST DATE | 15 ARREST AGENCY | 16 ARREST DISP | 17 PROBATION STATUS | 18 OFFENSES | 19 DESCRIPTION |
|---|---|---|---|---|---|---|
| 01585438 | 05/13/98 | LAPD-DEVONSHIRE | MDP | INV | 484(A)PC | THEFT PERSONAL PROPERTY/OVE |

1 DEPARTMENT
2 LAST ATTORNEY
3 FUTURE HEARING DATE
4 ATTORNEY TYPE: DC 1, DC 2, or DC 3 (Dependency Court Legal Services), CRT (317 panel) or PRI (Private); (Note: attorney type designation is not always available)
5 DEPENDENCY JAIN: Dependency JAI Number
6 LAST NAME, FIRST NAME: From Dependency Records
7 DOB: Date of Birth
8 DCFS STATUS: Indicated by Code (See Attachment)
9 CASE NUMBER: 7-Digit Internal DCFS Number (not court number)
10 PRS ID: Personal Identifier (Internal DCFS Use)
11 DCFS OFFICE: DCFS Regional Office Identifier
12 CSW: Internal DCFS Identifier for Social Worker
13 DELINQUENCY JAIN: Delinquency JAI Number
14 ARREST DATE: Date of Arrest
15 ARREST AGENCY: Arresting Agency
16 ARREST DISPOSITION: Indicated by Code (See Attachment)
17 PROBATION STATUS: Indicated by Code (See Attachment)
18 OFFENSES: Arrest Charges
19 DESCRIPTION: Ch

HOW TO READ THE START REPORT



DEPARTMENT OF CHILDREN AND FAMILY SERVICES
S T A R T
START TAKING ACTIONS RESPONSIBLY TODAY
MULTI-DISCIPLINARY HIGH RISK MINORS
ALL ACTIVE DEPENDENCY JAINS WITH DELINQUENT OR 601 ARREST ACTIVITY
FOR RUNDATE OF 08/18/98

JOB NAME: JAIDMAX

| 1 LAST NAME | FIRST NAME | 2 DOB | 3 CASE NUMBER | 4 PRS ID | 5 DCFS OFC | 6 CSW# | 7 DCFS STATUS | 8 DEPENDENCY JAIN | 9 LAST ATTORNEY | 10 ATTY TYPE |
|---|---|---|---|---|---|---|---|---|---|---|
| | MICHAEL | 11/27/82 | 6289048 | 03 | S6260 | GW54 | SPR | 01394097 | DIDONATO, ANGELA | |

| 11 ARREST DATE | 12 ARREST AGENCY | 13 ARREST DISP | 14 PROBATION STATUS | 15 DELINQUENCY JAIN |
|---|---|---|---|---|
| 08/14/98 | REDONDO BEACH PD | NDP | | 01558650 |

| | 16 | 17 |
|---|---|---|
| FIRST OFFENSE: | 484 (A) PC | THEFT PERSONAL PROPERTY/OVE |
| SECOND OFFENSE: | | |

1 LAST NAME, FIRST NAME: Peters, Michael
2 DOB: Date of Birth: 11/27/82
3 CASE NUMBER: 6289048
4 PRS ID: Personal Identifier: 03
5 DCFS OFFICE: DCFS Regional Office Identifier: S6260 Region VI
6 CSW: GW54
7 DCFS STATUS: Suitable Placement Relative
8 DEPENDENCY JAIN: 01394097
9 LAST ATTORNEY: Didonato, Angela
10 ATTORNEY TYPE: (Dependency Court Legal Services); CRT (317 panel) or PRI (Private); (Note: attorney type designation is not always available)
11 ARREST DATE: 08/14/98
12 ARREST AGENCY: Redondo Beach Police Department
13 ARREST DISPOSITION: Not detained petition
14 PROBATION STATUS:
15 DELINQUENCY JAIN: 01558650
16 OFFENSES: Arrest Charges: 484 (A) PC
17 DESCRIPTION: Charge Description: Theft personal property

# EXHIBIT E

# OPERATIONAL AGREEMENT BETWEEN THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES (DCFS), PROBATION DEPARTMENT (PROBATION), AND ATTORNEYS REPRESENTING JUVENILE COURT YOUTH – CHILDREN'S LAW CENTER OF LOS ANGELES (CLC) AND JUVENILE COURT BAR ASSOCIATION (JCBA)

## A. PURPOSE

THIS OPERATIONAL AGREEMENT IS DESIGNED TO DO THE FOLLOWING:

1. Ensure that the decision on whether to detain a youth under Dependency Court Jurisdiction who has been arrested is based upon appropriate legal factors and not on
   - the youth's foster care status, or
   - a placement facility or caretaker's reluctance to house the youth, or
   - the unavailability of an immediate placement or difficulty in securing a placement for that youth

2. Inform the youth's dependency attorney at the earliest possible time of the youth's arrest, detention, and release so that the attorney can provide appropriate assistance or input at each critical point.

3. Delineate the roles and responsibilities of Probation and DCFS at each critical event.

   Ultimately, it is the goal of this agreement

   - to promote the protection and safety of each dependent youth.
   - to ensure that dependent youth are not detained unnecessarily or any longer than necessary.
   - to establish procedures for the sharing of pertinent information among Probation, DCFS, and the youth's dependency attorney.

## B. SUMMARY OF PROCEDURES

### 1. PROCEDURES FOLLOWING ARREST

When a dependent youth is arrested and delivered to the custody of Probation, the following shall occur:

a. Probation shall determine if the facts and circumstances of a particular case warrant detention of the youth.

b. If Probation determines that detention is warranted, Probation shall, as soon as possible:

   i. Notify DCFS of the decision to detain the youth.

   ii. Notify the youth's dependency attorney, if identified, of the decision to detain the youth.

c. If Probation determines that detention is not warranted, Probation shall attempt to return the youth to the youth's foster care placement. Once the youth has been returned to placement, Probation shall notify DCFS and the youth's dependency attorney, if identified, as soon as possible.

d. If Probation is unable to return the youth to placement, Probation shall notify DCFS so that DCFS can expeditiously resume custody of the youth, **and** shall notify the youth's dependency attorney, if identified, so that the dependency attorney can take any appropriate action on behalf of the youth.

## 2. PROCEDURES ON RELEASE PRIOR TO DETENTION HEARING

If it is determined prior to a Juvenile Court Detention Hearing that

- the District Attorney has rejected the case, or
- there has been a probable cause (PCD) rejection by the Court, or
- there has been no filing by the arresting agency,

the following shall occur:

a. Probation shall attempt to replace the youth in the youth' s foster care placement. If Probation is able to return the youth to placement, Probation shall notify DCFS and the youth's dependency attorney, if identified.

b. If Probation is unable to return a youth to placement, Probation shall notify DCFS so that DCFS can expeditiously resume custody of the youth, **and** shall notify the youth's dependency attorney, if identified, so that the dependency attorney can take any appropriate action on behalf of the youth.

## C. RESPONSIBILITIES OF EACH ENTITY UNDER SECTIONS B1 AND B2

### PROBATION RESPONSIBILITIES TO DCFS

1. Probation shall call the Child Protection Hotline (1-800-540-4000) and press the Law Enforcement number (6) when prompted to do so.
2. Probation will inform the Intake CSW that he/she is calling from Probation regarding the release of a dependent youth back to DCFS.
3. Probation shall provide the following information, if known:
   a. name of youth
   b. age, date of birth
   c. parents' names, addresses and phone numbers
   d. name, phone number and office location of the youth's CSW
   e. current location of youth and reasons why the placement facility is unwilling to re-accept the youth
   f. specific charges and future court dates, if any
   g. any special needs or observed behaviors
   h. name and phone number of the Deputy Probation Officer
   i. the location where the youth is to be released to DCFS
4. Probation shall obtain a referral number from the Intake CSW.

### PROBATION RESPONSIBILITIES TO ATTORNEYS FOR DEPENDENT YOUTH

1. Upon arrest of any youth determined to be a dependent, Probation will attempt to identify the youth's dependency attorney using JAI.
2. If the attorney for the dependent youth is identified during business hours, Probation will contact CLC or the 317 panel attorney representing the youth and inform them of the youth's arrest and detention/release decision.
3. If the dependency attorney is identified after-hours, Probation will attempt to contact the appropriate CLC law firm or 317 panel attorney using the after-hours phone numbers provided by those organizations and inform them of the youth's arrest and detention/release decision.

### RESPONSIBILITIES OF ATTORNEYS FOR DEPENDENT YOUTH

1. Both CLC and JCBA will provide Probation and DCFS with after-hours phone numbers.

2. The youth's dependency attorney will interface with the placement facility if it refuses to reaccept the youth.

3. If helpful, the dependency attorney will also contact the DCFS CSW to ascertain the youth's placement status.

## DCFS RESPONSIBILITIES

### 1. HOTLINE CSW/SCSW

a. Shall give priority to the call from Probation, code it as an Immediate Response (IR) and will identify it as a Probation referral and process it within one hour.

b. The Hotline SCSW will immediately assign the referral as an IR to the appropriate regional office during business hours or the Emergency Response Command Post (ERCP), if after hours.

c. If the referral is assigned during business hours, Hotline support staff shall call and verify that the regional office has received the IR. Additionally, Hotline support staff will contact the CSW's Assistant Regional Administrator to alert him/her of the immediate referral for control purposes.

d. If the referral is after hours, the Hotline support staff will phone the on-duty ERCP SCSW to verify the receipt of the referral as an IR.

### 2. REGIONAL CSW OR ERCP CSW

a. Will contact the Deputy Probation Officer to verify the location of the youth and give an estimated time of arrival.

b. Will take custody of the youth from Probation for placement within two hours.

c. Will place the youth and complete all necessary detention reports and placement paperwork.

d. Will notify the youth's dependency attorney of the replacement at the earliest practicable moment, and in no event later than within 72 business hours.

