SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

CHAPTER SEVEN JUVENILE DIVISION RULES..... 7-1

JURISDICTION, CONFIDENTIALITY, AND ACCESS TO RECORDS PROCEEDINGS, OR JUVENILES..... 7-1

7.1 JURISDICTION..... 7-1
(a) Jurisdiction..... 7-1
(b) Coordination of Custody Proceedings..... 7-1
(c) Welfare and Institutions Code Section 241.1 Joint Assessments Policy..... 7-1

7.2 CONFIDENTIALITY OF JUVENILE CASE FILES..... 7-2
(a) General Confidentiality..... 7-2
(b) Welfare and Institutions Code Section 827 Petitions..... 7-4
(c) Access to Probation and Department of Children and Family Services Records..... 7-7

7.3 PUBLIC AND MEDIA COURTROOM ACCESS..... 7-7
(a) General Rule..... 7-7
(b) Observation Orders for Educational Purposes..... 7-8
(c) Requests for Interviewing, Photographing, Videotaping, or Voice Recording of Dependent/Delinquent Children..... 7-8
(d) Research Requests..... 7-9

MEDICAL AND PSYCHIATRIC TREATMENT..... 7-11

7.4 MEDICAL CONSENT PROGRAM..... 7-11
(a) Medical Consent..... 7-11
(b) Notification..... 7-12
(c) Emergency Medical Consent..... 7-12

7.5 LIFE-SUSTAINING MEDICAL TREATMENT..... 7-12
(a) Policy..... 7-12
(b) Former ‘‘Baby Doe Policy’’..... 7-12
(c) Court Designation..... 7-12
(d) Definitions..... 7-12
(e) Juvenile Court Jurisdiction..... 7-12
(f) Notice..... 7-13
(g) Court Procedure..... 7-13
(h) Factors..... 7-13
(i) Medical Neglect of Disabled Infants With Life-Threatening Conditions..... 7-13

7.6 PROCEDURES FOR HIV/AIDS TESTING OF DEPENDENT CHILDREN..... 7-14

(a) Policy 7-14
(b) Subject to Testing Without Court Order 7-14
(c) Authorization for Testing by Court Order 7-14
(d) Disclosure of Confidential Test Result or Diagnosis 7-15
(e) Report for Presiding Judge 7-15

7.7 PRESCRIPTION AND ADMINISTRATION OF PSYCHOTROPIC MEDICATIONS FOR DEPENDENTS AND WARDS OF THE JUVENILE COURT 7-15

7.8 SPECIALIZED MENTAL HEALTH TREATMENT OF DEPENDENT AND DELINQUENT CHILDREN 7-16

7.9 VOLUNTARY COMMITMENT OF DEPENDENT AND DELINQUENT MINORS FOR INPATIENT OR OUTPATIENT MENTAL HEALTH SERVICES 7-16
(a) Procedure 7-16
(b) Role of Juvenile Court 7-16
(c) Role of DCFS, Probation Department and Mental Health Facilities 7-16

SPECIAL DEPARTMENTS 7-17

7.10 SPECIALLY DESIGNATED DEPARTMENTS 7-17
(a) ICWA Cases 7-17
(b) Deaf/Hard of Hearing Dependent Children/Families 7-17

DEPENDENCY PROCEDURE AND PRACTICE 7-17

7.11 APPEARANCES AND DAILY COURTROOM PRACTICE IN DEPENDENCY COURT 7-17
(a) Policy 7-17
(b) Session Hours 7-17
(c) Conduct of Counsel and Parties in the Courtroom 7-18

7.12 CHILDREN'S APPEARANCES 7-18

7.13 **RESERVED** 7-18

7.14 FAILURE OF ATTORNEY TO APPEAR 7-18

7.15 REHEARING ON ORDER OF A COMMISSIONER OR REFEREE PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTION 252 7-18
(a) General Procedure 7-18
(b) Forms 7-19

7.16 MOTION REQUIREMENTS AND PROCEDURE 7-19

(a) Policy 7-19
(b) Service 7-19
(c) Emergency Application for Hearing 7-19
(d) Demurrer and Motion to Strike 7-19
(e) Motion for Continuance 7-19

APPOINTMENT OF COUNSEL AND SPECIAL ADVOCATE 7-20

7.17 LEGAL REPRESENTATION 7-20
(a) Appointment of Counsel for Adults 7-20
(b) Appointment of Counsel for Children 7-21
(c) Eligibility for Appointment as Counsel for Adults 7-21
(d) Eligibility for Appointment as Counsel for Children 7-22
(e) General Practice for Court-Appointed Attorneys in Dependency Court 7-22
(f) Practice Guidelines for Representing Children in Dependency Court 7-23
(g) Eligibility for Continued Practice in Dependency Court 7-23
(h) Caseloads for Children's Attorneys 7-24

7.18 COURT-APPOINTED SPECIAL ADVOCATE 7-24
(a) Program 7-24
(b) Referrals 7-24
(c) Referral Criteria 7-24
(d) Evaluation of a Referral 7-24
(e) Acceptance of a Referral 7-25
(f) Status of CASA Volunteers 7-25

TIME LIMITATION AND PRE-HEARING ISSUES 7-25

7.19 TIME LIMITATIONS FOR DEPENDENCY PROCEEDINGS 7-25

7.20 DETENTION HEARINGS/CHILDREN IN SHELTER CARE 7-26

7.21 PRE-HEARING DISCOVERY 7-26

7.22 HEARINGS IN ABSENCE OF PARTIES 7-26

RESOLUTION WITHOUT HEARING 7-26

7.23 MEDIATION 7-26

(a) Program (Purpose of Mediation; Process/Procedures to Arrange Mediation Conference) 7-26
(b) Confidentiality 7-28
(c) The Mediation Process 7-28
(d) Mediation Conference Continued 7-28
(e) Domestic Violence Protocol; Security 7-29

PRE-TRIAL PROCEDURE 7-29

7.24 MANDATORY SETTLEMENT CONFERENCE 7-29
(a) Meet and Confer 7-30
(b) Filing Trial Statement 7-30
(c) Extension of Time 7-30
(d) Contents of Joint Trial Statement 7-30
(e) Non-compliance 7-31

TRIAL AND RELEASE BEFORE DISPOSITION 7-31

7.25 TRIAL IN PROGRESS 7-31

7.26 APPOINTMENT OF EXPERTS 7-31
(a) Indigent Parties 7-31
(b) Discoverability of Expert's Report 7-31
(c) Fees 7-31

7.27 LAY WITNESS FEES AND COSTS 7-31
(a) Authorization 7-31
(b) Policy 7-31
(c) Procedure 7-31

7.28 APPLICATION FOR DETENTION OR RELEASE OF CHILDREN IN DEPENDENCY COURT SUBSEQUENT TO DETENTION HEARING AND PRIOR TO DISPOSITION IN EMERGENCY AND NON-EMERGENCY SITUATIONS 7-32
(a) General Policy 7-32
(b) Non-Emergency Applications for Detention or Release 7-32
(c) Emergency Applications for Detention or Release 7-33
(d) Conduct of Hearings 7-33

MISCELLANEOUS PROVISIONS 7-33

7.29 FINANCIAL RESPONSIBILITY UNDER WELFARE AND INSTITUTIONS CODE SECTION 903 7-33
(a) Policy 7-33
(b) Time of Referral 7-33

7.30 DEPENDENCY COURT TORT POLICY 7-33

(a) Representation of Dependent Children in Tort Actions 7-33
(b) Reporting Duties of Child's Dependency Attorney..... 7-34
(c) Procedure for Filing an Injury Report Pursuant to Subdivision (b)... 7-34
(d) Penalty for Failure to Report 7-34

7.31 PETITION PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTION 331..... 7-34

7.32 CLIENT COMPLAINT PROCESS..... 7-35
(a) Client Complaint Form..... 7-35
(b) Filing the Complaint..... 7-35
(c) Review of the Complaint..... 7-35
(d) Confidential Files 7-35

7.33 JUVENILE COURT BLANKET ORDERS..... 7-35

7.34 ELECTRONIC FILING IN JUVENILE DEPENDENCY ACTIONS..... 7-35
(a) Mandatory Electronic Filing..... 7-35
(b) Documents That May Not Be Filed Electronically 7-35
(c) Timing for Filing Exempted Document 7-35
(d) Timing for Filing Initial Petitions..... 7-35
(e) *Ex Parte* Applications..... 7-36
(f) Technical Requirements for Electronically Filed Documents..... 7-36
(g) Sealed Documents 7-36
(h) Redaction 7-36
(i) Trial Court Records 7-36

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

CHAPTER SEVEN
JUVENILE DIVISION RULES

JURISDICTION, CONFIDENTIALITY, AND ACCESS TO RECORDS PROCEEDINGS, OR JUVENILES

7.1 JURISDICTION

(a) Jurisdiction. Three classes of children come within the jurisdiction of the Juvenile Division: dependent children, status offenders, and youthful offenders. (Welf. & Inst. Code, §§ 300, 601, 602, and Cal. Rules of Court, rule 5.501 *et seq.*)

(b) Coordination of Custody Proceedings. Local Rule 8.34 governs the coordination of multiple proceedings involving the same child(ren). Counsel must be familiar with Local Rule 8.34 and Welfare and Institutions Code section 304, which gives the juvenile court jurisdiction during the pendency of a dependency action over all issues in proceedings under the Family Law and Probate codes that affect the custody of child(ren).

(1) Identification. The dependency court hearing a matter should determine at the earliest possible time whether a related family law or probate case is pending in another court. If there is a related dependency, family law or probate matter pending, the clerk in Department 400 of the dependency court must be immediately notified. Notification procedures are set forth in the dependency court's "Notification to Family Law/Probate Court of Active Dependency Case" procedure dated February 6, 2002, which is available at the court's website, at www.LACourt.ca.gov, or from the juvenile court clerk's office.

(2) Coordination of Multiple Dependency Proceedings Involving Members of the Same Family. All attorneys and self-represented parties (collectively defined in Local Rule 1.1 as "counsel") must investigate the existence of any open, closed, or reactivated dependency cases that involve the parents, guardians, or other members of the same family. If counsel learns of a pending or closed case in another dependency department that involves members of the same family, the attorney or party must notify the judges presiding over the cases, who will advise the Supervising Judge of the Dependency Court. After consultation with those judges, the Supervising Judge of the Dependency Court will determine how, and in what department(s), the matters will be heard, transferred, consolidated, or coordinated.

(c) Welfare and Institutions Code Section 241.1 Joint Assessments Policy. Welfare and Institutions Code section 241.1 mandates a joint assessment by the Department of Children and Family Services ("DCFS") and the Probation Department for a child who appears to come within the description of both Welfare and Institutions Code sections 300 and 601 or 602. A referral for a joint assessment will be conducted pursuant to the Memorandum of Understanding between the juvenile court, DCFS, Probation Department and the Department of Mental Health. A copy of the Memorandum may be obtained from the court's website, at www.LACourt.ca.gov, or from the juvenile court clerk's office.

