

JUVENILE COURT EXPERT PANEL OF APPOINTED LICENSED CLINICAL SOCIAL WORKERS

PROCEDURES AND GUIDELINES

The following are the Policy and Procedures regarding appointment of licensed clinical social workers in juvenile proceedings and procedures to be followed by licensed clinical social worker panel members.

A. PANEL MEMBERSHIP

1. The Juvenile Court maintains a panel of licensed clinical social workers who are available for appointment, to assist the parties and the Court in juvenile court proceedings. The panel shall be known as the Juvenile Panel of Appointed Licensed Clinical Social Workers, herein referred to as the "Social Worker Panel".
2. Except in highly unusual cases, all appointments of licensed clinical social workers in juvenile court proceedings must be made from the Social Worker Panel.
3. The Social Worker Panel is distinct from any criminal division panel, although there may be overlapping membership.
4. The membership of the Social Worker Panel will be determined by the Juvenile Expert Evaluation Committee, herein referred to as the "Evaluation Committee".
5. To become a member of the Social Worker Panel, a licensed clinical social worker shall meet the following minimum criteria, which will be considered by the Evaluation Committee:
 - a. Licensed clinical social workers must be qualified from the standpoint of professional ability, ethics and diligence to assume appointments and to properly discharge their duties to the Court.
 - b. Licensed clinical social workers must have a Master's Degree in Social Work and a current California license in good standing as a Licensed Clinical Social Worker.
 - c. Licensed clinical social workers must agree to adhere to all policies and procedures, including the fee schedule set forth herein.
 - d. Licensed clinical social workers must agree to visit and interview youth in detention facilities. This requirement does not apply to certain Social Worker Panel members whose membership preceded the establishment of this requirement. Further, this requirement may be waived under exceptional circumstances.

- e. The Evaluation Committee will consider the recommendation of the Superior Courts Committee of the Los Angeles County Bar Association concerning panel membership, if one is solicited and available.
- f. Licensed clinical social workers shall apply to be on the Social Worker Panel by completing the [Panel Questionnaire](#) and sending it together with a resumé to the Evaluation Committee at JuvExpertPanel@lacourt.org. A licensed clinical social worker must be interviewed by the Evaluation Committee before being placed on the Social Worker Panel. The decision of the Evaluation Committee regarding the interviewee shall be final and shall be communicated to the applicant.
- g. If the applicant is placed on the Social Worker Panel, the applicant shall be sent a copy of these policies and procedures. All new Social Worker Panel members will be on probation for a period of one year.
- h. Social Worker Panel members must notify the Evaluation Committee immediately at JuvExpertPanel@lacourt.org for any of the following changes listed below. Failure to do so may result in removal from the Social Worker Panel.
 - i. Changes in address, telephone numbers, email address, and fax number.
 - ii. Any changes with regards to their California license to practice as a licensed clinical social worker.
 - iii. Any disciplinary charges pending against them, and/or any disciplinary action taken against them, with regards to their California license to practice as a licensed clinical social worker.
- i. The Evaluation Committee may also develop and promulgate additional criteria for appointment to the Social Worker Panel.

B. APPOINTMENT OF A SOCIAL WORKER PANEL MEMBER

- 1. A panel member may be appointed from the Social Worker Panel on the motion of counsel or on the Court's own motion under Evidence Code section 730.
- 2. The attorney who requested the appointment, or an attorney directed by the Court, will submit an Order Appointing Expert form if in Juvenile Dependency Court, or submit a proposed Order of Appointment if in Juvenile Justice Court.
 - a. In Juvenile Dependency Court, the panel member should receive the following items:
 - i. Copy of the appointing minute order; and
 - ii. Copy of the "[Order Appointing Expert – 730EC](#)" ([LASC DEP 014](#)).