## AGREEMENT DURATION

This agreement shall be effective upon execution by the parties and shall remain in effect until modified or terminated by agreement of the parties.

MARJORIE KELLY, INTERIM DIRECTOR
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

DATE

RICHARD SHUMSKY, CHIEF PROBATION OFFICER
PROBATION DEPARTMENT

DATE

MIRIAM KRINSKY, EXECUTIVE DIRECTOR
CHILDREN'S LAW CENTER OF LOS ANGELES

DATE

PAMELA RAE TRIPP, PRESIDENT
JUVENILE COURT BAR ASSOCIATION

DATE

# EXHIBIT F

JUVENILE DIVISION
The Superior Court
201 CENTRE PLAZA DRIVE, SUITE 3
MONTEREY PARK, CALIFORNIA 91754-2158

TELEPHONE
(323) 526-6377

CHAMBERS OF
MICHAEL NASH
PRESIDING JUDGE

November 20, 2009

TO: All Participants in the Los Angeles County Juvenile Justice System

FROM: Michael Nash, Presiding Judge
Juvenile Court

**SUBJECT: W.I.C. 241.1 PROTOCOL - ROLE OF DEPARTMENT OF MENTAL HEALTH (DMH)**

This memorandum is intended to supersede all previous memoranda on the role of DMH in the WIC 241.1 process and is effective immediately.

DMH can play an important role in the WIC 241.1 process. Its role should be to present information regarding the mental health services received by a youth, within the parameters of this policy, to the representatives of the Probation Department (Probation) and the Department of Children and Family Services (DCFS) who are doing a joint assessment pursuant to WIC 241.1 to recommend to the Juvenile Court the appropriate legal status for the youth.

When a joint assessment pursuant to WIC 241.1 is ordered, the following procedures shall occur with respect to DMH.

1. DCFS or Probation will refer the matter to the DMH Juvenile Court Mental Health Services (JCMHS). The JCMHS representative and his/her mental health training, experience should be stated.

2. JCMHS will screen the referral by obtaining a Management Information System (MIS) printout to determine if there has been any previous involvement with DMH.

    a. If no information or involvement exists or the information is inconsequential, the role of DMH will end unless a specific request for assistance is made by Probation and/or DCFS, or the youth's delinquency attorney, if in Delinquency Court, or the youth's dependency attorney, if in Dependency Court. DMH will report the lack of

or inconsequential nature of the information to the preparer of the 241.1 assessment.

3. If the DMH investigation continues, JCMHS will preferably proceed in the following order.

   a. talk to the probation officer and/or social worker to determine their specific concerns, or if they have concerns.
   b. review the juvenile court files and any mental health records contained therein and/or any other mental health records available to them
   c. talk to the youth's dependency and delinquency attorneys to inform them of Probation or DCFS concerns and to obtain their perspective as to those concerns.

4. JCMHS will send a report to the probation offices and social worker who are preparing WIC 241.1 assessment. The report from JCMHS shall contain the following information.

   a. whether the youth is currently in treatment
   b. the provider(s) of the treatment
   c. whether the dependency file contains information regarding approved psychotropic medications; if so, what medications and the stated reason for the medication
   d. whether the youth previously received treatment, the treatment provider(s), and the dates of the treatment.
      (1) such treatment can include any hospitalizations and the dates of hospitalizations.
   e. whether the youth has participated in any mental health assessments or evaluations including 730 evaluations and the results of those assessments or evaluations if in the DCFS file.
   f. at no time should the report include other details of therapy or any statements made by the youth in therapy unless they are included in the DCFS file or unless the youth's delinquency attorney has authorized the release of this information after consulting with the youth's dependency attorney.
   g. any comments or observations on the above information that can reasonably be made based on the training and expertise of the JCMHS representative
   h. any recommendations for future action, i.e., evaluations/assessments, or future treatment based on the analysis of the above information made by the JCMHS representative.
      (1) such recommendations can include, if appropriate, specific treatment modalities and providers

# EXHIBIT G

# The 241.1 MDT Educational Assessment Report

## The Objective

The objective of the Educational Assessment Report for the (AB 129) 241.1 MDT Project, specifically for the Assessment and Documentation meeting, is to determine where the youth is academically and make recommendations for how the youth can graduate from high school, acquire a GED, or a certificate of completion.

The academic status is based on the number of credits completed towards graduation, current and past grades, attendance records (current and historical), any disciplinary issues and/or behavior logs and special education assessments and/or IEP, if applicable. The annual Standardized Test Scores (CSAT) and the California High School Exit Exam (CAHSEE) results would also be important data to obtain, as well as a list of the past schools attended, dates of attendance, and the grades and credits earned.

**Note:** There is only a 3-day turn around for Detained Youth making the expectation for a thorough educational assessment unlikely. The other 241.1 MDT team members are under the same constraint and limitations. Please do the best you can do under these circumstances.

## The Process

<u>The MDT CSW:</u>

- Initiates the Education Consultant's participation via e-mail by submitting to the Education Consultant the DCFS 1361, Referral for Educational Consultant Services, while requesting availability to participate in the Pre-Disposition Assessment and Documentation Meeting. Simultaneously, the MDT CSW will request the Case-Carrying CSW to make an on-line referral to the Education Consultant for the MDT 241.1 Education Assessment.

<u>The Case-Carrying CSW assists the Education Consultant by:</u>

- Discussing what the known educational issues of the youth are;
- **Immediately** providing the signed DCFS 179 (Part B) or minute order requiring the school to share education information with DCFS, and;
- Providing access to the legal and purple folder.

- This must be done quickly. Therefore, often times the Education Consultant may ask for assistance from the SCSW and/or Duty Worker.

The Education Consultant:

- Researches the educational issues, the number of credits completed towards graduation, current and past grades, attendance records (current and historical), any disciplinary issues and/or behavior logs and special education assessments and/or IEP, if applicable. The annual Standardized Test Scores (CSAT) and the California High School Exit Exam (CAHSEE) results are important data to obtain, as well as a list of the past schools attended, dates of attendance, and the grades and credits earned.
- Speaks to the youth and/holder of education rights. A conversation with the youth is important to learn the youth's buy in to his/her education to help inform the recommendation.
- Develops an educational assessment and recommendation for the youth that includes the above-mentioned data describing where the youth is academically and why and what your recommendation is to facilitate the youth's graduation from high school, acquisition of a GED or certificate of completion for those youth with an IEP on that track (see attached).
- The 241.1 MDT Educational Assessment Report is emailed to the MDT CSW with a copy to Jennifer Hottenroth and Patty Armani **24 hours in advance of the MDT meeting.** Therefore, if the meeting is scheduled for 10 a.m. on Tuesday the completed report must be emailed by 10 a.m. Monday, not 5 p.m. Monday. It is a literal 24 hours.
- The case-carrying CSW is to be advised if the Education Consultant becomes aware of past, severe violations of education law and/or code by a school district. The CSW and/or SCSW can inform the minor's attorney. It will be the minor's attorney's determination to make a referral to the 317(e) panel.
- The Education Consultant then attends the required meetings, shares where the youth is educationally and advocates for the youth's educational needs.
- If the Education Consultant acquires new, pertinent information involving the youth's education, the Education Consultant may revise the initial report. This is often the case when the youth have been detained and not enough time was available to develop a comprehensive assessment.
- Should there be a Post-Dispo MDT meeting, the Education Consultant should confer with the Case-Carrying and/or MDT CSW for current educational issues to update the educational assessment, if necessary.

# AB129 MDT EDUCATIONAL CONSULTANT REPORT

**ED. CONSULTANT USE ONLY**
Tracking Number: _____
Date Opened: _____
Date Closed: _____

Office Name: _____ Date _____

Ed. Consultant Name: _____ Cubicle #: _____ Phone: _____ E-Mail: _____

CSW Name: _____ Cubicle #: _____ Phone: _____ E-Mail: _____

SCSW Name: _____ Phone: _____ E-Mail: _____

Probation Officer Name: _____ Office _____ Phone: _____ E-Mail: _____

Student's Name: _____ Grade: _____ DOB: _____

Mother's Name: _____ Case/ State Number: _____

Holder of Ed. Rights Name: _____ Phone: _____

Caregiver's Name: _____ Phone: _____

School of Attendance: _____ Phone: _____

School District: _____

Education Consultant Assessment of Child's Educational Deficiencies/Areas of Need *(Please check all that apply)*

**EDUCATIONAL STATUS**

☐ Graduation Likely by age 19.

**School Type**

☐ Public
- ☐ Comprehensive (General Education)
- ☐ Continuation
- ☐ Alternative
- ☐ Charter

☐ NonPublicSchool

☐ Home

☐ Independent

☐ Not Attending School

Is youth currently:

☐ Suspended

☐ Expelled

**SCHOOL HISTORY**

Total Credits Earned on most recent transcript _____

GPA on most recent transcript _____

**Does the youth have:**
- ☐ IEP
- ☐ 504
- ☐ 3632
- ☐ Special Education
- ☐ Behavioral Issues
- ☐ Other _____

Credits Earned _____

**Attendance History**
- ☐ Tardies
- ☐ Truancy

**Is the Holder of Education Rights:**
- ☐ Available
- ☐ Engaged

**Education Consultant Summary – Youth's Educational Needs Assessment** (Provide summary of youth's educational needs that must be addressed. Indicate any factors that may be a problem or delay youth's likelihood of graduating)

**Education Consultant Recommendations** (What strategies/actions are necessary to address/overcome deficits indicated above)

# EXHIBIT H

# SUPERIOR COURT OF CALIFORNIA

# COUNTY OF LOS ANGELES

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

Welfare and Institutions Code (WIC) 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 (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.