(Rule 7.1 [*7/1/2011, 1/1/2020*] amended and effective January 1, 2026)

7.2 CONFIDENTIALITY OF JUVENILE CASE FILES

(a) General Confidentiality. Generally, juvenile case files are confidential except in certain circumstances. Documents in a juvenile case file also may be privileged or confidential because of other state law or federal law or regulation. Juvenile case files may not be obtained or inspected by either civil or criminal subpoena.

Welfare and Institutions Code section 827 governs access to juvenile case files. "Access" may include the inspection, copying, and/or dissemination of documents or information from the juvenile case file. If a person or agency is not entitled to access, the person or agency must file a petition with the Presiding Judge of the Juvenile Court.

(1) Definition of Juvenile Case File. Pursuant to Welfare and Institutions Code section 827 and California Rules of Court, rule 5.552(a), a "juvenile case file" include(s):

a) All documents filed in a juvenile court case;

b) Court reports prepared by probation officers, social workers, or court appointed special advocate ("CASA") volunteers;

c) Documents made available to probation officers, social workers, or CASA volunteers in preparation of a court report;

d) Documents relating to a child concerning whom a petition has been filed in juvenile court that are maintained in the office files of probation officers, social workers, or CASA volunteers;

e) Transcripts, records, or reports relating to matters prepared or released by the court, probation department, or child welfare services program;

f) Documents, video or audio tapes, photographs, and exhibits admitted into evidence at juvenile court hearings; and

g) Documents relating to juvenile contacts or investigations that are maintained by a law enforcement agency, the Probation Department, or DCFS, which are part of the juvenile case file even if juvenile court proceedings have not been initiated.

Documents that are not part of a juvenile case file and thus not under the jurisdiction of the juvenile court include, but are not limited to, i) documents in the file of an attorney for a party, ii) any document where the subject child has had no contact with law enforcement, DCFS, the Probation Department, or the juvenile court, and iii) documents in the personnel file of a social worker or probation officer.

(2) Persons or Entities Entitled to Inspect Juvenile Case Files. Welfare and Institutions Code section 827(a)(1) and California Rules of Court, rule 5.552(b), set forth the persons and entities entitled to inspect a juvenile case file without a court order. This right to inspect does not include: (i) court file documents that are placed in confidential envelopes (unless the person seeking to inspect these documents is the subject of the documents or attorney for the subject); and (ii) privileged documents in the DCFS or Probation Department file.

Persons or entities entitled to inspect a juvenile case file pursuant to Welfare and Institutions Code section 827 include:

a) Court personnel;

b) An attorney authorized to prosecute adult criminal or juvenile matters under California law (district attorney, city attorney, city prosecutor), or the attorney's agent with proper proof of affiliation;

c) The subject child;

d) The subject child's parent or legal guardian;

e) An attorney for a party in a juvenile court proceeding, including an appellate attorney, and the agent of such an attorney with proper proof of affiliation, a judge, probation officer and law enforcement officer actively participating in a criminal or juvenile proceeding involving the child as a party, victim, or witness;

f) The superintendent and designee of the school district where the child is enrolled or attending school (*see* Welf. & Inst. Code, § 828.3);

g) A member of child protective agencies per Penal Code section 11165.9 (police, sheriff, Probation Department, DCFS);

h) The State Department of Social Services for the purposes delineated in Welfare and Institutions Code section 827(a)(1)(I);

i) The State Department of Social Services legal staff or special investigators for the purposes delineated in Welfare and Institutions Code section 827(a)(1)(J);

j) A member of a children's multi-disciplinary team (see also Welf. & Inst. Code, §§ 830 & 830.1, and 18951(d)), and a person or agency currently providing treatment or supervision of the minor including but not limited to: i) a physician, surgeon, or other health care provider as defined in Business and Professions Code section 6146(c)(2) and Penal Code section 11165.7(a)(21); ii) a psychotherapist as defined in Evidence Code section 1010; iii) a sexual assault or domestic violence counselor as defined in Evidence Code sections 1035.2 and 1037.1; iv) a group home or foster family agency social worker/case manager (*see* also Welf. & Inst. Code, § 18951(d)(4)); and v) a Regional Center consumer service coordinator;

k) A family law judge hearing issues of custody and/or visitation in a particular case, and the following active participants in that case: i) a court-appointed counsel for the child; ii) a family court mediator; iii) a court-appointed evaluator; and iv) a person conducting a court-connected child custody evaluation, investigation, or assessment pursuant to Family Code section 3111 or 3118;

l) A court-appointed investigator actively participating in a guardianship case;

m) A local child support agency for the purpose of establishing paternity and establishing and enforcing child support orders; and

n) A juvenile justice commission established under Welfare and Institutions Code section 225.

(3) Persons or Entities Entitled to Copy Juvenile Case File Documents Without Court Order. A person or entity entitled to inspect a juvenile case file may obtain a copy of the file's documents except for documents that are confidential pursuant to a protective order or documents that are confidential pursuant to other state law or federal law or regulation (*e.g.*, psychotropic medication authorization requests and Evidence Code section 730 evaluations). Such documents must be placed in confidential envelopes.

The court may issue a protective order upon the motion of a party or attorney for a party in a juvenile matter to keep certain records confidential (*e.g.*, mental health, medical or educational records, criminal history printouts, or police reports). However, a subject of, or an attorney for a subject of, records under a protective order may obtain a copy of the records regardless of a protective order.

The requesting party bears the cost of copying documents from the juvenile case file except for the following persons or entities: a) a child in a pending juvenile court matter, and counsel appointed to represent a child pursuant to Welfare and Institutions Code section 317 or 634; b) a State,

county or other governmental agency, and its counsel; and c) a person who has obtained a waiver of court fees and costs pursuant to California Rules of Court, rule 3.50 *et seq*.

(4) Persons or Entities Entitled to Disseminate Juvenile Case File Documents Without Court Order. A person or entity entitled to inspect and copy a juvenile case file may disseminate a document or information from that file only a) to other persons or entities that are also entitled to inspect and copy the file, and b) by attaching the document or information to a record in connection with and in the course of a criminal investigation or a proceeding brought to declare a person a dependent child or ward of the juvenile court.

This rule does not purport to supersede the right of a defendant in a criminal matter to obtain exculpatory juvenile case file evidence from the prosecution in accordance with *Brady v. Maryland* (1963) 373 U.S. 83. Records released pursuant to *Brady* may be used in the criminal proceeding without obtaining an order from the Presiding Judge of the Juvenile Court.

A person or entity entitled to copy a juvenile case file must file a petition with the Presiding Judge of the Juvenile Court in order to disseminate a document or information except as stated above.

(5) Persons or Entities That Need a Court Order to Access Juvenile Case Files. A person or entity not listed in Local Rule 7.2(a)(2) above must file a petition with the Presiding Judge of the Juvenile Court to inspect, copy, or disseminate a juvenile case file document or information.

(6) Access to Delinquency Records or Information Involving Offense(s) Listed in Welfare and Institutions Code section 676(a). The name of a child alleged to have committed one of the offenses listed in Welfare and Institutions Code section 676(a) is not confidential, unless the juvenile court orders the name to be confidential based on good cause. For a child accused of committing such an offense, the following documents are available for public inspection after the petition against the child has been sustained: a) the charging petition; b) the minutes of the proceeding; and c) the orders of adjudication and disposition of the court.

The court may grant a request by any party or probation officer to prohibit disclosure of the above documents if it appears that the harm to the child, victims, witnesses, or public from the public disclosure outweighs the benefit of public knowledge. If the court finds that the reason for prohibition is to protect the safety of the child, the court should make the finding in writing.

(b) Welfare and Institutions Code Section 827 Petitions. A Petition for Disclosure of Juvenile Court Records (Judicial Council Form JV-570) must be filed at the Children's Court clerk's office. The forms are available at the clerk's Office or on the Judicial Council website at www.courtinfo.ca.gov/forms. The petition will be forwarded to the office of the Presiding Judge of the Juvenile Court for review and decision.

(1) Filing Petition. The petitioner must submit the original petition for filing. An additional copy with a self-addressed stamped envelope must be included if the petitioner wants a conformed copy.

(2) Completing Petition. A failure to complete the petition as specified below may result in denial of the petition without prejudice.

a) Specific Information Must be Provided. The petition must provide the following information in order to establish good cause for access:

i) The specific records being sought; and

ii) The type of access. If the petitioner seeks to inspect or copy records, the petition must state the specific reasons for such access. If the petitioner is seeking to disseminate the records, the petition

must indicate to whom dissemination is sought and the purpose of dissemination.

b) Records Including More Than One Child. Where more than one child is included in a juvenile case file, the court may order the names and/or information of the other children redacted as a condition to granting access or copies of the record. Alternatively, the court may prohibit disclosure of the record where redaction is not practical or possible. In such cases, the petitioner may specifically request access to the file concerning all children.

c) Access for Purposes of Civil Litigation. If access is sought in relation to a pending civil litigation, the petitioner must attach a copy of the complaint, if any. Access will be granted consistent with the guidelines set forth in *Navajo Express v. Superior Court of San Mateo County* (1986) 186 Cal.App.3d 981.

d) Medical, Psychiatric, and Education Records. Except in limited situations where medical, psychiatric, and education records, including Evidence Code section 730 evaluations and psychotropic medication authorization requests, are available to a child's parent, legal guardian, or holder of a child's education rights, such confidential records will be placed in confidential envelopes in the court file, and may be accessed only by the subject of the record or the subject's attorney. (This is not meant to preclude the parties and attorneys in a pending proceeding from obtaining a copy of a report that was previously distributed to all parties.) To obtain access to medical, psychiatric, or education records in the juvenile case file, a petitioner must: (1) specifically request the records; and (2) state specific reasons why the records should be disclosed. The Presiding Judge of the Juvenile Court or that Presiding Judge's designee will determine if good cause exists for the release of medical, psychiatric, or education records.

e) Subpoenaed Records. Confidential or privileged records received by subpoena and not used and/or distributed to the parties during the proceedings must be placed in a separate confidential envelope. The subpoenaed records will be available only to the subject of the records and the subject's attorney. Any other access to the subpoenaed records may occur only through court order pursuant to Welfare and Institutions Code section 827.

f) Child Abuse Reports. A child abuse report not in the court file is confidential pursuant to Penal Code section 11165 *et seq.*, and may be disclosed only to the persons and agencies provided in those sections, or by court order. To obtain access to a child abuse report, a petitioner must: (1) specifically request such reports; and (2) state specific reasons why the reports should be disclosed. The Presiding Judge of the Juvenile Court or that Presiding Judge's designee will determine if good cause exists for the release of the child abuse report based on the stated reasons.