- b. In Juvenile Justice Court, the panel member should receive a copy of the signed order and appointing minute order.
- 3. A panel member shall be evaluated by the Evaluation Committee, as necessary, to determine whether the panel member should continue on the Social Worker Panel. In making such evaluation, the Evaluation Committee should consider the following factors:
 - a. Has the panel member interviewed the youth, prepared, and filed the member's report in a prompt and timely manner?
 - b. Do the panel member's reports, testimony, and work reflect appropriate professional ability and competence?
 - c. Has the panel member spent an appropriate period of time with each subject in preparation of the substantive report?
 - d. Has the panel member interviewed a detained youth at the detention facility when required?
 - e. Has the panel member been available to testify in court and, when required to do so, been prompt in arriving at the designated time?
 - f. Has the panel member followed the juvenile court fee schedule when requesting payment for services rendered?
- 4. Panel members serve at the pleasure of the court and may be removed from the Social Worker Panel at any time without the Court having to show cause for such removal.

C. PREPARATION AND CONTENT OF REPORT

- 1. All reports must contain, at a minimum, the following elements:
 - a. Name(s) of individual(s) seen or interviewed;
 - b. Documents reviewed by the Panel member;
 - c. Juvenile Court case number;
 - d. Date and length of evaluation;
 - e. Any tests performed;
 - f. Interpretation and results of said tests;
 - g. Relationships of the parties, if more than one person was seen;
 - h. Assessment of the issues presented in the court order; and
 - i. Conclusions and recommendations (including but not limited to the diagnosis, DSM-5 axis, disorder, etc.).
- 2. The panel member's report must only be distributed to the recipient(s) as indicated in the court order.

D. PAYMENT OF SOCIAL WORKER PANEL MEMBERS

1. A member of the Social Worker Panel shall be paid for the preparation of the report.
2. If a panel member is requested to testify in Court, the member shall be paid for a half-day or fraction thereof and additionally for more than a half-day, and up to a full day for time actually spent in court, either waiting or testifying.
3. The above fee schedule shall be followed in all cases unless exceptional circumstances exist. If counsel or a panel member anticipates that such exceptional circumstances exist, **counsel or panel member** shall obtain approval from the judicial officer **prior** to the panel member performing any services. It is the responsibility of the panel member to verify that such an order has been made prior to performing such services.
4. No fee will be paid by the Court to a panel member unless counsel has obtained an order appointing the panel member prior to the date the services are rendered by the panel member. Before performing services, the panel member should verify that such order has been made. If the panel member is to be paid a fee in excess of the fee provided for in the schedule, the panel member should verify that such order has been made.
5. **Fees in excess of the normal fees for panel members are not appropriately requested or granted except in extraordinary cases.** These additional fees are paid at an hourly rate. The appointing court decides how many additional hours are appropriate based upon the statement of counsel. If the order does not set out a specific maximum fee above that provided for in the schedule, the panel member should have counsel apply to the Court immediately for an amended order to designate such specific maximum fee; otherwise, the normal fee provided for in the schedule will be paid. **Orders which do not set a ceiling on fees will be treated as orders for normal fees.**
6. Panel members will not be reimbursed for travel time to and from court locations and detention facilities, waiting time, gasoline, parking fees, local telephone calls, duplicating costs, postage or any other incidental fees. Panel members may be reimbursed for necessary long distance telephone calls when properly documented and itemized.

E. CLAIMS OF PANEL MEMBERS FOR FEES

1. All claims of panel members for fees shall be made in the court's [ePACE](#) (Professional Appointee Court Expenditure) online system. Panel members should familiarize themselves with ePACE [instructions and information](#).
2. Claims must be submitted online in the [ePACE](#) application and must be submitted within 90 days from the last date of service. ePACE will provide three (3) late claim warnings to each claimant per case. The fourth and any subsequent late claim by a claimant on an individual case shall be reduced by 50% for claims submitted beyond 90 days from the last date of service. Claims not submitted before 180 days after the last date of service will be denied for payment.