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 DCFS Education Consultant Unit (DECU) to form a multidisciplinary team (MDT) for the joint assessments. The purpose of the MDT is to gather information

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

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

1. Representatives of DMH and DECU who are part of an MDT to prepare an assessment pursuant to WIC 241.1 shall have the same access to juvenile case files as Probation and DCFS as permitted by WIC 827, California Rules of Court, Rule 5.552 (formerly Rule 1423), and Los Angeles Superior Court Local Rule 17.01.
2. As a member of the MDT, DECU shall have the same access as Probation to pupil records that is permitted by California Education Code sections 49076 (a)(9) and (11). Any school attended by a youth who is the subject of WIC 241.1 assessment is ordered to provide pupil records to a representative of DECU who is a member of the MDT conducting the assessment pursuant to WIC 241.1
3. This order shall remain in effect until otherwise revoked by the Court.

DATED:

Michael Nash, Presiding Judge
Los Angeles Juvenile Court

# EXHIBIT I

**MDT 241.1 Joint Assessment Worksheet**

**Working Draft 5/10/07**

## A. Dependency History

- The background of the abuse/neglect, including any relevant history from past referrals.
- A summary of the specific circumstances which led to the filing of a 300 petition—important facts to provide a sense of how severe the situation has been so that the court can understand what type of treatment needs were present and still exist

## B. Personal Information

- Citizenship status—provide Alien Registration # if not a citizen
- Age of youth
- Does the Indian Welfare Act apply
- Attach Birth Certificate. If not available, give the county and state of birth

## C. Family Dynamics

- A concise, but thorough description of the child's relationship with his/her biological parents, siblings, and extended family
- The last date the child resided with the family
- Note any drug use, family dysfunction or crisis
- Parent/caregiver's criminal history

## D. Placement History

- For each placement since the date of detention, include the dates and duration of each placement and the type of placement(s)
- A brief evaluation of the child's experience in each of the placements and the reasons for the child's removal

## E. School Information

- Name, address, and telephone number of school youth is currently attending or last attended.
- Was this youth ever eligible for special education?
  - No
  - Yes → Was an IEP ever completed?
    - No
    - Yes—Date of Most Recent IEP: _____
- Current levels of educational functioning (grade level, reading level, performance)
- Summary of past and/or current school-related problems
- Current educational placement and services plan offered (NOTE: Refer to IEP if available)

- Status of the provision of services by school and the student's participation in services
- Who is the holder of educational rights? _____

**F. Case Plan**

- Current 300 case plan (disposition) orders
- Status of the provision of services by DCFS and parent compliance to orders
- Describe obstacles encountered when the plan was implemented, strategies to overcome, and the results

**G. Services**

- Name of agencies/programs to which the child was referred
- Name of agencies/programs from which the child is receiving services
- Addresses and phone numbers of contact persons from each involved agency
- Summarize the child and/or parent(s) participation in each program
- The dates of services in which the youth participated

**H. Mental Health/Emotional Status (includes Substance Abuse)**

- **Did the dependency attorney authorize JCMHS to report assessment findings to the delinquency court?**
  - No
  - Yes, Information was Reviewed
  - Yes, Information was Not Reviewed due to Lack of Time
  - Yes, Information was Not Reviewed because _____

- **Did the delinquency attorney authorize JCMHS to interview the minor?**
  - No
  - Yes, Assessment Completed and Reviewed
  - Yes, Assessment Not Completed due to Insufficient Time
  - Yes, Assessment Not Completed because _____
  - Not Applicable (due to dependency attorney's refusal to authorize)

- **Description of Mental Health and/or Substance Abuse Problem**

  **1. Indicate history of suicide attempts, dates and location of any hospitalizations, and prescribed psychotropic medications (note: indicate whether medications appear to be helpful and whether further assessment for medication is necessary)**

  **2. Brief narrative describing clinician's assessment of the youth's mental health and/or substance abuse problems (type and/or severity) from information available**

  **3. Brief narrative describing the clinician's assessment of the relationship between the mental health/substance problem and problem behavior**

- **Does youth need further assessment (justification for assessments should be provided in #2 above)?**
  - No further assessment is necessary
  - Psychological testing
  - Psychotropic medication assessment
  - Neuropsychological testing
  - Neurological assessment (EEG, movement disorders etc.)
  - Substance abuse assessment
  - Other medical concerns impacting mental health
  - Academic testing
  - Developmental assessment
  - Other: _____

- **Additional recommendations necessary to facilitate treatment (e.g., legal status change, recreation, etc.):**

**I. Health Information**

- Assessment of youth's health, including any special health or medical needs
- Name, address and telephone number of youth's health care provider
- Dates of last and next medical exam
- Dates of last and next dental exam

**J. Safety Issues**

- **Results of the LARCC and risk level**

| LARCC Domain | Protective Factor Score | Risk Factor Score |
|---|---|---|
| Delinquency | | |
| Education | | |
| Family | | |
| Peer | | |
| Substance Use | | |
| Individual | | |
| Total | | |
| Total Resiliency Score | | |

- **State any child or community safety issues that impact the child being placed**

**K. Joint Recommendation**

Disposition Recommendations:

This case is a ____ new/____ continuing 241.1 referral. Based on the information provided in the 241.1 joint assessment report and all supporting documents, the 241.1 MDT recommends _____ as a disposition in this case. The recommended lead agency is _____.

Placement, Supervision, and Treatment Recommendations:

The MDT determined that this youth requires a _____ level of supervision and falls into Level ____ for treatment care. The most appropriate placement for this youth is _____. Specifically, the probation intervention(s) for this youth should be _____, and the treatment service(s) for this youth should be _____. Given that the recommended treatment service(s) are difficult to access, appropriate (even if not ideal) treatment service(s) include: _____. Additional services and/or issues related to this youth's include the following: _____.

The current recommendations ____ are limited/_____are not limited based on the information available at the time of the MDT review. The appropriateness of these recommendations ____ need to/____do not necessarily need to be reevaluated after additional assessment is conducted. The additional assessments recommended for this youth include: _____.

Family Intervention Recommendations:

The recommended modification(s) to the current case plan for family intervention(s) is/are _____.

Educational Plan Recommendations:

The recommendation(s) for an educational plan is/are _____.

**MDT 241.1 Joint Assessment Worksheet**

**Mock Case Example (5/10/07)**

## A. Dependency History

On 1/27/06, youth and his siblings were detained from the home of their father due to allegations of physical abuse by father and stepmother and father's substance abuse. Further, this family received VFM services from approximately 10/24/05 to 12/15/05 but failed to comply with this contract and prior DCFS services failed to resolve the family's problem in that the father continued to physically abuse the children. On 4/10/06, the petition was adjudicated and all the children were declared dependents of the Juvenile Court. They were placed in the home of their maternal grandmother.

## B. Personal Information

Youth is a 14-year-old male and is United States citizen. The Indian Welfare Act does not apply to this case. Birth certificate is attached.

## C. Family Dynamics

Youth currently lives with grandmother/guardian who is very supportive of youth and indicated that she will do anything for him. She indicated that she has no problems with his behavior. The youth has not had contact with his biological mother in about 10 years and her current whereabouts is unknown. The youth's father maintains some phone contact, about once a month. Attempts to contact him were made on two occasions; however, there was no response using the phone number provided on the referral documents. There is a history of substance abuse for both mother and father.

Youth has resided with his maternal grandmother since he was three months old and youth is very attached to her. She has continued to provide for all his needs and she also facilitates weekly visits with this three siblings and his father. On 6/23/06, CSW met with maternal grandmother who stated that rather than legal guardianship, she is hoping to provide a permanent home for Joseph through adoption. DCFS believes adoption to be an appropriate permanent plan for youth as this is the only home he has ever known. Maternal grandmother states that she is willing to care for youth as long as needed. Youth has stated several times to CSW that he hopes he can be adopted by his maternal grandmother as he does "not have a good relationship" with his father who has not provided for him since he was three months old. There is some indication that there is also strain between youth and some of his siblings.

Neither parent has a criminal history.

## D. Placement History

- For each placement since the date of detention, include the dates and duration of each placement and the type of placement(s)
- A brief evaluation of the child's experience in each of the placements and the reasons for the child's removal

This was not clear and easily distinguished in the current materials. In this case, the MDT would seek better information to complete this section.

**E. School Information**

Youth is currently enrolled and is attending school. His most recent school is Mission PAU, 515 E. Fairview, San Gabriel, CA 91776. The youth's grade level is 8 but there is a question with regard to his cognitive abilities. Although there is no diagnosis of borderline intellectual functioning, his current educational programming indicates this to be an issue. The youth has an active IEP (9/25/06) and is in special education. The father currently holds the youth's educational rights. The Youth's IEP reports that the youth does have some behavioral problems at the school setting, but is in non-public school to address these issues. The youth's last report card was not available. His school records are attached.

- Current educational placement and services plan offered (NOTE: Refer to IEP if available)
- Status of the provision of services by school and the student's participation in services

**F. Case Plan**

- Current 300 case plan (disposition) orders
- Status of the provision of services by DCFS and parent compliance to orders
- Describe obstacles encountered when the plan was implemented, strategies to overcome, and the results

This was not clear and easily distinguished in the current materials. In this case, the MDT would seek better information to complete this section.