(3) Notice. At least five calendar days before the petition is filed with the court, the petitioner must serve, or attempt to serve, a copy of the petition on the appropriate parties either personally or by first class mail.

a) Dependency Proceedings.

i) If the petitioner seeks access to juvenile case file records of a child currently under the jurisdiction of the dependency court, notice of the petition must be served on the child (if ten years or older), the attorney of record for the child, the parent(s) or legal guardian(s) of the child, County Counsel, and DCFS.

ii) If the petitioner seeks access to juvenile case file records of a child who is a former dependent of the juvenile court, notice of the petition shall be served on the child (if ten years or older), the

parent(s) or legal guardian(s) of the child, County Counsel, and DCFS.

iii) If the petitioner seeks access to juvenile case file records of a child who had contact with DCFS but no dependency petition was filed, notice of the petition shall be served on the child (if ten years or older), the parent(s) or legal guardian(s) of the child, County Counsel, and DCFS.

b) Delinquency Proceedings.

i) If the petitioner seeks access to juvenile case file records of a child currently under the jurisdiction of the delinquency court, notice of the petition shall be served on the child (if eight years or older), the attorney of record for the child, the parent(s) or legal guardian(s) of the child (if under 18 years old), the District Attorney, and the Probation Department.

ii) If the petitioner seeks access to juvenile case file records of a child who was formerly under the jurisdiction of the delinquency court, notice of the petition shall be served on the child (if eight years or older), the parent(s) or legal guardian(s) of the child (if under 18 years old), the District Attorney, and the Probation Department.

iii) If the petitioner seeks access to juvenile case file records of a child who has had contact with the Probation Department but no delinquency petition was filed, notice of the petition shall be served on the child (if eight years or older), the parent(s) or legal guardian(s) of the child (if under 18 years old), the District Attorney, and the Probation Department.

c) Informal Juvenile and Traffic Court Proceedings. If the petitioner is seeking access to juvenile case file records of a child who appeared or has a pending matter in the Informal Juvenile and Traffic Court, notice of the petition must be served on the child (if eight years or older) and the parent(s) or guardian(s) of the child (if under 18 years old).

(4) Objections. Any objections to the petitioner's request for access to the juvenile case file must be submitted in writing to, and received by, the Presiding Judge of the Juvenile Court no later than (a) 15 calendar days after date of service, if the petition was served by fax or personal service, or (b) 20 calendar days after date of service, if the petition was served by mail. In order to receive a copy of the court's decision on the petition, the person or agency filing an objection must include a self-addressed, stamped envelope.

a) Time for Objection Shortened for Good Cause. The petitioner may request that the time for filing an objection be shortened to a specific date. The request for shortened time must be supported by a separate declaration stating specific reasons why the objection period should be shortened. The Presiding Judge of the Juvenile Court or that Presiding Judge's designee will approve or deny the request based on whether good cause has been established in the declaration, or the matter may be set for a hearing.

(5) Court Ruling on Petition. The Presiding Judge of the Juvenile Court or that Presiding Judge's designee will approve or deny the petition, or set the matter for a hearing. If a petition involves an active case, the petition may be delegated to the court of record. The court may

approve or deny the petition, or set the matter for a hearing within seven court days of the petition's receipt.

(6) Case Files of Deceased Dependent Children. If a child dies while the child is under the jurisdiction of the dependency court, the juvenile case file of that child must be released to the public upon the filing of a petition, and after notice and an opportunity to object have been provided to interested parties.

The Presiding Judge of the Juvenile Court or that Presiding Judge's designee may limit or prohibit release of the juvenile case file, or any portion thereof, if that judge finds by the preponderance of evidence that release of the information is detrimental to the safety, protection, or physical, or emotional well-being of another child who is directly or indirectly connected to the dependency case that is the subject of the petition. The procedure for releasing records of a deceased child is pursuant to Welfare and Institutions Code section 827(a)(2).

Information relating to another child or which could identify another child must be redacted from any records prior to release, unless the court orders otherwise.

(c) Access to Probation and Department of Children and Family Services Records. A person or entity who is entitled to inspect a juvenile case file pursuant to Welfare and Institutions Code section 827(a)(1), or who has a court order from the Presiding Judge of the Juvenile Court or that Presiding Judge's designee, may access DCFS or Probation Department files by contacting the respective agency listed below:

Los Angeles County Probation Department
Custodian of Records
Hall of Records
320 W. Temple St., Suite 180
Los Angeles, California 90012
TEL: (213) 974-9029

Department of Children and Family Services
Subpoena Liaison
201 Centre Plaza Dr., First Floor
Monterey Park, California 91754-2159
TEL: (323) 526-6891

(Rule 7.2 [*7/1/2011*, *1/1/2012, 7/1/2014*] amended and effective July 1, 2022)

7.3 PUBLIC AND MEDIA COURTROOM ACCESS

(a) General Rule. Pursuant to Welfare & Institutions Code sections 346 and 676, dependency and delinquency proceedings are closed to the public unless the judge handling the proceeding grants access.

(1) Access to Dependency Court Proceeding. Pursuant to Welfare and Institutions Code section 346, a member of the public will not be admitted to a dependency court hearing unless (a) a parent/guardian makes a request for admission of a person, and the minor who is the subject of the petition consents, (b) the subject minor makes a request for admission of a person, or (c) the judge admits a person deemed to have a direct and legitimate interest in a particular case or the work of the court.

(2) Access to Delinquency Court Proceeding. Pursuant to Welfare and Institutions Code section 676, a member of the public will not be admitted to a delinquency court hearing unless:

(a) the minor who is the subject of the petition and any parent/guardian who is present request admission of a person, or (b) the judge admits a person deemed to have a direct and legitimate interest in the particular case or the work of the court.

Exceptions for Serious Violent Offenses. The public must be admitted to a delinquency court hearing that concerns a delinquency petition alleging the minor has violated one of the serious violent offenses listed in Welfare and Institutions Code section 676(a). If, however, the petition alleges that the minor has committed rape, sodomy, oral copulation, or rape with a foreign or unknown object, the public must not be admitted to a juvenile delinquency hearing where: (a) the district attorney makes a motion for a closed hearing upon the victim's request; or (b) during the victim's testimony, if the victim was under 16 years of age at the time of the offense.

(3) Conditions of Admission. Where a member of the public/media is admitted into a juvenile court proceeding, that person a) must provide appropriate identifying information to the court bailiff or clerk upon request, b) must behave in a manner consistent with the decorum and dignity of the courtroom, and c) must make any request to photograph, record, or broadcast the proceeding in accordance with California Rules of Court, rule 1.150.

(b) Observation Orders for Educational Purposes. For the purpose of general education regarding the juvenile court system, a request to observe a juvenile court proceeding may be filed in the office of the Presiding Judge of the Juvenile Court. The request must specify the reason for observation and must be filed so that the Presiding Judge of the Juvenile Court has time to consider the request and make the appropriate arrangements. An authorization for court observation will not permit (1) interviews of the parties, attorneys, or court staff, (2) photography, voice recording, and/or videotaping, and (3) public release of any information that identifies individuals or cases. An authorization for court observation remains subject to the discretion of the judge handling a particular proceeding.

(c) Requests for Interviewing, Photographing, Videotaping, or Voice Recording of Dependent/Delinquent Children. A member of the public or media representative must obtain a court order from the Presiding Judge of the Juvenile Court prior to contacting a child if (1) the person seeks to interview, photograph, videotape or voice record a child, who that person knows, or has reason to know, is under juvenile court jurisdiction and has been removed from the physical custody of the parent or legal guardian, and (2) confidential information regarding the child's case or dependency or wardship status may or will be disclosed as a result.

(1) Access to Dependent or Delinquent Children Without Court Permission. This rule does not prevent dependent or delinquent children from initiating contact with a person or media representative without court permission. This rule does not limit contact between a person or media representative and families, attorneys, detention facilities, or court-ordered placements. Finally, the rule does not suggest that children, their families, attorneys, or personnel of detention facilities or placements have any obligation to agree to an interview or to provide information to a media representative.

(2) Request Forms. A request for a court order permitting contact with a child must be sent to the office of the Presiding Judge of the Juvenile Court. (Juvenile Form 2) All of the court's juvenile forms are available on the court's website or in Room 2700 at the Children's Court. A failure to fully complete all sections of the form may result in a denial of the request without prejudice.

(3) Notice. At least five calendar days before filing, the person initiating the request must serve, or attempt to serve, a copy on the appropriate parties either personally, by fax, by first class mail, or email.

In a dependency proceeding, notice must be served on the child, the attorney of record for a child who is a dependent of the court, the parent(s) or guardian(s) of the child (who is under 18 years old) or their attorney, County Counsel, and DCFS.

In a delinquency proceeding, notice must be served on the child, attorney of record for a child who is a ward of the court, the parent(s) or guardian(s) of the child (who is under 18 years old), the District Attorney, and the Probation Department.

(A) Objections. Any objections to the request must be submitted in writing to, and received by, the Presiding Judge of the Juvenile Court no later than (a) 15 calendar days after date of service, if the request was served by fax, email, or personal service, or (b) 20 calendar days after date of service, if the request was served by mail. In order to receive a copy of the court's decision on the request, the person or agency filing an objection must include a self-addressed, stamped envelope.

(B) Time for Objection Shortened for Good Cause. The requesting party may request the time allowed for objections to be shortened. The request for shortened time must provide timely notice to ensure any person/agency has an opportunity to object, and establish good cause why the objection period should be shortened. The Presiding Judge of the Juvenile Court will approve or deny the request based on whether good cause has been established, or set the matter for a hearing.

(4) *Ex Parte* Requests. The Presiding Judge of the Juvenile Court may grant a request on an *ex parte* basis, without the notice otherwise required, upon a showing of good cause.

(5) Evaluation on Case-by-Case Basis.

(A) Detrimental to Child's Best Interests. The Presiding Judge of the Juvenile Court, or that Presiding Judge's designee, may deny the request if the court finds a reasonable likelihood that the requested contact will be detrimental to the child's best interests.

(B) Burden of Proof. The person or agency opposing the request bears the burden of showing detriment to the child.

(C) Pertinent Factors. In making its determination, the court may consider, but is not limited to, the following factors: age of the child, nature of the allegations in the case, child's expressed desire, child's physical and emotional health, extent of the present or expected publicity and its effect, if any, on the child and the child's family.

(D) Protective Orders. Where it is necessary to protect the best interests of a child, the court may issue additional protective orders to maintain the confidentiality of the child's name and/or identity.

(6) Prompt Determination of Request. Within five court days after the deadline for an opposition, the court will make a determination on the request, or set a hearing.

(7) Particularized Findings Where Request Is Denied. If the court denies the request, it will issue particularized findings as to why such denial is necessary to serve the child's best interests.

(d) Research Requests. A person or agency seeking to conduct research involving children under juvenile court jurisdiction for educational, scientific, or public policy purposes must petition the Presiding Judge for permission to do so. (Juvenile Form 3.)

(1) Petition Process.

