

The Superior Court

201 CENTRE PLAZA DRIVE MONTEREY PARK, CA 91754 CHAMBERS OF **AKEMI ARAKAKI** JUVENILE COURT PRESIDING JUDGE

> TELEPHONE (323) 307-8030

July 10, 2023

TO: All Interested Parties

FROM: Hon. Akemi Arakaki Presiding Judge of the Juvenile Court

SUBJECT: Access to and Use of Juvenile Records by Entitled Parties Pursuant to Welfare and Institutions Code sections 827, California Rules of Court, rule 5.552, and Los Angeles County Superior Court Local Rule 7.2(a)(3)

ACCESS TO JUVENILE RECORDS

Welfare and Institutions Code section 827,¹ subdivision (a)(1) lists the persons or entities who are entitled to access the juvenile case file without a court order or hearing. Only entitled parties listed in subdivision (a)(5) may inspect *and receive a copy* of the juvenile case file without a court order. Pursuant to California Rules of Court, rule 5.552(a), "juvenile case file" includes the juvenile court file, child welfare agency files, and probation files. Los Angeles County Superior Court Local Rule 7.2(a) defines "access" to the juvenile case file as including the inspection, copying, and/or dissemination of documents or information therefrom. Pursuant to subdivision (a)(3), juvenile case files are redacted to remove portions of the file protected by other state law, federal law, or regulation.

- > Entitled parties may request access to juvenile records by:
 - Filing form LASC JUV 010, Declaration in Support of Access to Juvenile Records (Declaration); **and**
 - Providing valid photo identification.
- > Counsel for entitled parties may request access to juvenile records by:
 - Completing and signing form LASC JUV 010, Declaration in Support of Access to Juvenile Records; and
 - Providing valid photo identification; and
 - Providing a retainer agreement or other proof of legal representation.
 - Note: If counsel for an entitled party is not listed in subdivision(a)(1), the child welfare agency file will be sent to the entitled party, even if counsel completes the Declaration.

¹ Unless otherwise specified, statutory references are to Welfare and Institutions Code section 827.

USE OF JUVENILE RECORDS

- Entitled parties and/or their counsel must abide by the disclosure rules set forth in section 827.
- Entitled parties and/or their counsel may not use the juvenile case file in any civil, criminal, or other legal proceeding without a court order.
 - To request such an order, counsel and entitled parties must complete and file a JV-570, Petition for Access to Juvenile Case File, JV-569, Proof of Service-Petition for Access to Juvenile Case File, and:
 - Describe in detail the specific record(s) being requested (Section 5 on form JV-570) and why they are relevant (Section 7 on form JV-570); and
 - Provide a copy of records, including any proposed redaction(s), they seek to disseminate for the Court's review.

The following responses to frequently asked questions contain additional information about juvenile case files.

Frequently Asked Questions

Who may review a juvenile case file?

Welfare and Institutions Code section 827, subdivision (a)(1) identifies the persons and entities who are authorized to inspect juvenile case files without a prior court order or hearing ("entitled parties"). Persons or entities described in Welfare and Institutions Code section 827, subdivision (a)(5) are entitled to inspect <u>and copy</u> documents in juvenile case files without a prior court order or hearing.

How can I file a Declaration/JV-570?

Litigants and/or agencies in non-adoption cases represented by attorneys <u>must</u> efile documents with the Court unless they have obtained a court order exempting them from efiling. Click <u>here</u> for additional information regarding mandatory efiling.

Entitled parties, such as the subject minor, may file a Declaration/JV-570 form in person (at the window or drop box in the Clerk's Office of a Juvenile Dependency or Juvenile Justice Courthouse listed below) or by mail. The Court does not accept fax filings.

- Alfred J. McCourtney Juvenile Justice Center Clerk's Office, Room 1157 1040 W. Avenue J Lancaster, CA 93534
- Compton Courthouse Clerk's Office, Room 205 200 West Compton Blvd. Compton, CA 90220
- Edmund D. Edelman Children's Courthouse Records Unit, Room 2700 201 Centre Plaza Drive Monterey Park, CA 91754

- East Los Angeles Courthouse Clerk's Office, Room 101 4848 E. Civic Center Way Los Angeles, CA 90022
- Governor George Deukmejian Courthouse Clerk's Office, Room 1401 275 Magnolia Long Beach, CA 90802
- Inglewood Juvenile Courthouse Clerk's Office, Room 210 110 Regent Street Inglewood, CA 90301

- Pomona Courthouse South Clerk's Office, Room 101 400 Civic Center Plaza Pomona, CA 91766
- Sylmar Juvenile Courthouse Clerk's Office, Room 200 16350 Filbert Street Sylmar, CA 91342

 Michael D. Antonovich Antelope Valley Courthouse Clerk's Office, Room 1000 42011 4th Street West Lancaster, CA 93534

What are acceptable forms of identification?

Acceptable forms of identification include current governmental or school-issued identification cards with a photograph, such as driver's license, Department of Motor Vehicles identification card, school identification card (for minors), or United States passport.

How do I submit my identification with the Declaration? Please include a clear color copy of your identification as a separate page/attachment.

Do I need to submit form JV-570?

If you are requesting access to juvenile case files and you are not a person or entity described in Welfare and Institutions Code section 827, subdivision (a)(1), or you are an attorney who represents a person or entity not listed in Welfare and Institutions Code section 827, subdivision (a)(1), you must file form JV-570, Petition for Access to Juvenile Case File.

Entitled parties and/or their counsel may not use the juvenile case file in another proceeding or share any juvenile case file documents with persons who are not entitled parties, as described in Welfare and Institutions Code section 827, subdivision (a)(1), without a court order authorizing that disclosure. To request the order, they must file form JV-570, Petition for Access to Juvenile Case File

What does a juvenile case file include?

Pursuant to California Rules of Court, rule 5.552(a), a juvenile case file includes all documents filed in a juvenile court case, reports to the Court by probation officers, social workers of child welfare services programs, and CASA volunteers, documents made available to probation officers, social workers of child welfare services programs, and CASA volunteers in preparation of reports to the Court, documents relating to a child concerning whom a petition has been filed in juvenile court that are maintained in the office files of probations officers, social workers of child welfare services programs, and CASA volunteers programs, and CASA volunteers programs, and CASA volunteers in preparation of reports to the Court, documents relating to a child concerning whom a petition has been filed in juvenile court that are maintained in the office files of probations officers, social workers of child welfare services programs, and CASA volunteers, transcripts, records, or reports relating to matters prepared or released by the Court, probation department, or child welfare services program, and documents, video, or audio tapes, photographs, and exhibits admitted into evidence at juvenile court hearings.

Prior to release of the juvenile case file for inspection or use, the file will be redacted pursuant to Welfare and Institutions Code section 827, subdivision (a)(3) to remove portions of the file protected by other state law, federal law, or regulation.

How long will it take for my request to be processed and fulfilled?

The Court makes every effort to process all requests within 90 court days. However, timing may depend on the location (microfiche, archived, electronic), size of the file, and complexity of redactions required.

What if I don't have a case number?

A valid case number is needed to locate court records. Court records may be located by name but only at a juvenile courthouse. A valid form of identification is required for name searches and copy requests.

Are case records available online?

No. California law deems juvenile dependency and juvenile justice (delinquency) cases confidential and are therefore not available online.