**G. Services**

The youth is not a Regional Center client due to the fact that he does not have mental retardation or other qualifying condition. Psychological testing indicates that he functions at a "low average level of intelligence." The youth is currently enrolled in individual counseling at Pacific Clinics—Behavioral Health care with Weston Taussig, MA—Clinician for the after school day treatment program located at 66 Hurlbut St. , Pasadena, CA 91105. The youth has therapy five days a week for four and a half hours each day after school. According to Counselor Taussig, the youth has been diagnosed with depressive disorder, disruptive behavior and ADHD. The youth is currently enrolled in a structured day program which includes life skills, sports, and walks. Since 9/5/05, the youth has been on 20 mg of Prozac prescribed by psychiatrist, Dr. Jasjeet Nayar. Prior to 9/5/07, the youth was under Dr. Cruz and was taking Adderall. Mr. Taussig stated that the youth is being treated with Prozac for depression, which he indicated was common in teenagers who have a history of prenatal drug exposure. The youth as been further assessed as isolating himself from peers, being aggressive, irritable, having poor tolerance, and poor boundary issues, cursing regularly, feelings of low self-esteem, opposition/defiant behavior and becomes extremely out of control when he is unable to deal with the problem. The issues that the youth is currently dealing with are the abandonment/disappearance of his mother, problems in his relationship with his brother Ross Jr., and unhealthy relationship with his father. Maternal grandmother is attending therapy sessions with the youth and individually to deal with interventions and conflict resolutions related to the youth's behavior. The current evaluation and day treatment assessment for the youth dated 5/25/06 from Pacific Clinics is attached to this report.

On 3/15/06, DCFS received an emergency response referral for the youth stating that the youth had been hospitalized at Gateway Hospital due to suicidal gestures from "high levels of stress at school." CSW investigated this referral and found the youth's suicidal ideations to be substantiated. He was released from the hospital on 3/20/06 to his maternal grandmother. The youth continues to be in weekly therapy. On 5/3/06, the youth was re-referred for a Regional Center assessment at the East Los Angeles Regional Center. This re-assessment has not yet been completed.

The youth is participating in therapeutic services through Pacific Clinics.

**H. Mental Health/Emotional Status (includes Substance Abuse)**

- **Did the dependency attorney authorize JCMHS to report assessment findings to the delinquency court?**

  X No
  - o Yes, Information was Reviewed
  - o Yes, Information was Not Reviewed due to Lack of Time
  - o Yes, Information was Not Reviewed because _____

- **Did the delinquency attorney authorize JCMHS to interview the youth?**

  - o No
  - o Yes, Assessment Completed and Reviewed
  - o Yes, Assessment Not Completed due to Insufficient Time
  - o Yes, Assessment Not Completed because _____
  - X Not Applicable (due to dependency attorney's refusal to authorize)

- **Description of Mental Health and/or Substance Abuse Problem**

**1. Indicate history of suicide attempts, dates and location of any hospitalizations, and prescribed psychotropic medications (note: indicate whether medications appear to be helpful and whether further assessment for medication is necessary)**

Youth has reported suicide ideation with at least one attempt (difficult to assess level of intention); previously hospitalized at least twice, starting in 2nd grade and most recent in 2006. Youth is currently medicated on Prozac, but it is unclear whether this medication is helpful due to inconsistent behavior. Further assessment for medication is necessary to determine helpfulness of medication.

**2. Brief narrative describing clinician's assessment of the youth's mental health and/or substance abuse problems (type and/or severity) from information available**

Currently, youth has a diagnosis of major depressive disorder, disruptive behavior, and ADHD (by history). Youth is very low functioning. Borderline intellectual functioning is suspected from various sources but is not documented. Prevalence of substance abuse is unknown, but there is a family history of substance abuse and youth was exposed prenatally to drugs; thus, screening/assessment for substance abuse may be necessary.

**3. Brief narrative describing the clinician's assessment of the relationship between the mental health/substance abuse problem and problem behavior**

Current offense and related problem behaviors (e.g., aggression) are clearly related to poor impulse control and poor anger management. These problems are symptoms which are common in youth with fetal alcohol exposure (which is likely in his case), major depression (with which he has been diagnosed), and unresolved issues of abandonment issues (with which he is likely struggling).

- **Does youth need further assessment?**
  - o No further assessment is necessary
  - X Psychological testing (to clarify IQ)
  - X Psychotropic medication assessment
  - X Neuropsychological testing (to clarify academic information processing concerns)
  - o Neurological assessment (EEG, movement disorders etc.)
  - X Substance abuse assessment
  - o Other medical concerns impacting mental health
  - X Academic testing
  - X Developmental assessment
  - o Other: _____

- **Additional recommendations necessary to facilitate treatment (e.g., legal status change, recreation, etc.):**

None

**I. Health Information**

The youth had his last medical exam on 4/25/06 at the El Sereno Medical Center in El Sereno, CA. He is currently taking Singulair, Advair, Albuterol inhaler for his asthma. No other health problems were noted. The youth had his last dental exam on 6/14/06 with Dr. Albelais at 10375 Garfield Ave., Alhambra, CA (6260281-1880. He had his teeth cleaned and no problems were noted.

**J. Safety Issues**

- **Results of the LARCC and risk level (To be inserted)**

| LARCC Domain | Protective Factor Score | Risk Factor Score |
|---|---|---|
| Delinquency | | |
| Education | | |
| Family | | |
| Peer | | |
| Substance Use | | |
| Individual | | |
| Total | | |
| Total Resiliency Score | | |

- **State any child or community safety issues that impact the child being placed**

Based on prior history and the circumstances surrounding the offense, youth is considered a low risk. No

changes in placement are necessary for the purposes of the child's or community'

**Joint Recommendation (MDT Assumption from materials= Youth's current situation is working)**

Disposition Recommendations:

This case is a ____ new/__X__ continuing 241.1 referral. Based on the information provided in the 241.1 joint assessment report and all supporting documents, the 241.1 MDT recommends __Dismissal_____ as a disposition in this case. The recommended lead agency is ___DCFS_____.

Placement, Supervision, and Treatment Recommendations:

The MDT determined that this youth requires a __low_____ level of supervision and a __Level III____ level of treatment care. The most appropriate placement for this youth is __Home of Parent (Adoptive Grandmother)___.

Specifically, the probation intervention(s) for this youth should be ___n/a_____, and the treatment service(s) should be __Day Treatment (7)____. Youth is currently in a day treatment program; thus, MDT recommends continuation of day treatment services. Given that the recommended treatment service(s) are difficult to access, appropriate (even if not ideal) treatment service(s) include: __n/a_____. Additional services and/or issues related to this youth's include the following: __n/a_____.

The current recommendations __X__ are limited/_____are not limited based on the information available at the time of the MDT review. The appropriateness of these recommendations __X_ need to/___do not necessarily need to be reevaluated after additional assessment is conducted. The additional assessments recommended for this youth include: _Psychotropic medication assessment; screening/further assessment substance abuse; and, psychological assessment, neuropsychological assessment, academic testing, and developmental assessment (NOTE: These relate to the same issue(s)—all of these tests may not be necessary but they should be considered further)__.

Family Intervention Recommendations:

The recommended modification(s) to the current case plan for family intervention(s) is/are _(1) support for grandmother, (2) family preservation, (3) wrap-around services that provide support for grandmother,

collaboration with day treatment providers, and ways to minimize conflict/stress at home___.

Educational Plan Recommendations:

The recommendation(s) for an educational plan is/are: _(1) limit father's educational rights and give to grandmother; (2) psycho-educational testing to determine cognitive ability; (3) evaluate current school is appropriate placement; and (4) a referral to the 317 panel to oversee completion of these recommendations__.

# 241.1 MDT Decision-Making Grids

**Working Draft 5/10/07**

# 241.1 MDT Decision-Making Grids

## Table of Contents

## 241.1 MDT Decision-Making Grids

**Directions:** The grids provided in this document should be used in conjunction with the completion of the MDT 241.1 Joint Assessment Worksheet in order to assist in decision-making. These tables will be most useful once the supervision level and treatment need level for a youth has been determined. Once this information is known, the tables will help guide MDT recommendations related to type of supervision interventions, treatment services, and further assessment.

**Important Definitions:**

Levels of Care are case management levels that were developed by the Department of Mental Health to categorize services. The following are definitions for each level:

*Level I (Stable/Maintenance):* Clients with a mental health problem that is neither acute nor serious and persistent or which is unclear
*Level II (Brief):* Clients with an acute disorder, which responds to a relatively brief clinical intervention without the need for intensive rehabilitation services
*Level III (Intensive):* Clients with serious and persistent mental illness who need rehabilitative services, especially case management to achieve the desired level of functioning. Also included are clients experience their first acute episode of severe mental illness
*Level IV (ISR):* Clients who meet the criteria for Intensive Service Recipients (i.e., individuals who have been hospitalized six or more times during a rolling twelve-month period)
*NOTE:* These are predefined categories by DMH largely for adults. I will work with

DMH to alter these as necessary to be more reflective of youth.

Supervision Levels:

*Low:* To Be Inserted by Probation
*Moderate:* To Be Inserted by Probation
*High:* To Be Inserted by Probation

Availability Ratings for all placements and services are provided in parentheses ( ), which are located directly next to the placement or service listed. The availability ratings are based on a 1-10 rating scale, where 1=easiest to obtain & 10=hardest to obtain. NA=Not Available and a "?" indicates that the availability rating is not known at this time.