(A) Notice. At least five calendar days before filing, the petitioner must serve, or attempt to serve, a copy of the petition on the appropriate agencies and other interested parties either personally, by first class mail, or by email.

Research proposals involving dependent children must be sent to the following:

Department of Children and Family Services
Bureau of Information Services, Research Unit

425 Shatto Place, Room 401
Los Angeles, CA 90020

County Counsel's Office
201 Centre Plaza Drive, Suite 1
Monterey Park, CA 91754

Children's Law Center of Los Angeles
101 Centre Plaza Drive
Monterey Park, CA 91754
Attn: Executive Director

Los Angeles Dependency Lawyers, Inc.
1000 Corporate Center, Suite 308
Monterey Park, CA 91754

Research proposals involving delinquent children must be sent to the head of each delinquency panel for distribution to the other panel members, as well as to the following:

Los Angeles County Probation Department
Gary Akopyan, (or other designee)
9150 E. Imperial Highway
Downey, CA 90242

District Attorney's Office
Head Deputy — Juvenile Division
100 Oceangate, Suite 500
Long Beach, CA 90802

Public Defender's Office
Head Deputy — Juvenile Division
590 Hall of Records
320 W. Temple Street
Los Angeles, CA 90012

Alternate Public Defender's Office
Juvenile Division
210 W. Temple Street, 18th floor
Los Angeles, CA 90012

Independent Juvenile Defender Program
Los Angeles County Bar Association
P.O. Box 55020
Los Angeles, CA 90055-2020

(B) Objections. Any objection to a research request for access to juvenile records must be submitted in writing to, and received by, the Presiding Judge of the Juvenile Court no later than (a) 15 calendar days after date of service, if the request was served by fax, personal service, or email, or (b) 20 calendar days after date of service, if served by mail. In order to receive a copy of the court's decision on the petition, the person/agency filing an objection must include a self-addressed envelope.

(2) Completing the Petition. The petition for access to juvenile records for research purposes must be submitted using the "Petition and Order for Research" form (Juvenile Form 6) and include a copy of any materials/questions to be utilized in the research. Any petition for research proposing to conduct human subject research, as defined in 45 Code of Federal Regulations section 46, must be accompanied by approval from an Institutional Review Board ("IRB"). If the petitioner is a student, that request must be accompanied by an approval letter from the IRB of the student's university and an approval letter from a faculty advisor. The petitioner must provide in detail a) the purpose of the research project, b) a description of the information for which access is requested, c) a description of the subjects of the research, d) the methodology to be used to obtain the information, e) estimated start and completion dates, and f) any benefits the proposed project may have for the court, DCFS or the Probation Department.

(3) Requirements. The petitioner must agree to all of the following: a) pay any and all costs incidental to the research/record search; b) abide by all laws regarding confidentiality and the policies and procedures of DCFS, the Probation Department, and the court; c) insure no unauthorized person or agency has access to case specific information released to the petitioner; d) insure names and identifying information of minors are not used in any published documents (i.e., reports, evaluations); e) schedule access with the appropriate departments; f) submit all reports using case specific information for approval, prior to publication; and g) provide a copy of all research reports upon completion to the appropriate agency and the court.

(Rule 7.3 [*7/1/2011, 7/1/2019*] amended and effective July 1, 2022)

MEDICAL AND PSYCHIATRIC TREATMENT

7.4 MEDICAL CONSENT PROGRAM

(a) Medical Consent. Welfare and Institutions Code sections 369 and 739 set forth the responsibilities of the court, social worker, and probation officer for handling medical consent matters for minors in dependency and delinquency. DCFS is responsible for obtaining required court authorization or for authorizing necessary medical care for minors who come within the provisions of Welfare and Institutions Code section 300 (abused and neglected children), and the Probation Department is responsible for obtaining these authorizations for minors who come within the provisions of Welfare and Institutions Code sections 601 and 602 (status offenders and delinquent minors, respectively).

During court hours these matters must be handled according to DCFS and Probation procedures. The court will intervene only where a minor has been taken into temporary custody and the parents object to the treatment. (Welf. & Inst. Code, §§ 369(a) and 739(a).) In 1993, the Presiding Judge of the of the Juvenile Court issued a blanket order authorizing DCFS social workers to consent to medical treatment for children covered by Welfare and Institutions Code section 369(a).

(b) Notification. In a case where the court intervenes in providing consent for a medical procedure, the clerk must ensure that notice of the procedure and request for consent are given to the child's attorney and Court-Appointed Special Advocate ("CASA") at the earliest practicable time.

(c) Emergency Medical Consent. Emergency medical consent can be obtained through the agency responsible for the minor (DCFS or Probation). Pursuant to Welfare and Institutions Code sections 369(d) and 739(d) the social worker or probation officer, after making reasonable efforts to obtain parental consent, has the authority to grant "emergency medical treatment" for any minor who "requires immediate treatment for the alleviation of severe pain or an immediate diagnosis and treatment of an unforeseeable medical, surgical or dental, or other remedial condition or contagious disease which, if not immediately diagnosed and treated, would lead to serious disability or death" without need for a court order. The pertinent agency provides this medical consent service 24 hours a day, each day of the year.

(Rule 7.4 [*7/1/2011*] amended and effective July 1, 2014)

7.5 LIFE-SUSTAINING MEDICAL TREATMENT

(a) Policy. The court has authority to order the withdrawal of Life-Sustaining Medical Treatment for children subject to juvenile court jurisdiction, including, but not limited to, children who are in a permanent unconscious condition, or who are in a terminal condition.

(b) Former "Baby Doe Policy".

(1) The 1993 Juvenile Court "Baby Doe Policy," has been renamed Life-Sustaining Medical Treatment ("LSMT") and is now contained in this rule.

(2) Brain Death. The term "brain death" is defined by Health and Safety Code section 7180. Children determined to be brain dead in accordance with the procedures set forth in Health and Safety Code section 7181 are not subject to Local Rule 7.5. Once a patient is determined brain dead, and such condition is confirmed by an independent physician pursuant to Health and Safety Code section 7181, the patient is legally dead and no criminal or civil liability will result from the termination of LSMT. A physician does not need court consent to terminate LSMT for any patient, adult or minor, who is legally dead.

(c) Court Designation. Motions and hearings regarding the commencement, continuation or cessation of LSMT must be filed and heard in the department to which the case is assigned.

(d) Definitions.

(1) Life-Sustaining Medical Treatment: Any medical procedure or intervention that will serve only to prolong a state of unconsciousness where there is a reasonable degree of medical authority that such state of unconsciousness is permanent, or prolong a terminal condition.

(2) Permanent Unconscious Condition: An incurable and irreversible condition that, within reasonable medical judgment, renders the patient in an irreversible coma or persistent vegetative state.

(3) Terminal Condition: An incurable and irreversible condition that, without the administration of life-sustaining medical treatment, will, within reasonable medical judgment, result in death within a relatively short time.

(e) Juvenile Court Jurisdiction. The juvenile court, upon a written recommendation from a licensed physician and/or surgeon, and after due notice to the parent, guardian, or person standing in loco parentis, may make an order authorizing the performance of necessary medical, surgical, dental, or other remedial care. (Welf. & Inst. Code, § 369 (b).) This rule grants the juvenile court limited jurisdiction to terminate LSMT in cases where:

(1) The minor has been detained (i.e., taken into temporary protective custody by the DCFS pending the filing of a dependency petition);

(2) A juvenile court petition has been filed concerning a minor; or

(3) The minor has been declared, and remains, a dependent child of the juvenile court.

(f) Notice. The petitioner must serve all necessary parties with any motion regarding LSMT in accordance with Local Rule 7.16. The parties which must receive notice include all attorneys of record, mother, all alleged and presumed fathers, the legal guardian of the child, if any, the current caretaker of the child, and any CASA appointed to represent the child. If a parent's whereabouts are unknown, then a due diligence report must be provided at the time of the hearing of the motion unless such a report is already on file. A motion to withdraw LSMT cannot be heard without a filed proof of service of all necessary parties.

(g) Court Procedure.

(1) Attorney Appointment. The court will appoint an attorney to represent the minor (if the minor does not already have one) to protect the best interests of the minor;

(2) Medical Opinions. Two independent medical opinions, based upon a thorough examination of the minor, must be obtained on whether there is a reasonable possibility that LSMT will benefit the minor, and the appropriateness of the continuation or discontinuation of LSMT;

(3) Balancing Test. The court will conduct a hearing with live medical testimony to determine the best course of action for the minor, balancing whether a treatment which has at least a reasonable chance of providing benefits to the minor outweigh its burdens. Financial factors will not be considered in the balancing test.

(4) Burden of Proof. The petitioner bears the burden of proof by clear and convincing evidence.

(h) Factors. The court may consider the following factors in determining whether the continuation or withdrawal of LSMT is in the minor's "best interests":

(1) The minor's present level of physical, sensory, emotional and cognitive functioning;

(2) The degree of physical pain resulting from the medical condition, treatment, and termination;

(3) The degree of humiliation, dependence and loss of dignity probably resulting from the condition and treatment;

(4) The quality of life, life expectancy and prognosis for recovery with and without treatment;

(5) The various treatment options, and the risks, side effects and benefits of each of those options; and

(6) Whether the minor's preference has been or can be ascertained. The weight of such preference depends upon the maturity of the minor.

(i) Medical Neglect of Disabled Infants With Life-Threatening Conditions. Pursuant to the requirements of the Federal Child Abuse and Prevention Treatment Act (CAPTA) (42 U.S.C.A., § 5101 *et seq.*), LSMT decisions regarding disabled infants with a life-threatening condition require special consideration.

(1) Definition of Medical Neglect. The CAPTA defines "medical neglect" for this purpose to include, but not limited to, "the withholding of medically indicated treatment from a disabled infant with a life-threatening condition."

(2) Definition of Withholding Medically Indicated Treatment. "The failure to respond to the infant's life-threatening conditions by providing treatment (including appropriate nutrition,

hydration, and medication) which in the treating physician's (or physicians') reasonable medical judgment, will be most likely to be effective in ameliorating or correcting all such conditions."

(3) Exemption/Federal Law Regarding LSMT Decisions. A physician may withhold treatment (other than appropriate nutrition, hydration, or medication) to an infant when in the treating physician's (or physicians') reasonable medical judgment: (i) the infant is chronically and irreversibly comatose; (ii) the provision of such treatment would merely prolong dying, not be effective in ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be futile in terms of the survival of the infant; or (iii) the provision of such treatment would be virtually futile in terms of the survival of the infant and the treatment itself under such circumstances would be inhumane.

(4) Resolution of Potential Conflict Between Local Rule 7.5 and Federal Law. In the event that there is a conflict between Local Rule 7.5 and the CAPTA regarding withdrawal or withholding of LSMT, the most restrictive provisions and procedures between the two will prevail.

(Rule 7.5 new and effective July 1, 2011)

7.6 PROCEDURES FOR HIV/AIDS TESTING OF DEPENDENT CHILDREN

(a) Policy. The juvenile court finds that it is necessary to engage in early intervention and to provide treatment for dependent children who are infected with the human immunodeficiency virus ("HIV"), the probable causative agent of acquired immune deficiency syndrome ("AIDS").

(b) Subject to Testing Without Court Order. If a child is taken into temporary custody pursuant to Welfare and Institutions Code sections 306(a)(2) and 309(b) and no petition has been filed with the dependency court, DCFS may conduct HIV testing without a court order if the child meets all of the following criteria:

(1) The child is under the age of 12 years as of the date the consent form is signed by DCFS;

(2) The child is placed in out-of-home care;

(3) The child's parent(s)/legal guardian(s) have refused to provide consent or their whereabouts are unknown; and

(4) The child (i) has a parent with a history of prostitution, intravenous drug use, hypodermic needle-sharing, and/or multiple sex partners whose personal histories are either unknown or known to include one or more of these risk behaviors, or (ii) is a victim of sexual abuse, the nature of which has placed the child at risk of exposure to HIV.

Pursuant to Welfare and Institutions Code section 369 and order by the Presiding Judge of the Juvenile Court, the Director of DCFS or the Director's designee, is authorized to consent to the child's evaluation for the presence of HIV infection and to receive the results of such testing and any diagnosis(es) derived therefrom.

If a Welfare and Institutions Code section 300 petition is subsequently filed, DCFS must submit a request for disclosure of the test result or diagnosis to the court prior to releasing the test result or diagnosis to any party or individual. (Welf. & Inst. Code, § 369; Health & Saf. Code, § 121020.)

(c) Authorization for Testing by Court Order. If a child is detained and a petition has been filed with the dependency court, DCFS must obtain a court order for HIV testing under the following circumstances.

(1) Children under the age of 12 years. If a child is under the age of 12, the child is deemed not competent to give consent for testing. DCFS must request a court order for testing of children under the age of 12 where the parent or legal guardian refuses to provide consent or there is no parent or legal guardian capable of providing consent.

(2) Children 12 years of age or older. If a child is 12 years of age or older and competent, the child must be given an opportunity to consent for testing. DCFS may seek a court order for testing only if the child refuses to consent to testing or the child is incompetent to make an informed decision.

(3) Factors for Court Authorization to Test. Where DCFS requests a court order for testing, the court may consider the following factors in determining whether to grant the request:

a) Age of the child;

b) The child is placed in out-of-home care;

c) The child's parent(s) or legal guardian(s) have refused to provide consent or their whereabouts are unknown; and

d) The child (i) has a parent with a history of prostitution, intravenous drug use, hypodermic needle-sharing, and/or multiple sex partners whose personal histories are either unknown or known to include one or more of these risk behaviors, or (ii) is a victim of sexual abuse, the nature of which has placed the child at risk of exposure to HIV.

(4) Notification of Request for Testing. In any case where DCFS seeks an order for testing, the clerk must ensure that notice of the request is given to the child's attorney and CASA, if any, at the earliest practicable time. (Health & Saf. Code, § 121020; Fam. Code, § 6926.)

(d) Disclosure of Confidential Test Result or Diagnosis.

(1) Children 11 years of age and under. If authorization for testing is obtained for a child 11 years of age or younger, DCFS must provide the court with the result of such test in a sealed envelope marked "confidential." DCFS must also submit a request to disclose the test result or diagnosis to pertinent persons, including the child's attorney, out-of-home placement caregivers, parents (unless their parental rights have been terminated), legal guardian, prospective adoptive parents, and dentist or mental health practitioner who is currently providing professional services to the child, the nature of which creates a legal need to know the child's HIV status.

(2) Children 12 years of age and older. If authorization for testing is obtained for a child 12 years of age or older, the child must be taken to the child's health care provider to discuss the result or diagnosis(es). DCFS must obtain a court order prior to releasing confidential test result or diagnosis(es) to pertinent persons if the child refuses to give consent for such release and DCFS believes there is a compelling reason to disclose against the child's wishes.

(3) Court Order for Disclosure of Test Results. DCFS may not disclose the test results and any diagnosis(es) derived therefrom to any other parties, but may petition the judicial officer hearing the matter for such disclosure, upon a showing of good cause.

(e) Report for Presiding Judge. DCFS must report the names and case numbers of the children who have been tested pursuant to this rule to the Supervising Judge on a quarterly basis.

(Rule 7.6 [*7/1/2011*] amended and effective July 1, 2022)

7.7 PRESCRIPTION AND ADMINISTRATION OF PSYCHOTROPIC MEDICATIONS FOR DEPENDENTS AND WARDS OF THE JUVENILE COURT

The "Psychotropic Medication Protocol" governs the prescription and administration of psychotropic medications to children who are under the jurisdiction of the juvenile court. If a child is a dependent of the juvenile court pursuant to Welfare and Institutions Code section 300 and the child has been removed from the custody of the parent pursuant to Welfare and Institutions Code section 361, the prescribing physician must obtain court authorization regarding the prescription and administration of psychotropic medications for that child. If a child is a ward of the juvenile court pursuant to Welfare and Institutions Code sections 601 or 602, absent authorization of a parent or legal

guardian, the prescribing physician must obtain court approval regarding the prescription and administration of psychotropic medications for that child. The current protocol is available at the Children's Court clerk's office.

(Rule 7.7 new and effective July 1, 2011)

7.8 SPECIALIZED MENTAL HEALTH TREATMENT OF DEPENDENT AND DELINQUENT CHILDREN

The specialized mental health treatment of children who are under the jurisdiction of the juvenile court is governed by Welfare and Institutions Code sections 319.1 and 635.1.

(Rule 7.8 new and effective July 1, 2011)

7.9 VOLUNTARY COMMITMENT OF DEPENDENT AND DELINQUENT MINORS FOR INPATIENT OR OUTPATIENT MENTAL HEALTH SERVICES

Welfare and Institutions Code section 6552 provides that a minor declared to be within the jurisdiction of the juvenile court may make voluntary application for inpatient or outpatient mental health services with the advice of an attorney.

(a) Procedure. The application procedure is the only method by which the minor may be voluntarily admitted to an inpatient or outpatient mental health facility. The following three elements are required under Welfare and Institutions Code section 6552 for voluntary admission to inpatient or outpatient mental health treatment: (i) voluntary consent by the minor; (ii) the minor's consultation with an attorney; and (iii) juvenile court authorization.

(b) Role of Juvenile Court. In authorizing such application, the court must be satisfied from the evidence presented that: (i) the minor suffers from a mental disorder which may reasonably be expected to be cured or ameliorated by treatment offered by the hospital, facility or program in which the minor wishes to be placed; and (ii) there is no other available hospital, facility or program which might better serve the minor's medical needs and best interests.

The order must include findings as to the minor's advisement of rights pursuant to Welfare and Institutions Code section 6552, and the willingness or availability, or lack thereof, of the parent or legal guardian to sign papers for admission, diagnostics evaluation, educational testing, inpatient psychological and psychiatric treatment, and routine medical and dental care. In the event that the parent or legal guardian is unwilling or unavailable, the court may authorize DCFS to sign such papers, with the exception that authorization does not include the authority to sign for electro-shock or chemical shock therapy.

The court may conduct judicial reviews, permanency planning hearings and reviews of plans for all delinquent and dependent minors during any period(s) of mental health therapy and treatment.

(c) Role of DCFS, Probation Department and Mental Health Facilities. The Probation Department and DCFS must have a procedure for the minor's request to be made to the court at hearing.

Should the minor leave or demand to leave the hospital or facility prior to completion of the treatment program, the hospital must be directed to notify the pertinent agency (DCFS or the Probation Department) and the child's attorney of the termination of placement and arrange for the immediate return of the minor to court for further proceedings.

(Rule 7.9 new and effective July 1, 2011)

SPECIAL DEPARTMENTS

7.10 SPECIALLY DESIGNATED DEPARTMENTS

(a) ICWA Cases. The Indian Child Welfare Act of 1979 ("ICWA") 25 U.S.C. 1901 *et seq.* is federal legislation which preempts state law whenever an Indian child may be removed from the child's family. ICWA cases in California are governed by California Rules of Court, rule 5.664.

(1) If a dependency petition checks section l(l) of the Juvenile Dependency Petition (Version One) (JV-100) or section l(i) of the Juvenile Dependency Petition (Version Two) (JV-110), or if the court otherwise has reason to believe the child may be an Indian child, and the proceeding may result in the termination of parental rights to the child, notice must be given to the identified Indian tribe and/or Bureau of Indian Affairs by DCFS in Welfare and Institutions Code section 300 cases, and by the Probation Department in all Welfare and Institutions Code section 600 cases.

(2) Pending confirmation of a child's Indian status and tribal membership, the case will remain in the originating dependency department. Upon confirmation and notice from an Indian tribe that a child has been determined to be an Indian child, the case must be transferred for all purposes, with the advice and consent of the Supervising Judge of the Dependency Court, to the department handling Indian child cases.

(b) Deaf/Hard of Hearing Dependent Children/Families. All cases involving deaf and hard of hearing children or parents must be filed in the department specially designated for such cases by the Presiding Judge of the Juvenile Court. Where a case should have, but has not, been filed in the special department, it must be transferred to that department with the advice and consent of the Supervising Judge of the Dependency Court.

(Rule 7.10 [*7/1/2011*] amended and effective January 1, 2020)

DEPENDENCY PROCEDURE AND PRACTICE

7.11 APPEARANCES AND DAILY COURTROOM PRACTICE IN DEPENDENCY COURT

(a) Policy. An attorney with matters in a dependency court must arrive in that department promptly at 8:30 a.m. If the attorney is unable to appear timely due to another judge's order to appear in that judge's courtroom, the attorney must advise the clerk as soon as possible of the attorney's inability to appear. Upon arrival, the attorney must ascertain if the attorney's client is present and immediately check in with the courtroom clerk on each case on which the attorney will appear. The attorney must pick up court-ordered reports and evaluations, and consult with opposing counsel and DCFS courtroom officers. No person may open records and documents delivered to the court under seal pursuant to a subpoena unless and until directed to do so by the court. An attorney bears responsibility for determining if the attorney's client is coming to court. If a hearing is scheduled in another department, the attorney may not leave the courtroom unless the clerk is informed of the destination and the judge grants permission for the attorney to appear in another courtroom. Prior to leaving the courtroom for another department, the attorney must record the attorney's destination department on the chalkboard or extra copy of the calendar provided for this purpose.

(b) Session Hours. *See* Local Rule 2.16. No matter may be heard in any courtroom past 4:30 p.m. without prior approval of the Supervising Judge. If it is necessary to extend a hearing past 4:30 p.m., the judge should notify the Supervising Judge and the Sheriff by 4:00 p.m. on that day. No court may be in session past 5:00 p.m. on any given day.