## Probation Supervision Intervention and Placement Options by Risk Level

| | Low Risk | Moderate Risk | High Risk |
|---|---|---|---|
| **Probation Supervision Interventions Options** | • Traditional Probation Contact (1x/Mo.)<br>• Systems of Care<br>• Referrals to community-based agencies (e.g., LA Bridges, Girls Today/Women Tomorrow, Boys & Girls Club) | • Traditional Probation Contact (at least 2x/Mo.)<br>• Drug Court<br>• Mental Health Court<br>• Electronic Monitoring | • Electronic Monitoring<br>• Drug Court<br>• Mental Health Court<br>• Placement (see below) |
| **Probation Placement Options** | • Home with parent/relative/guardian<br>• Group Home (less than Level 10) | • Home with parent/relative/guardian<br>• Level 10 Group Home<br>• Level 12 Group Home<br>• Level 14 Group Home | • Level 14 Group Home<br>• Dorothy Kirby Center<br>• Probation Camp |

# Decision Grids for Further Assessment and Treatment Services by Level of Treatment Need

# Placement Type: Home, Relative, or Regular Foster Home (1)

| | Further Assessment Services/Legal Services | Treatment Services | | |
|---|---|---|---|---|
| | | MH Services | AOD Services | Educational Services |
| Level of Treatment Care | | | | |
| Level 1 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (5)<br>c. Neuropsychological assessment (5)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal—None | c. Individual Treatment Casual (2)<br>d. Psychotropic Medication (--)<br>p. Other Treatment (7) | b. AOD Outpatient (5)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (--)<br>c. School Based Individual Tx (6) |
| Level 2 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (5)<br>c. Neuropsychological assessment (5)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal—None | a. Individual Tx Intensive (10)<br>b. Individual Tx Regular (3)<br>e. Group Tx (4)<br>f. Family Tx (4)<br>h. TBS (6)<br>c. Individual Tx Casual (2)<br>d. Psychotropic Medication (--)<br>p. Other Treatment (7) | b. AOD Outpatient (5)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (--)<br>c. School Based Individual Tx (6)<br>d. School based 1:1 behavioral aide(7) |
| Level 3 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (5)<br>c. Neuropsychological assessment (5)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal—None | a. Individual Tx Intensive (10)<br>b. Individual Tx Regular (3)<br>c. Individual Tx Casual (2)<br>d. Psychotropic Medication (--)<br>e. Group Tx (4)<br>f. Family Tx (4)<br>g. Day Tx (7)<br>h. TBS (6)<br>i. MST (?)<br>j. MDTFC (?)<br>k. MSFT (?)<br>l. FSP (5)<br>m. Eating D/O Tx—Outpatient (7)<br>n. Sexual perpetrator Tx—Outpatient (6)<br>p. Other Tx (7) | b. AOD Outpatient (5)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (--)<br>c. School Based Individual Tx (6)<br>d. School based 1:1 behavioral aide(7) |

## Placement Type: Home, Relative, or Regular Foster Home, Continued

| | Further Assessment Services/Legal Services | Treatment Services | | |
|---|---|---|---|---|
| | | MH Services | AOD Services | Educational Services |
| Level 4/5 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (5)<br>c. Neuropsychological assessment (5)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (8) | a. Individual Tx Intensive (10)<br>b. Individual Tx Regular (3)<br>c. Individual Tx Casual (2)<br>d. Psychotropic Medication (--)<br>e. Group Tx (4)<br>f. Family Tx (4)<br>g. Day Tx (7)<br>h. TBS (6)<br>i. MST (?)<br>j. MDTFC (?)<br>k. MSFT (?)<br>l. FSP (5)<br>m. Eating D/O Tx—Outpatient (7)<br>n. Sexual perpetrator Tx—Outpatient (6)<br>p. Other Tx (7) | b. AOD Outpatient (5)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (–)<br>c. School Based Individual Tx (6)<br>d. School based 1:1 behavioral aide(7) |

# Placement Type: Group Home—Less than a Level 12 (3)

| | Further Assessment Services/Legal Services | Treatment Services | | |
|---|---|---|---|---|
| | | MH Services | AOD Services | Educational Services |
| **Level of Treatment Care** | | | | |
| Level 1 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| Level 2 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| Level 3 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (5)<br>c. Neuropsychological assessment (5)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (8) | a. Individual Tx Intensive (10)<br>b. Individual Tx Regular (3)<br>c Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (4)<br>f. Family Tx (4)<br>g. Day Tx (7)<br>h. TBS (6)<br>i. MST--? (?)<br>j. MDTFC--? (?)<br>k. MSFT--? (?)<br>l. FSP--? (5)<br>m. Eating D/O Tx—Outpatient (7)<br>n. Sexual perpetrator Tx—Outpatient (6)<br>o. Sexual perpetrator Tx—Residential (NA)<br>p. Other Tx (6) | a. AOD Residential (NA)<br>b. AOD Outpatient (5)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (6)<br>d. School based 1:1 behavioral aide(7)<br>e. School Based Intensive Educational Instruction (?) |

| | | | | |
|---|---|---|---|---|
| Level 4/5 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (5)<br>c. Neuropsychological assessment (5)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (8) | a. Individual Tx Intensive (10)<br>b. Individual Tx Regular (3)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (4)<br>f. Family Tx (4)<br>g. Day Tx (7)<br>h. TBS (6)<br>i. MST--? (?)<br>j. MDTFC--? (?)<br>k. MSFT--? (?)<br>l. FSP--? (5)<br>m. Eating D/O Tx—Outpatient (7)<br>n. Sexual perpetrator Tx—Outpatient (6)<br>o. Sexual perpetrator Tx—Residential (NA)<br>p. Other Tx (6) | a. AOD Residential (NA)<br>b. AOD Outpatient (5)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (6)<br>d. School based 1:1 behavioral aide(7)<br>e. School Based Intensive Educational Instruction (?) |

## Placement Type: Level 12 Group Home (5)

| | Further Assessment Services/Legal Services | Treatment Services | | |
|---|---|---|---|---|
| | | MH Services | AOD Services | Educational Services |
| Level of Treatment Care | | | | |
| Level 1 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| Level 2 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |

| | | | | |
|---|---|---|---|---|
| Level 3 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (4)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (7) | a. Individual Tx Intensive (7)<br>b. Individual Tx Regular (1)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (3)<br>f. Family Tx (3)<br>g. Day Tx (4)<br>h. TBS (6)<br>i. MST--? (?)<br>j. MDTFC--? (?)<br>k. MSFT--? (?)<br>l. FSP--? (5)<br>m. Eating D/O Tx—Outpatient (6)<br>n. Sexual perpetrator Tx—Outpatient (5)<br>o. Sexual perpetrator Tx—Residential (8)<br>p. Other Tx (5) | a. AOD Residential (8)<br>b. AOD Outpatient (5)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (4)<br>d. School based 1:1 behavioral aide(6)<br>e. School Based Intensive Educational Counseling (?) |
| Level 4/5 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (4)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (7) | a. Individual Tx Intensive (7)<br>b. Individual Tx Regular (1)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (3)<br>f. Family Tx (3)<br>g. Day Tx (4)<br>h. TBS (6)<br>i. MST--? (?)<br>j. MDTFC--? (?)<br>k. MSFT--? (?)<br>l. FSP--? (5)<br>m. Eating D/O Tx—Outpatient (6)<br>n. Sexual perpetrator Tx—Outpatient (5)<br>o. Sexual perpetrator Tx—Residential (8)<br>p. Other Tx (5) | a. AOD Residential (8)<br>b. AOD Outpatient (5)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (4)<br>d. School based 1:1 behavioral aide(6)<br>e. School Based Intensive Educational Counseling (?) |

## Placement Type: Level 14 Group Home (7)

| | Further Assessment Services/Legal Services | Treatment Services | | |
|---|---|---|---|---|
| | | MH Services | AOD Services | Educational Services |
| Level of Treatment Care | | | | |
| Level 1 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |

| | | | | |
|---|---|---|---|---|
| Level 2 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| Level 3 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (3)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (6) | a. Individual Tx Intensive (4)<br>b. Individual Tx Regular (1)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (1)<br>f. Family Tx (2)<br>g. Day Tx (1)<br>h. TBS (?)<br>i. MST--? (?)<br>j. MDTFC--? (?)<br>k. MSFT--? (?)<br>l. FSP--? (5)<br>m. Eating D/O Tx—Outpatient (6)<br>n. Sexual perpetrator Tx—Outpatient (8)<br>o. Sexual perpetrator Tx—Residential (8)<br>p. Other Tx (2) | a. AOD Residential (8)<br>b. AOD Outpatient (NA)<br>b. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (3)<br>d. School based 1:1 behavioral aide(4)<br>e. School Based Intensive Educational Instruction (?) |
| Level 4/5 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (3)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (6) | a. Individual Tx Intensive (4)<br>b. Individual Tx Regular (1)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (1)<br>f. Family Tx (2)<br>g. Day Tx (1)<br>h. TBS (?)<br>i. MST--? (?)<br>j. MDTFC--? (?)<br>k. MSFT--? (?)<br>l. FSP--? (5)<br>m. Eating D/O Tx—Outpatient (6)<br>n. Sexual perpetrator Tx—Outpatient (8)<br>o. Sexual perpetrator Tx—Residential (8)<br>p. Other Tx (2) | a. AOD Residential (8)<br>b. AOD Outpatient (NA)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (3)<br>d. School based 1:1 behavioral aide(4)<br>e. School Based Intensive Educational Instruction (?) |

## Placement Type: Secure Residential Treatment (8)

| | Further Assessment Services/Legal Services | Treatment Services | | |
|---|---|---|---|---|
| | | MH Services | AOD Services | Educational Services |
| Level of Treatment Care | | | | |
| Level 1 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |

| | | | | |
|---|---|---|---|---|
| Level 2 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| Level 3 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (2)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (5)<br>b. WIC 6500 Commitment (10) | a. Individual Tx Intensive (4)<br>b. Individual Tx Regular (1)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (1)<br>f. Family Tx (2)<br>g. Day Tx (1)<br>h. TBS (?)<br>m. Eating D/O Tx—Outpatient (6)<br>n. Sexual perpetrator Tx—Outpatient (NA)<br>o. Sexual perpetrator Tx—Residential (8)<br>p. Other Tx (2) | a. AOD Residential (8)<br>b. AOD Outpatient (NA)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (1)<br>d. School based 1:1 behavioral aide(4)<br>e. School Based Intensive Educational Instruction (?) |
| Level 4/5 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (2)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (5)<br>b. WIC 6500 Commitment (10) | a. Individual Tx Intensive (4)<br>b. Individual Tx Regular (1)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (1)<br>f. Family Tx (2)<br>g. Day Tx (1)<br>h. TBS (?)<br>m. Eating D/O Tx—Outpatient (6)<br>n. Sexual perpetrator Tx—Outpatient (NA)<br>o. Sexual perpetrator Tx—Residential (8)<br>p. Other Tx (2) | a. AOD Residential (8)<br>b. AOD Outpatient (NA)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (1)<br>d. School based 1:1 behavioral aide(4)<br>e. School Based Intensive Educational Instruction (?) |