(c) Conduct of Counsel and Parties in the Courtroom. Although Welfare and Institutions Code section 350(a)(1) authorizes juvenile proceedings to be conducted in an informal and non-adversarial atmosphere, attorneys must make every effort to comply with the civil trial procedure in Local Rule 3.37 *et seq.*

(Rule 7.11 [*7/1/2011*] amended and effective July 1, 2022)

7.12 CHILDREN'S APPEARANCES

A subject child is entitled to attend court hearings. Every child four years or older must be advised by the children's services worker and/or attorney of record of the child's right to attend court hearings. The children's services worker is responsible for arranging the child's transportation to court. The child must attend court hearings unless the child's appearance is waived by the child's attorney of record. The clerk shall record the reasons for non-appearance in the minute order. In all cases, the attorney for the child must consult with the child and explain the outcome of the proceedings.

(Rule 7.12 [*7/1/2011*] amended and effective July 1, 2022)

7.13 **RESERVED**

(Rule 7.13 [as FOSTER PARENT APPEARANCES AND PARTICIPATION *7/1/2011*] **REPEALED** effective July 1, 2019)

7.14 FAILURE OF ATTORNEY TO APPEAR

If an attorney fails to appear at a scheduled hearing without good cause, the court may impose sanctions, including a monetary sanction, on the attorney.

(Rule 7.14 new and effective July 1, 2011)

7.15 REHEARING ON ORDER OF A COMMISSIONER OR REFEREE PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTION 252

(a) General Procedure. Applications and requests for rehearing pursuant to Welfare and Institutions Code section 252 must be filed in the juvenile court clerk's office in the courthouse where the order was made within the time frames authorized by that section and California Rules of Court, rule 5.542.

An application for rehearing must be personally served on all counsel. Within three court days of service of the application, responses, if any, must be served in the same manner as the application and filed in the clerk's office where the application was filed. The application, will thereafter be assigned to a judge for review.

(1) Rehearing Pursuant to Welfare and Institutions Code section 252. An application for rehearing may be filed by a child, parent, legal guardian, or DCFS. These rules, adopted pursuant to the provisions of Welfare and Institutions Code section 251, apply only to referees and commissioners sitting in juvenile proceedings. (Welf. & Inst. Code, § 247.) If there is a stipulation authorizing a commissioner or referee to sit as temporary judge, no rehearing right is available.

(2) Request for Stay on an Order of a Commissioner or Referee. If counsel intends to file an application or request for a rehearing, counsel may request a stay of the order of a commissioner or referee. The request for a stay must be made before the same commissioner or referee who made the order. The commissioner or referee may grant a stay for a reasonable period of time, or until a judge has ruled on the application for rehearing. If the application or request for rehearing is accompanied by a request for a stay, the clerk shall refer the stay request to the commissioner or referee

who made the order. That judicial officer will immediately rule on the request for the stay, and send the ruling to the clerk's office for service.

A denial of a request for a stay by a commissioner or a referee may not be referred to a judge for review. The applicant's only remedy upon denial of a request for a stay is a petition for a writ of mandate or prohibition filed with the Court of Appeal. (Cal. Rules of Court, rule 5.585.)

(b) Forms. Application for Rehearing forms are available on the court's website or in the juvenile court clerk's office.

(Rule 7.15 [*7/1/2011*] amended and effective July 1, 2022)

7.16 MOTION REQUIREMENTS AND PROCEDURE

(a) Policy. A motion must be in writing and accompanied by a supporting affidavit or declaration and points and authorities, if applicable. The motion must be filed with the clerk in the department where the case is pending, and a date and time for the hearing of the motion must be obtained from the court clerk. If the department is closed, the motion must be filed in the clerk's office.

(b) Service. The moving party must serve the motion upon all other counsel in the case at least five calendar days but not less than three court days before the date of the hearing if served personally or by facsimile, and at least seven calendar days before the hearing if served by mail.

Any documents in opposition to the motion must be filed with the clerk where the matter is pending no later than the day before the date set for hearing. The opposition must be served on other counsel in the case at least the day before the hearing if served personally or by facsimile, and at least three calendar days before the hearing if served by mail.

(c) Emergency Application for Hearing. A party may file an *ex parte* application for hearing on an emergency basis, on condition that the date has been approved by the court and telephonic notice was given to all counsel not less than 24 hours in advance of the hearing date. The application must comply with California Rules of Court, rule 3.1200 *et seq.*

(d) Demurrer and Motion to Strike. A party may file a demurrer to challenge the legal sufficiency of a dependency petition that alleges facts which, even if determined to be true, (a) are not sufficient to state a cause of action, or (b) are not sufficiently clear or precise for the party to prepare a defense. A party may also move to strike certain allegations from the petition. (For convenience, both demurrers and motions to strike are referred to as "demurrers.")

Unless otherwise agreed upon, a demurrer must be made in writing and shall be before the entry of a denial or admission or plea of "no contest." Notice must be given at the detention hearing or first appearance after the petition or amended petition is filed.

A hearing on a demurrer shall be set on the calendar no later than ten calendar days following the notice of the demurrer. Counsel must file and serve personally or by facsimile the supporting memorandum of points and authorities no later than three court days prior to the hearing. The responding party must file and serve personally or by facsimile an opposing points and authorities no later than one day before the hearing.

If the demurrer is sustained, the court may grant leave to amend the petition upon terms as may be just and calendar a date within which any amendment or amended pleading must be filed. Absent unusual circumstances, the court will not continue the adjudication of the petition's merits in order for the amendment to occur. Counsel for DCFS should be prepared to amend the petition in a timely manner.

(e) Motion for Continuance. (Welf. & Inst. Code, §§ 322, 352, and 358.) Counsel must regard a date calendared for a dependency proceeding under Welfare and Institutions Code section 300 *et seq.* as definite court appointments. A case in which a child is detained under the sole allegation that a

child is a person described in Welfare and Institutions Code section 300 shall be granted precedence on the court's calendar (Welf. & Inst. Code, § 345). Counsel appearing in other courts on the same date for which a dependency case is set shall advise the other courts of the precedence of the dependency matter.

If counsel intends to seek a continuance, counsel must inform opposing counsel of that fact at the first opportunity after the need for the continuance becomes apparent. The parties may not assume that a continuance motion will be granted. None of a stipulation between counsel, the convenience of the parties, a pending criminal prosecution, or a pending family law matter is sufficient by itself to establish good cause. A continuance will be granted only upon a showing of good cause, provided it is not contrary to the interests of the child. The court will give substantial weight to a child's need for prompt resolution of the child's custody status, the child's need for a stable environment, and the damage caused by prolonged temporary placements. If granted, the continuance will be only for that period shown to be necessary to establish good cause. When a continuance is granted, the reasons for granting the continuance request shall be entered in the minute order.

A motion for continuance must be in writing, attach declarations which allege facts sufficient to establish good cause for a continuance, and be filed at least two court days prior to the hearing date. In exceptional circumstances, the court may entertain an oral motion for continuance.

If a child has been removed from a parent or guardian's custody, no continuance will be granted that would result in completion of a disposition hearing pursuant to Welfare and Institutions Code section 361 more than 60 days after the hearing at which the child was removed or detained, unless there are exceptional circumstances. In that circumstance, the continuance may not cause completion of the disposition hearing more than six months after the detention hearing.

(Rule 7.16 [*7/1/2011*] amended and effective July 1, 2022)

APPOINTMENT OF COUNSEL AND SPECIAL ADVOCATE

7.17 LEGAL REPRESENTATION

(a) Appointment of Counsel for Adults. An adult "client" is defined as any parent, guardian, de facto parent, or other adult who has been determined by the court to have standing. A client is entitled to be represented by competent legal counsel. "Competency" is defined by Rule 5.660 of the California Rules of Court.

When it appears that a parent or guardian is presently financially unable to afford an attorney, the court shall appoint an attorney unless the parent or guardian has made a knowing and intelligent waiver of the right to counsel. When a de facto parent, or another adult who has been determined by the court to have standing, is presently financially unable to afford an attorney, the court may appoint an attorney.

In a dependency case, an attorney shall be appointed to represent a client at the earliest possible stage of the proceeding. The appointed attorney must continue to represent the client unless relieved by the court.

An attorney representing a client in dependency court shall affirmatively inquire of their client as to whether the client has reason to believe that any child appearing in the dependency court has Indian heritage under the ICWA. Every effort should be made by counsel to assist confirmation of a child's Indian status and tribal membership.

A client who receives legal counsel appointed by the court must meet with the financial office in the Children's Court for a determination of the client's ability to reimburse the County for the cost of appointed counsel. The appointed attorney bears the responsibility of ensuring that the client has the necessary paperwork for the financial office and knows where the office is.

(b) Appointment of Counsel for Children.

(1) At the arraignment and detention hearing, or as soon thereafter as possible, the court will appoint for each child who is the subject of any dependency petition an attorney who shall also serve in the capacity of a Child Abuse Prevention and Treatment Act ("CAPTA") guardian *ad litem* for the child, unless the court finds on the record that the child would not benefit from the appointment of an attorney for any purpose. California Rules of Court, rule 5.660.

(2) If the court does not appoint an attorney for the child, the court will make a referral for the appointment of a Court-Appointed Special Advocate ("CASA") for the child to act in the capacity of a guardian *ad litem* ("GAL").

(3) If the court does appoint an attorney for a child, that representation shall occur through the Children's Law Center of Los Angeles ("CLC").

(4) No child may be represented by the County Counsel, or any other attorney representing DCFS.

(c) Eligibility for Appointment as Counsel for Adults.

(1) California State Bar Membership. An attorney must be in good standing with the California State Bar at all times in order to be appointed to represent an adult client in a dependency proceeding.

(2) Education/Training. The attorney must complete a minimum of 8 hours of training or education in the area of juvenile dependency law or be able to show recent experience which demonstrates a competency in the area of juvenile dependency law.

(A) The attorney must be familiar with Welfare and Institutions Code statutory requirements, the Evidence Code, local and state court rules, court policies, relevant case law, the practice guidelines set forth in the Local Rules, and the substantive, ethical, and procedural issues unique to the dependency court.

(B) The attorney must be familiar with the various stages of the court proceedings from arraignment and detention through review of permanency hearings. This includes, but is not limited to, the structure and functioning of the juvenile court, the CASA program, DCFS programs, policies, and procedures, issues related to reunification, placement, reasonable efforts, adoption, and permanency, and familiarity with the juvenile court's mediation program.

(C) The attorney must be familiar with appellate and other review procedures including writs, rehearings, appeals, and other extraordinary remedies.

(D) An attorney who is new to dependency court must observe and/or be available to participate in each type of dependency hearing from detention through review of a permanency plan prior to accepting an appointment.

(E) An attorney who is new to dependency court must visit three types of placements used to house dependent children such as emergency shelters, foster homes, or group homes.

(F) The attorney must be familiar with the effects of racial, cultural, ethnic, sexual orientation issues, and language differences with regard to child rearing, treatment, and placement practices and issues.