# Placement Type: Dorothy Kirby Center (9)

| | Further Assessment Services/Legal Services | Treatment Services | | |
|---|---|---|---|---|
| | | MH Services | AOD Services | Educational Services |
| **Level of Treatment Care** | | | | |
| **Level 1** | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| **Level 2** | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| **Level 3** | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (2)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (6)<br>b. WIC 6500 Commitment (10) | a. Individual Tx Intensive (5)<br>b. Individual Tx Regular (3)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (1)<br>f. Family Tx (2)<br>g. Day Tx (1)<br>h. TBS (NA)<br>m. Eating D/O Tx—Outpatient (1)<br>n. Sexual perpetrator Tx—Outpatient (NA)<br>p. Other Tx (3) | a. AOD Residential (NA)<br>b. AOD Outpatient (1)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School based individual treatment (NA)<br>d. School based 1:1 behavioral aide(8)<br>e. School Based Intensive Educational Instruction (?) |
| **Level 4/5** | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (2)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (6)<br>b. WIC 6500 Commitment (10) | a. Individual Tx Intensive (5)<br>b. Individual Tx Regular (3)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (1)<br>f. Family Tx (2)<br>g. Day Tx (1)<br>h. TBS (NA)<br>m. Eating D/O Tx—Outpatient (1)<br>n. Sexual perpetrator Tx—Outpatient (NA)<br>p. Other Tx (3) | a. AOD Residential (NA)<br>b. AOD Outpatient (1)<br>c. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School based individual treatment (NA)<br>d. School based 1:1 behavioral aide(8)<br>e. School Based Intensive Educational Instruction (?) |

# Placement Type: Probation Camp (5)

| | Further Assessment Services/Legal Services | Treatment Services | | |
|---|---|---|---|---|
| | | MH Services | AOD Services | Educational Services |
| Level of Treatment Care | | | | |
| Level 1 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| Level 2 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| Level 3 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (5)<br>c. Neuropsychological assessment (2)<br>d. Other medical concerns (2)<br>e. Developmental assessment (6)<br><br>Legal<br>a. LPS Conservatorship (6)<br>b. WIC 6500 Commitment (10) | a. Individual Tx Intensive (10)<br>b. Individual Tx Regular (5)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (5)<br>f. Family Tx (6)<br>g. Day Tx (NA)<br>h. TBS (NA)<br>m. Eating D/O Tx—Outpatient (NA)<br>n. Sexual perpetrator Tx—Outpatient (NA)<br>p. Other Tx (NA) | a. AOD Residential (NA)<br>b. AOD Outpatient (7)<br>c. AOD Assessment (1) | a. Academic testing (2)<br>b. Speech and Language Rx (?)<br>c. School based individual treatment (NA)<br>d. School based 1:1 behavioral aide(8)<br>e. School Based Intensive Educational Instruction (?) |
| Level 4/5 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (5)<br>c. Neuropsychological assessment (2)<br>d. Other medical concerns (2)<br>e. Developmental assessment (6)<br><br>Legal<br>a. LPS Conservatorship (6)<br>b. WIC 6500 Commitment (10) | a. Individual Tx Intensive (10)<br>b. Individual Tx Regular (5)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (5)<br>f. Family Tx (6)<br>g. Day Tx (NA)<br>h. TBS (NA)<br>m. Eating D/O Tx—Outpatient (NA)<br>n. Sexual perpetrator Tx—Outpatient (NA)<br>p. Other Tx (NA) | a. AOD Residential (NA)<br>b. AOD Outpatient (7)<br>c. AOD Assessment (1) | a. Academic testing (2)<br>b. Speech and Language Rx (?)<br>c. School based individual treatment (NA)<br>d. School based 1:1 behavioral aide(8)<br>e. School Based Intensive Educational Instruction (?) |

# Appendix A: Services List Used to Generate Grids
## (See attached file for availability ratings)

NOTE: Additions can be made to this list as long as they are relevant and not repetitive.

**1. Assessment Services**
- 1.a Psychological testing
- 1.b Neuropsychological testing
- 1.c Neurological assessment
- 1.d Other medical concerns
- 1.e Developmental assessment

**2. Legal Services**
- 2.a LPS Conservatorship
- 2.b WIC 6500 Commitment

**3. MH Services**
- 3.a Individual Tx Intensive
- 3.b Individual Tx Regular
- 3.c Individual Tx Casual
- 3.d Psychotropic medication
- 3.e Group Tx
- 3.f Family Tx
- 3.g Day Tx
- 3.h TBS (Therapeutic Behavioral Services)
- 3.i MST (Multi-Systemic Therapy)
- 3.j MDTFC (Multi-Dimensional Therapeutic Foster Care)
- 3.k MSFT (Multi-Systemic Family Therapy)
- 3.l FSP (Full Service Partnership)
- 3.m Eating d/o Tx (Outpatient)
- 3.n Sexual perpetrator Tx Outpatient
- 3.o Sexual perpetrator Tx Residential
- 3.p Other Tx
- 3.q Children's Comprehensive Services Program (CCSP)

**4. AOD Services**
- 4.a AOD Residential
- 4.b AOD Outpatient
- 4.c AOD Assessment

**5. Educational Services**
- 5.a Academic testing
- 5.b Speech and Language Rx
- 5.c School based Individual Tx
- 5.d School based 1:1 behavioral aide
- 5.e School based intensive educational counseling

# Placement Type: Developmental Center (10)

| | Further Assessment Services/Legal Services | Treatment Services | | |
|---|---|---|---|---|
| | | MH Services | AOD Services | Educational Services |
| **Level of Treatment Care** | | | | |
| Level 1 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| Level 2 | Not Applicable | Not Applicable | Not Applicable | Not Applicable |
| Level 3 | Assessment<br>a. Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (2)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (5) | a. Individual Tx Intensive (5)<br>b. Individual Tx Regular (3)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (1)<br>f. Family Tx (2)<br>g. Day Tx (1)<br>h. TBS (NA)<br>m. Eating D/O Tx—Outpatient (NA)<br>n. Sexual perpetrator Tx—Outpatient (NA)<br>o. Sexual perpetrator Tx—Residential (5)<br>p. Other Tx (NA) | a. AOD Residential (8)<br>b. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (?)<br>d. School based 1:1 behavioral aide(?)<br>e. School Based Intensive Educational Counseling (?) |
| Level 4/5 | Assessment<br>a Psychological Testing (2)<br>b. Neuropsychological testing (4)<br>c. Neuropsychological assessment (2)<br>d. Other medical concerns (3)<br>e. Developmental assessment (2)<br><br>Legal<br>a. LPS Conservatorship (5) | a Individual Tx Intensive (5)<br>b. Individual Tx Regular (3)<br>c. Individual Tx Casual (1)<br>d. Psychotropic Medication (--)<br>e. Group Tx (1)<br>f. Family Tx (2)<br>g. Day Tx (1)<br>i. MST--? (?)<br>j. MDTFC--? (?)<br>k. MSFT--? (?)<br>m. Eating D/O Tx—Outpatient (?)<br>o. Sexual perpetrator Tx—Residential (5)<br>p. Other Tx (3) | a. AOD Residential (8)<br>b. AOD Assessment (2) | a. Academic testing (3)<br>b. Speech and Language Rx (?)<br>c. School Based Individual Tx (?)<br>d School based 1:1 behavioral aide (?)<br>e. School Based Intensive Educational Counseling (?) |

Relative Ease/Difficulty of Obtaining/Implementing MH Treatments in Different Residential Settings (5 - 7-07)

[ 10 pt scale: 1 = easiest to obtain & 10 = hardest to obtain – NA = Not Available ]

| Treatment Type / Residential Setting → | Regular FH, relative, HOP | Therapeutic FH (D rate) | Other GH | Transitional Age Program | Level 12 | Level 14 | Secure Residential Tx | DKC | Probation Camp | Developmental Center | Out of State |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Residential Setting Access (Ease/Diff) | 1 | 2 | 3 | 5 | 5 | 7 | 8 | 9 | 5 | 10 | 10+ |
| Individual Tx Intensive | 10 | 10 | 10 | 8 | 7 | 4 | 4 | 5 | 10 | 5 | 4 |
| Individual Tx Regular | 3 | 3 | 3 | 3 | 1 | 1 | 1 | 3 | 5 | 3 | 1 |
| Individual Tx Casual | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Group Tx | 4 | 4 | 4 | 4 | 3 | 1 | 1 | 1 | 5 | 1 | 1 |
| Family Tx | 4 | 4 | 4 | 4 | 3 | 2 | 2 | 2 | 6 | 2 | ? |
| Day Tx | 7 | 7 | 7 | 7 | 4 | 1 | 1 | 1 | NA | 1 | ? |
| TBS | 6 | 6 | 6 | 6 | 6 | ? | ? | NA | NA | NA | ? |
| School based Individual Tx | 6 | 6 | 6 | 6 | 4 | 3 | 1 | NA | NA | ? | ? |
| School based 1:1 behavioral aide | 7 | 7 | 7 | 7 | 6 | 4 | 4 | 8 | NA | ? | ? |
| MST, MDTFC, CCSP | ? | ? | ? | ? | ? | ? | ? | NA | NA | ? | NA |
| AOD Residential | NA | NA | NA | NA | 8 | 8 | 8 | NA | NA | 8 | ? |
| AOD Outpatient | 5 | 5 | 5 | 5 | 5 | NA | NA | 1 | 7 | NA | ? |
| Eating d/o Tx (Outpatient) | 7 | 7 | 7 | 7 | 6 | 6 | 6 | 1 | NA | ? | ? |
| Sexual perpetrator Tx Outpatient | 6 | 6 | 6 | 6 | 5 | NA | NA | NA | NA | NA | ? |
| Sexual perpetrator Tx Residential | NA | NA | NA | NA | 8 | 8 | 8 | NA | NA | 5 | ? |
| Other Tx | 7 | 7 | 6 | 6 | 5 | 2 | 2 | 3 | NA | 3 | 3 |
| Psychotropic Med Assessment | 5 | 5 | 5 | 5 | 3 | 1 | 1 | 1 | 1 | 1 | ? |
| AOD Assessment | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 1 | 1 | 2 | 2 |
| Psychological testing | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Neuropsychological testing | 5 | 5 | 5 | 5 | 4 | 4 | 4 | 4 | 5 | 4 | 4 |
| Neurological assessment | 5 | 5 | 5 | 5 | 4 | 3 | 2 | 2 | 2 | 2 | ? |
| Other medical concerns | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 1 | 2 | 3 | 3 |
| Academic testing | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 1 | 2 | 3 | 3 |
| Developmental assessment | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 1 | 6 | 2 | 2 |
| LPS Conservatorship | 8 | 8 | 8 | 8 | 7 | 6 | 5 | 6 | 6 | 6 | NA |
| WIC 6500 Commitment | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | NA | NA |

**Placement Settings**

1. Regular foster home, relative, HOP
2. Therapeutic (D rate) foster home (with in home Tx services)
3. Other group home (with in home Tx services)
4. Level 12 residential Tx (incl. day Tx, on-grounds school)
5. Transitional Age Program
6. Level 14 residential Tx (incl. day Tx, on-grounds school)
7. Dorothy Kirby Center (DKC)
8. Secure (locked) Residential Tx (MSH, HV, SV, CTF)
9. Developmental Center
10. Out of state placement

**Mental Health Treatment Services**

1. Individual Tx Intensive (multiple x/week)
2. Individual Tx Regular (weekly)
3. Individual Tx Casual (< weekly)
4. Group Tx
5. Family Tx
6. Day Tx
7. TBS
8. School based Individual Tx
9. School based 1:1 behavioral aide
10. Multisystemic Therapy (MST)
11. Multidimensional Treatment Foster Care (MTFC)
12. Children's Comprehensive Services Program (CCSP)

**Specialty Tx Services**

1. AOD Residential
2. AOD Outpatient
3. Eating d/o Tx
4. Sexual perpetrator Tx Outpatient
5. Sexual perpetrator Tx Residential
6. Other Tx (art, recreational, movement, music, socialization etc.)

Assessment needs

1. Psychotropic Medication
2. AOD
3. Psychological testing
4. Neuropsychological testing
5. Neurological assessment
6. Other medical concerns impacting mental health
7. Academic testing
8. Developmental assessment

Other Service Needs

1. LPS Conservatorship
2. WIC 6500 Commitment

# EXHIBIT J

T LEVENTER
COMMISSIONER

EAST DISTRICT- PASADENA
ST WALNUT STREET, DEPARTMENT 271
ENA, CA 91101
IONE: (626) 356-5671

**Superior Court of California**
**County of Los Angeles**

April _____

To: All Interested Parties

From: Michael Nash, Presiding Judge
Juvenile Court

Re: §241.1 Disposition Guidelines for a Multidisciplinary Team

In the proposed §241.1 protocol when a joint assessment is ordered the case is referred to a multidisciplinary unit known as the §241.1 Action Team. The Team consists of representatives from Department of Children and Family Services (DCFS), the Department of Probation and the Department of Mental Health (DMH). As part of the assessment, the Team is responsible for making a recommendation to the court as to the appropriate legal status for the minor.

Each minor should be evaluated as a unique individual so the nature of the judgment that the Team has to make requires a high degree of flexibility. The Juvenile Court, Probation and DCFS adopt the following guidelines. These guidelines are to be used by the Team when making their recommendations.

[Nothing in these guidelines in any way impinges upon the charging discretion of the District Attorney.]

**General Principals**

The Team should be guided by the statutory purpose of the juvenile law.

> §202. (a) The purpose of this chapter is to provide for the protection and safety of the public and each minor under the jurisdiction of the juvenile court and to preserve and strengthen the minor's family ties whenever possible, removing the minor from the custody of his or her parents only when necessary for his or her welfare or for the safety and protection of the public. When removal of a minor is determined by the juvenile court to be necessary, reunification of the minor with his or her family shall be a primary objective. When the minor is removed from his or her own family,

it is the purpose of this chapter to secure for the minor custody, care, and discipline as nearly as possible equivalent to that which should have been given by his or her parents. This chapter shall be liberally construed to carry out these purposes.

(b) Minors under the jurisdiction of the juvenile court who are in need of protective services shall receive care, treatment and guidance consistent with their best interest and the best interest of the public. Minors under the jurisdiction of the juvenile court as a consequence of delinquent conduct shall, in conformity with the interests of public safety and protection, receive care, treatment, and guidance that is consistent with their best interest, that holds them accountable for their behavior, and that is appropriate for their circumstances. This guidance may include punishment that is consistent with the rehabilitative objectives of this chapter. If a minor has been removed from the custody of his or her parents, family preservation and family reunification are appropriate goals for the juvenile court to consider when determining the disposition of a minor under the jurisdiction of the juvenile court as a consequence of delinquent conduct when those goals are consistent with his or her best interests and the best interests of the public. When the minor is no longer a ward of the juvenile court, the guidance he or she received should enable him or her to be a law-abiding and productive member of his or her family and the community. *Welfare and Institutions Code §202.*

**(A) The collaboration between Probation, DCFS and DMH should provide a continuum of services to minors so that fewer minors receive a §602 status.**

(1) Each minor should be evaluated according to the risk that he or she poses to the community and the needs that the minor may have. Such an evaluation must include an assessment of the seriousness of the allegations in the petition before the court.

(2) Consistent with the interests of public safety and protection, and the rehabilitative objectives of the juvenile court, there should be a preference for the least restrictive disposition status.

(3) When a §602 offense is the result of, or closely related to, a minor's mental health problems, the recommendations to the court should discuss what efforts could be made to address the underlying problems with appropriate treatment and services before recommending that a minor be declared a ward of the court under §602 or §300/§602.

**(B) If a minor needs to be suitably placed, the placement should be chosen to meet that minor's specific needs and be in the least restrictive environment.**

(1) If the minor is under a suitable placement when a §601/§602 petition is filed, or the Team is recommending a suitable placement, the minors disposition status recommendation must take into account any statutory or policy restrictions on mixing §300 and §602 minors.

**(C) When a §300/§602 minor has fulfilled the terms and conditions of probation and is no longer in need of Probation services, the §602 wardship should be terminated if, (1) the minor can remain at home without services from Probation or DCFS, or (2) there is a viable permanent plan, or (3) minor can remain on §300 status and continue to receive services from DCFS.**

**Disposition Alternatives**

The Team should consider the dispositions status by giving a preference for, or ruling out, the less restrictive disposition status before proceeding to the next disposition alternative. (Of course, neither the court, district attorney nor defense counsel is bound by the Team's recommendation).

A. Dismissal (or Dismissal with a referral to a community based alternative to court supervision.)

This recommendation should be made for a low level offense when probation and/or court supervision is simply not necessary. Examples might include minor fights at school, conflicts between a parent and a minor who are already in counseling, petty thefts with no restitution issues etc.

B. §654

§654 should be a more meaningful alternative than it is now. More intensive supervision by Probation which includes follow-up on drug and other counseling referrals, school performance, and compliance with the terms and conditions of probation, should make informal probation a more practical alternative. §654 should be considered in all cases when it is consistent with public safety; and §654 should be recommended when the Team determines that a minor can successfully complete a program of informal probation and is not in need of more intensive supervision by Probation. The parents or guardian, and the minor, must be willing to participate in a program of informal supervision.

If any of the charges make a minor ineligible under §654.3, the Team should nonetheless consider whether §654 is otherwise appropriate. The Team may make a conditional recommendation of §654 if it determines that the minor can be successful at this level. For example, if a minor 14 years of age or

older is charged with a burglary or an assault as a felony, but it is likely that the actual conduct may be resolved in court at the misdemeanor level, the Team could make a conditional recommendation for §654 and also make an alternative recommendation if minor is ineligible for §654. Or, in an unusual case the Team may recommend that the court make a finding that the interests of justice would best be served by a grant of §654.

C. §725(a)

§725(a) should be considered for any minor who has failed, or is unlikely to succeed at §654. Again, if the presenting charge precludes a grant of §725(a), the Team may make a conditional recommendation.

D. §790

§790 should be considered when it is consistent with public safety, for any minor who meets the following statutory criteria:

(1) The minor has not previously been declared to be a ward of the court for the commission of a felony offense.
(2) The offense charged is not one of the offenses enumerated in subdivision (b) of Section 707.
(3) The minor has not previously been committed to the custody of the Youth Authority.
(4) The minor's record does not indicate that probation has ever been revoked without being completed.
(5) The minor is at least 14 years of age at the time of the hearing.
(6) The minor is eligible for probation pursuant to Section 1203.06 of the Penal Code.

E. §300/602

Dual status should be considered, when it is consistent with public safety, for any minor who has failed at §654, §725(a), or §790 or is not eligible for any lesser status.

F. §602

§602 status should only be recommended when there are no meaningful services that can be provided by Probation's coordination with DCFS.