(d) Eligibility for Appointment as Counsel for Children. In addition to meeting the eligibility requirements for appointment as counsel for adults as provided in subdivision (c) above, an attorney seeking appointment as counsel to a child must be familiar with the following:

(1) Child development stages including a child's cognitive, emotional, and social growth stages, language development, and patterns of child growth related to neglect and non-organic failure to thrive;

(2) Interviewing techniques for children, including techniques that are age-appropriate and take into consideration the type of abuse the child is alleged to have suffered;

(3) Child development as it relates to children as witnesses and the impact of the court process on a child;

(4) The types of placements available to children, and issues related to placement including, but not limited to (i) a working knowledge of licensing requirements for foster care and relative placements, (ii) the impact of multiple placements on the child, and the importance of maintaining sibling groups versus the best interests of each child in the sibling group, and (iii) the effect placement will have on visitation issues and on the delivery of services to children in placement;

(5) The educational, medical, mental health, dental, and other resources available for children in the dependency court system, the funding therefor, and the means of identifying the need for and the accessing of such resources;

(6) The emancipation laws, and the resources available to assist the dependent child to emancipate, including, but not limited to, DCFS's Independent Living Program, the requirements for and the availability of transitional housing, and the availability of funding to assist emancipating children in living independently; and

(7) The court's policy regarding joint reports for Welfare and Institutions Code section 300/602 children pursuant to Welfare and Institutions Code section 241.1, and all other policies and protocols regarding dependent children contained in this chapter.

(e) General Practice for Court-Appointed Attorneys in Dependency Court.

(1) The court-appointed attorney should make inquiries necessary to determine at the outset of the proceedings whether a conflict exists in the representation of a party.

(2) At a party's first appearance, the attorney should verify with the client, to the extent the information is known, the names, addresses, telephone numbers, and relationships of all persons entitled to receive notice of the proceedings, including the birth dates of each party and child. The attorney should also inquire as to the name, address, telephone number, and relationship of all known relatives and/or non-relative family members for possible placement of any detained child. If any relative and/or non-relative family member is identified, then the dependency court form entitled "Relative Information Sheet" must be completed and filed with the court.

(3) At a mother and/or father's first appearance, the attorney should make inquiry of the client as to the applicability of ICWA, and so inform the court.

(4) At a mother and/or father's first appearance, the attorney should make inquiry of the client as to paternity issues. The dependency court paternity questionnaire form must be completed by the mother and father in all cases and filed with the court in all cases. The "Paternity — Waiver of Rights" form (Judicial Council form JV-505) must be completed by any person claiming paternity status or non-paternity, which shall also be filed with the court.

(5) The attorney should have a complete familiarity with the facts of the case by reviewing the court file, especially when appointed to represent a party during the pendency of a case, and by bringing discovery motions, interviewing witnesses, procuring experts, and otherwise conducting an independent investigation.

(6) The attorney should make all reasonable efforts to ensure that the client understands the court processes, proceedings, and the potential and actual consequences of the proceedings. Special efforts should be taken to ensure that a client understands these matters if the client demonstrates any evidence of being developmentally delayed, or exhibits signs that the client is suffering from any cognitive or emotional problems which would affect the client's ability to comprehend any aspect of the dependency proceedings.

(7) The attorney must maintain a current business address and working telephone number and promptly notify a client of any change of address or telephone number. The attorney should provide the client with the attorney's business card.

(8) The attorney must show courtesy and respect to judicial officers, DCFS social workers, CASA, DCFS court officers, courtroom personnel, witnesses and all counsel.

(9) The attorney must be aware of children present in the courtroom, so that discussions of sensitive case issues, whether pertaining to a particular child or other children, are not overheard by the children or made in an insensitive manner.

(10) Settlement should be considered as soon as enough information is known about the case to make settlement discussions meaningful. In every case, the attorney should consider whether the client's interests could best be served and whether the case could be more appropriately resolved by mediation or other settlement discussions. The attorney must be familiar with the juvenile court's mediation program.

(f) Practice Guidelines for Representing Children in Dependency Court. In addition to the general practice, attorneys representing children have the following additional duties and responsibilities:

(1) The attorney must be familiar with the requirements of Welfare and Institutions Code section 317(e) for the representation of children, California Rules of Court, rule 5.660, regarding standards of representation, and 5.660, regarding caseload size;

(2) The attorney or the attorney's staff should separately interview each child four years of age or older, and should interview a younger child if it is determined that the child has sufficient language skills to communicate. The attorney should ascertain the child's wishes, needs, and background. Interviews should be done in an atmosphere where the child feels comfortable and privacy is ensured;

(3) At the initial interview, where possible, the attorney should inform the child, in language the child can comprehend, the nature of dependency proceedings, the role of a lawyer, the child's rights, including the right to confidentiality, and the nature of the subject matter of any petition and the contents of any related report; and

(4) The attorney should be actively involved in, and vigorously advocate at, every stage of the proceedings involving a child client and take any necessary legal steps that would promote and advance a child's right to receive all appropriate reunification and permanent placement services and all other services and resources to meet the child's educational, dental, medical, and mental health needs.

(g) Eligibility for Continued Practice in Dependency Court.

(1) Education/Training. A court-appointed attorney in dependency court must complete a total of 12 hours of continuing education credits each year. This training shall include mandatory attendance at the annual conference sponsored by the juvenile court and California State University, Los Angeles, and at least five hours of training offered at the Children's Court or other training approved by the juvenile court.

Ongoing training shall also include summaries of current changes in the dependency laws and statutes, summaries of recent and relevant case law, and information and instruction on child development, child abuse and neglect, family reunification and preservation, reasonable efforts, domestic violence, substance abuse, special education, mental health, government benefits, and cultural diversity issues.

(2) Evidence of Competence. The attorney must file in the office of the Presiding Judge of the Juvenile Court a certification of satisfaction, signed under penalty of perjury, of the continuing education requirements not later than February 15 of each year (Juvenile Form 4). An attorney's failure to comply with this requirement may result in the court's refusal to appoint the attorney.

(h) Caseloads for Children's Attorneys. The court adopts any caseload standards for children's attorneys established by the Judicial Council.

(Rule 7.17 [*7/1/2011, 7/1/2019*] amended and effective July 1, 2022)

7.18 COURT-APPOINTED SPECIAL ADVOCATE

(a) Program. The CASA Program was established to serve the needs of abused and neglected children in the dependency court. The CASA Program recruits, trains, supervises, and supports community volunteers ("CASA volunteer") who investigate the circumstances of the child, facilitate the provision of services, monitor compliance with the orders of the court, and advocate in court and in the community for the best interests of the child. CASAs serve only at the pleasure of, and report directly to, the juvenile court. Their duties, responsibilities, and the limits of their authority are contained in and described by Welfare and Institutions Code sections 100-109.

(b) Referrals. The judicial officer, or any party may refer a case to the CASA Program at any point in the dependency proceedings. The CASA Program also may request that a referral be made by the judge in a case brought to the attention of the CASA Program. All referrals must be signed by the judge.

(c) Referral Criteria.

(1) Appropriate Referrals. Referrals to the CASA Program are appropriate when:

i. The court needs specific information or would benefit from an independent investigation in order to make a decision regarding the child's welfare, except for information pertaining to allegations made in the petition;

ii. There is an unnecessary delay in achieving family reunification, legal guardianship, adoption, or emancipation; and

iii. The child has a specific unmet need and requires advocacy to obtain educational, medical, or other services. This does not include the need for a mentor, big brother or sister, or special friend.

(2) Inappropriate Referrals. Referrals are not appropriate when:

i. The child's behavior and/or the circumstances of the case would place the CASA volunteer at risk;

ii. The child is unwilling to participate in the services or cooperate with the advocate;

iii. The child frequently is absent without permission; and

iv. The child is placed outside of the County.

(d) Evaluation of a Referral. The CASA Program will evaluate the referral to determine if it is appropriate. In the event that the case is not accepted, the CASA Program will submit a report to the court stating the basis for declining the referral.

(e) Acceptance of a Referral. Once a case is accepted by the CASA Program, the court will sign an order appointing the identified CASA volunteer.

(f) Status of CASA Volunteers.

(1) Appointment. The CASA volunteer is appointed as a sworn officer, and serves at the pleasure of the court, and is bound by all the rules and standards set forth in Welfare and Institutions Code sections 102 and 103, and California Rules of Court, rule 5.655.

(2) Participation of CASAs, CASA Program Supervisors, and Attorneys for the CASA Program.

i. A CASA volunteer may be present at all hearings, sit at counsel table, and participate in reported conferences held in chambers. An advocate will not be excluded from reported proceedings for any reason, including the fact that the advocate may give testimony in the case.

ii. A CASA volunteer for a child who has a child may participate in the dependency proceedings for both children.

iii. A Program supervisor may attend court hearings, participate in proceedings with or in lieu of the CASA volunteer, and may serve as the CASA volunteer on the case.

iv. An attorney representing the CASA Program may participate in any juvenile court proceeding in which any aspect of the CASA Program is at issue.

(3) Notice to CASA. Pursuant to Welfare and Institutions Code section 106, the CASA volunteer must be properly and timely noticed for all proceedings in the case on which the volunteer is appointed. The social worker on the case is responsible for providing notice to the CASA volunteer for regularly calendared matters. Any party requesting that a matter be added to the court's calendar is responsible for providing notice to the CASA volunteer.

(4) Reports. A CASA volunteer report will be considered by the judge. Minute orders shall reflect whether the CASA volunteer and/or the CASA supervisor was present at the hearing and that the CASA volunteer's report was read and considered by the court. The Child Advocates Office shall deliver sufficient copies of any CASA volunteer's report for all parties and their counsel (including parents appearing *in pro per*) to the court at least two court days prior to the relevant hearing. The court has discretion to admit a CASA report regardless of the time it was submitted.

(5) Distribution of reports. Only parties and their counsel are entitled to receive copies of the CASA volunteer's reports. *De facto* parents are entitled to receive copies of the CASA volunteer's report only if there is a court order directing distribution of the CASA volunteer's report to the *de facto* parent(s). Relatives, foster parents, service providers, and other interested parties are not entitled to receive a CASA volunteer's report in the absence of a court order.

(Rule 7.18 [*7/1/2011*] amended and effective July 1, 2022)

TIME LIMITATION AND PRE-HEARING ISSUES

7.19 TIME LIMITATIONS FOR DEPENDENCY PROCEEDINGS

Juvenile court policy is to comply strictly with the time lines for dependency hearings, unless good cause is shown for a continuance. (Welf. & Inst. Code, § 352; Cal. Rules of Court, rule 5.550(a)(2).)

(Rule 7.19 new and effective July 1, 2011)

7.20 DETENTION HEARINGS/CHILDREN IN SHELTER CARE

The dependency court endeavors to hear all detention matters before noon to assure the timely transfer or reassignment of cases when necessary.