# EXHIBIT K

JUVENILE DIVISION
The Superior Court
201 CENTRE PLAZA DRIVE, SUITE 3
MONTEREY PARK, CALIFORNIA 91754-2158

CHAMBERS OF
MICHAEL NASH
PRESIDING JUDGE

TELEPHONE
(213) 526-6377

October 26, 1999

# MEMORANDUM

TO: All Participants in the Los Angeles County Juvenile Justice System

FROM: Presiding Judge Michael Nash
Juvenile Court

SUBJECT: **W.I.C. 241.1 PROTOCOL - Avoiding Conflicts Between the Dependency and Delinquency Court**

## BACKGROUND

This memo is written to deal primarily with issues arising from the recent appellate court case, In re Marcus G., filed July 28, 1999. In that case, a minor who was a dependent of the Dependency Court was declared a ward of the Delinquency Court without the benefit of a joint assessment pursuant to Welfare and Institutions Code section 241.1 Subsequently, the Dependency Court terminated its jurisdiction over the minor's objection. In an appeal filed by the minor, the appellate court remanded the matter to the juvenile court to determine whether the procedures mandated in WIC 241.1 were followed.

Since then, it has been brought to my attention that requests are being made to the Dependency Court to terminate jurisdiction over dependents who have been declared wards by the Delinquency Court either without the benefit of joint assessments pursuant to the WIC 241.1 protocol, or with what may appear to be joint assessments which do not strictly comply with the protocol. The result is Dependency Courts refusing to terminate jurisdiction, thereby creating potential conflict between our Dependency and Delinquency Courts. In this memo, I will hopefully articulate ways our Courts can resolve these issues so that we will not have minors who are under the jurisdiction of both Courts, a situation contrary to the law as stated in WIC 241.1(c).

## CURRENT PROCEDURES

The best and easiest way to avoid these issues is by following the process established in our county pursuant to WIC 241.1. Specifically, minors who are dependents of the court must be identified in the Delinquency Court as soon as possible, the joint assessments must be requested and/or ordered, and the quality of these assessments must be evaluated by all who participate in the process from the probation officers and social workers who prepare them, to the lawyers who represent the various parties, and the judicial officers who consider them. If this process is followed, there should be no potential for conflict between the courts, assuming the following steps are taken:

1. The minute order prepared by the Delinquency Court reflecting that a joint assessment was ordered, shall be sent to both the Dependency Court of record and the DCFS 241.1 Unit no later than the following day.

2. Upon completion of the joint assessment, copies of the report shall be sent to both the Delinquency and Dependency departments of record simultaneously.

3. When the Delinquency Court determines the minor's appropriate status, the judicial officer shall state for the record that it has read and considered the joint assessment report and include any additional evidence that has been presented prior to the determination of the appropriate status. The minute order shall be sent to the Dependency Court of record and the DCFS 241.1 Unit no later than the following day.

4. If the Delinquency Court determines that *delinquency* is the appropriate status, the minute order which ultimately declares the minor to be a ward of the court shall be sent to the Dependency Court of record and the DCFS 241.1 Unit. This process insures that the Dependency Court's ruling on a request to terminate jurisdiction is made with full knowledge that the 241.1 process has been appropriately concluded.

**There is no legal basis for the Dependency Court to deny that request for termination of jurisdiction because the determination by the Delinquency Court cannot be undermined by the Dependency Court. Any disagreements with that determination must be heard within the framework of the Delinquency Court.**

## ALTERNATIVES TO AVOID CONFLICT

Despite these procedures, it is fair to assume that occasionally cases will still come to the Dependency Court requesting termination of jurisdiction where it is not apparent that these procedures have been followed. In that case, there are a variety of alternatives available. However, before utilizing one of the following alternatives, County Counsel and/or the minor's attorney should make an effort before the case is called to determine if the procedure has been followed. If they are unable to do so, or if the documentation is not readily available, the case should be continued for not more than a few days to determine if the procedure has been followed and to obtain the documentation. Assuming that the assessment procedure did not occur, the following alternatives may be considered:

1. The Dependency Court should continue the request to terminate jurisdiction so that the minor's attorney in the Dependency Court can consult with the minor's delinquency attorney, and ultimately file a motion to vacate the dispositional order in the Delinquency Court on the ground that WIC 241.1 has not been followed. In re Marcus G. is now authority for this request. This procedure has been used successfully in our courts previously.

2. Another alternative is for the Dependency Court judicial officer or court clerk to communicate with the Delinquency Court judicial officer or clerk so that the Delinquency Court judicial officer can recall the case on his or her own motion. A related alternative is for the Dependency Court judicial officer to order the social worker to communicate with the probation officer who then communicates the deficient procedure to the Delinquency Court judicial officer and requests that the case be recalled for the purpose of complying with WIC 241.1.

If any of the above alternatives are used, the Delinquency Court shall proceed in the following manner. Without vacating the dispositional order, the Delinquency Court should order that a 241.1 assessment be completed. After receiving the assessment and conducting a hearing, the Delinquency Court should determine the appropriate status for the minor. If the Delinquency Court determines that the appropriate status is as a ward of the Delinquency Court, the minute order reflecting such shall be sent to the Dependency Court of record and the 241.1 Unit no later than the following day. Upon receipt of the appropriate documentation, the Dependency Court judicial officer should then terminate that court's jurisdiction.

On the other hand, if the Delinquency Court judicial officer determines that dependency is the appropriate status for the minor, the Delinquency Court judicial officer shall then vacate the dispositional order and proceed accordingly. This may mean simply dismissing the 602 petition or utilizing the procedures pursuant to WIC 654 or 725. In either case, the Delinquency Court clerk shall send the minute order to the Dependency Court of record and the 241.1 Unit no later than the following day.

3. A last alternative for the Dependency Court judicial officer is to grant the request to terminate jurisdiction even though the process has not been followed. This could be done after an independent review of the facts in which the judicial officer believes that termination of jurisdiction is the best result or that the failure to follow the WIC 241.1 procedure is, in effect, harmless error. There is one caution, however. If the minor's attorney in the Dependency Court objects, the Dependency Court judicial officer should continue the matter so that the minor's attorney can follow the first alternative, that is, filing a motion to vacate. This will avoid the potential of unnecessary utilization of the appellate process.

## CONCLUSION

As a final note, although this memo has been written from the perspective of cases in which minors crossover from the Dependency Court to the Delinquency Court, the most common situation, the exact same process should occur in those rare cases where minors crossover from the Delinquency Court to the Dependency Court.

# EXHIBIT L

JUVENILE DIVISION
The Superior Court
201 CENTRE PLAZA DRIVE, SUITE 3
MONTEREY PARK, CALIFORNIA 91754-2158

CHAMBERS OF
MICHAEL NASH
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September 8, 2003

**TO:** All Participants in the Los Angeles County Juvenile Justice System

**FROM:** Michael Nash, Presiding Judge
Juvenile Court

**SUBJECT:** **WIC 241.1 PROTOCOL – PROCEDURE FOR CONCURRENT UNADJUDICATED PETITIONS IN DEPENDENCY COURT AND DELINQUENCY COURT**

This memorandum is designed to create a process to handle cases where a youth has unadjudicated petitions pending in both the Dependency and Delinquency Courts. There are two scenarios in this regard.

**Scenario One**

The first scenario occurs when the filing of a WIC 300 petition is followed by the filing of a WIC 602 petition. In that case, the following procedure will occur:

1. The WIC 241.1 hearing will occur in the Delinquency Court with Probation as the lead agency. WIC 300 proceedings will continue in the Dependency Court.
2. If the result of the WIC 241.1 hearing is a ruling by the Court that WIC 602 status is most appropriate, the WIC 300 proceeding will continue until the WIC 602 petition is sustained and the youth is declared a WIC 602 ward at disposition.
3. If the result of the WIC 241.1 hearing is placing the youth on WIC 654, 725, or 790 status, the WIC 300 proceeding will continue.
4. If the result of the WIC 241.1 hearing is a ruling by the Court that only WIC 300 status is appropriate, the WIC 602 petition will be dismissed and the WIC 300 proceeding will continue.

**Scenario Two**

The second scenario occurs when the filing of a WIC 602 petition is followed by the filing of a WIC 300 petition. In that case, the following procedure will occur:

1. When the WIC 300 petition is filed, the report from DCFS should reflect that the youth has a WIC 602 petition pending, the charges against the youth, the Court department, the name of the youth's Delinquency Court Attorney, and the Delinquency case number.
2. The Dependency Court Judicial Officer shall order the court clerk to call the court clerk in the Delinquency Court where the WIC 602 petition is pending to inform the clerk that a WIC 300 petition has been filed.
   a. If the Delinquency Court where the WIC 602 petition is pending is dark, the Dependency Court clerk shall call the clerk of the Supervising Judge at the Delinquency Court location.
3. The Dependency Court clerk will follow up by sending a copy of a minute order to the Delinquency Court of record which states:

   "The clerk has informed the clerk in Department _____ that a WIC 300 petition has been filed in Delinquency Case No. _____."
4. Upon receipt of the phone call from the Dependency Court, the Delinquency Court will place the matter on its calendar in two court days, at which time the Delinquency Court will order a WIC 241.1 assessment with Probation as the lead agency. The WIC 300 proceeding will continue in the Dependency Court.
5. If the result of the WIC 241.1 hearing is a ruling by the court that WIC 602 status is most appropriate, the WIC 300 proceeding will continue until the WIC 602 petition is sustained and the youth is declared a WIC 602 ward at disposition.
6. If the result of the WIC 241.1 hearing is placement of the youth on WIC 654, 725, or 790 status, the WIC 300 proceeding will continue.
7. If the result of the WIC 241.1 hearing is a ruling by the court that only WIC 300 status is appropriate, the WIC 602 petition will be dismissed and the WIC 300 proceeding will continue.

While it is not anticipated that either of these scenarios will occur very often, the procedures delineated herein will provide a uniform way for our courts to respond on those occasions.

MN:ns

cc: Presiding Judge Robert A. Dukes, Superior Court
Assistant Presiding Judge William A. MacLaughlin, Superior Court
Supervising Judge Emily A. Stevens, Dependency Courts