The dependency court endeavors to hear all matters involving children in shelter care before the noon hour so that children will not remain in shelter care longer than necessary.

(Rule 7.20 new and effective July 1, 2011)

7.21 PRE-HEARING DISCOVERY

Pre-hearing discovery is governed by California Rules of Court, rules 5.544 and 5.546. Acquisition of confidential material not covered in California Rules of Court, rule 5.546, may be requested pursuant to Local Rule 7.2.

(Rule 7.21 new and effective July 1, 2011)

7.22 HEARINGS IN ABSENCE OF PARTIES

Absent good cause for a continuance, the court will conduct any properly noticed hearing whether parties are present or not.

(Rule 7.22 new and effective July 1, 2011)

RESOLUTION WITHOUT HEARING

7.23 MEDIATION

(a) Program (Purpose of Mediation; Process/Procedures to Arrange Mediation Conference).

(1) Purpose of Mediation Conference; Preference for Mediation. The purpose of dependency mediation is to involve family members and other parties in a confidential, non-adversarial process to understand and, where possible, resolve some or all of the issues, including the language of the petition, disposition, and questions of fact and law. The purpose of mediation is early and fair resolution of disputes for families involved in the court system. Some of the goals are to:

i. Reduce trauma and promote communication among the parties;

ii. Bring the parties and professionals together to ensure their understanding of the issues and individual perspectives of the participants in the case and the reasons for State intervention;

iii. Orient parents, children, social workers, and other parties to the process and procedures related to the case;

iv. Clarify the roles of the participants and preserve the rights of the parties;

v. Seek early resolution and implementation of family treatment or permanency plans;

vi. Clearly define issues and make a prompt determination whether a case can be resolved by mediation or should be returned to the court; and

vii. Reach agreements designed to protect the safety of all participants and to protect children from future acts of abuse or neglect, as well as protect children's relationships with their siblings.

The court prefers the mediation process as opposed to contested hearings wherever possible, reserving contested hearings exclusively for unresolved questions of fact and law.

Mediation as defined in this rule shall meet the requirements of California Rules of Court, rule 5.518, governing the standards of practice for court-connected child protection/dependency mediation.

(2) Referrals to Mediation Conference. Pursuant to Welfare and Institutions Code section 350, the court may order all parties and counsel to calendar a case for a confidential mediation conference. In addition, upon the agreement of all participating counsel, counsel may schedule a mediation conference in the absence of a court order by contacting the juvenile court mediation department's secretary.

A case may be referred to mediation at any stage of the dependency court process. A mediation conference shall be scheduled by appointment. A case referred to mediation on the day of a court appearance without a prior appointment shall be accommodated based on mediator availability.

(3) Scheduling of Mediation Conference. After a mediation conference is ordered or requested without court order and the mediation department has been contacted, the mediation secretary or clerk will schedule a conference with a mediator. Conferences will be scheduled for time slots as available on the mediation department calendar.

If, on the date scheduled for mediation, the identified mediator becomes unavailable, the mediation department will make available another mediator, whenever possible at the same time as originally scheduled. In branch courts providing mediation services, the clerk will send the mediation clerk a fax copy of the court's order for mediation, and the mediation clerk will record the date, time and case information.

A mediation conference referred at the time of the arraignment and detention hearing shall be calendared on an appointment basis for a time as close as possible to three weeks from the arraignment and detention hearing, and may be calendared later than the three week date only upon a showing of good cause and a court order with specific findings.

(4) Notification of Mediation Conference Date and Time; Appearance for Mediation Conference. The court will order the parties and counsel to return to the courthouse on the date and time set for mediation and report first to the courtroom before contacting the mediation secretary or designated mediator.

When the mediation conference is requested without a court order, the counsel who schedules the mediation conference must provide all other counsel with written notice of the conference, and all counsel must so inform their clients. On the date indicated in the notice, all parties and counsel (including Children's Social Worker ("CSW") when present) must report for mediation at or before the time scheduled, either report to the mediation secretary in the Children's Court, Room 2110 or to the identified mediator's office. DCFS liaisons to mediation also must check in with the mediation secretary or scheduled mediator prior to the time scheduled for the mediation conference, and confirm which liaison will be responsible for and participate in each mediation conference.

Counsel must advise the parties to telephone the courtroom (when the matter appears on calendar) and also the mediation secretary at the Children's Court at (323) 526-6671 if they expect to be late or are unable to attend the conference due to an emergency. This rule applies regardless of whether the case is scheduled in the Children's Court or a branch courthouse.

(5) Reports for Use at Mediation Conference. The court will order DCFS to provide the appropriate reports to counsel, parties, the mediator and, where applicable, the CASA volunteer. DCFS shall submit the reports to the department where the case is pending, with copies each to the mediation department and the DCFS liaison to mediation, no later than 2:00 p.m. two court days before the conference.

(6) Participation in Mediation Conference; Counsel Availability. In addition to counsel, the persons attending the mediation conference shall include as decision makers the parents, children (when appropriate), the assigned CSW or DCFS liaison, any appointed guardian *ad litem*, and any other person identified by the court as a party. At the discretion of the mediator, other persons may be permitted to participate, including family members, therapists, program representatives, caregivers, domestic violence support persons, and CASA volunteers appointed for the children.

When the CSW is not present, the DCFS liaison shall serve as the DCFS representative and have authority to make. case-related decisions on behalf of DCFS without further approval.

All counsel must remain available to the mediator to participate in the mediation conference until the mediation conference concludes.

(7) Need for Timely Proceedings; Consequences of Noncompliance. The child's interests and the legislative intent that dependency cases proceed in a timely fashion require that hearings proceed on the date calendared. The failure of any person to comply with any court order described above — including attendance at a mediation conference and timely submission of court-ordered reports — may result in the imposition of monetary sanctions pursuant to Code of Civil Procedure section 177.5 upon written motion of another party or by the court.

(b) Confidentiality. The mediation conference will be deemed confidential. All forms of communication between and among the mediator, parties, counsel, and other participants in the mediation conference are confidential and may not be released except for the social study, the mediator's document for the court for the court at the conclusion of the mediation conference, and as compelled by statute. Welfare and Institutions Code section 350, California Rules of Court, rule 5.552, and California Evidence Code sections 703.5, 1115-1125(a)(4), and 1125(b) through 1128 apply to the dependency court mediation process.

(c) The Mediation Process. Initially, the mediator will meet with all counsel and the DCFS liaison to mediation concerning their perceptions of both the factual and legal issues in dispute and the areas of potential agreement. The parties will not be present during this phase of the conference. At various times, the mediator will meet with the parties, counsel, and others as a group and/or individually, at the mediator's discretion, prior to finalizing the written agreement and case plan.

If the initial discussion with the mediator produces a proposed agreement with respect to all or some of the issues, the proposed agreement will be presented to the parties. Where there is partial or no agreement on substantive issues, the parties shall identify any points of agreement and those issues that remain to be resolved. After the parties have discussed the proposed agreement and any other matters which the mediator deems relevant, the mediator will prepare a document recording interim, partial, full or no agreement, including the identification of unresolved issues, have the document signed by counsel and the parties, and submit it with the court file to the judge for review, approval, findings and orders.

(d) Mediation Conference Continued. Subject to the court's approval, a mediation conference that has begun but has not been concluded on the date scheduled may be continued to a future date at the mediator's discretion for the purpose of facilitating resolution of the matter. The mediator and counsel may agree to continue to a specific date without the need for court appearance where that date is available on the mediation department calendar. Additional continuances will be allowed only upon written stipulation of the parties based on adequate reasons and subject to court approval.

If the court adjourns prior to completion of the mediation conference and the parties and mediator want to further mediate, the court will order the attorneys and parties to remain and participate until the mediation conference concludes, with the matter trailing on the court calendar for submission of the mediation conference results, and without the requirement that the parties return on the date to

which the matter trailed. Once a matter has been trailed in this manner and judicial findings and orders have been made, counsel must advise their clients of said orders and or any future court date requiring the appearance of the parties.

The judge will decide, on a case by case basis, whether or not to grant any continuance of the mediation conference if the parties fail to appear when proper notice or oral direction was previously given.

(e) Domestic Violence Protocol; Security. The mediation department's secretary must be advised at the time a conference is set or as soon thereafter as the information is known, when (1) counsel or any member of court staff is aware of a serious risk of violence, or (2) a restraining order has been issued against one or more persons involved in the mediation. The mediation department shall note this information by a means which preserves the confidentiality of these proceedings.

When the mediator has been advised of a serious risk of violence, the mediator shall take steps to ensure that parties who pose an identified risk are seated and conferred with separately from the other parties or participants. The mediation department shall accommodate any party or participant who requests separate seating or conference session.

A counsel representing a client against whom a restraining order has been issued must contact the mediator at or before the time set for mediation conference, and wait until separate sessions for the restrained person can be arranged before directing that person to the mediator's office.

When the mediator has reason to believe that there is an imminent risk of violence by or to any of the parties to the mediation, the Sheriff's Office located at the facility where the mediation is occurring must be immediately notified for assistance. Mediation proceedings shall be suspended until peace is restored and/or the risk of violence eliminated. Court security personnel may be requested to accompany parties or participants within the courthouse in order to safeguard them from violence or the threat of violence.

Any alleged victim of domestic violence has the right to have a designated support person present during the mediation conference. The designated support person is controlled by the same confidentiality standards as any participant in the mediation conference, but unless otherwise ordered is not a participant in the discussion and decision-making process.

(Rule 7.23 [*7/1/2011*] amended and effective July 1, 2022)

PRE-TRIAL PROCEDURE

7.24 MANDATORY SETTLEMENT CONFERENCE

At the request of counsel, or on the court's own motion, a matter may be set for a mandatory settlement conference for consideration of use of experts, potential stipulations as to issues, testimony or exhibits, narrowing of issues, evaluation of evidence, and case settlement.

The mandatory settlement conference may be set after the arraignment and detention hearing and must be set on or before the date scheduled for the jurisdiction hearing or any other contested hearing. The court should order that the jurisdiction/disposition report or any other relevant social worker report be prepared and made available by the social worker to the parties and their attorneys in advance of the settlement conference and in time for the parties to meet and confer for preparation of a joint trial statement.

The scheduling of the mandatory settlement conference may be considered good cause to continue the jurisdiction/disposition hearing beyond fifteen judicial days for a detained child if said

continuance is not contrary to the child's interest. The disposition hearing shall not be later than 60 days from the date of the detention of the child.

The following procedures shall be followed in preparation for the settlement conference.

(a) Meet and Confer. Prior to the date set for the conference, counsel must meet and confer in good faith to prepare a joint trial statement. The failure to agree upon language to be included will not excuse a failure to file a joint trial statement and the parties must set forth the portions of a subject that they agree upon and then each party's version on that which they do not agree.

(b) Filing Trial Statement. The joint trial statement must be filed directly with the trial court and served on all parties no later than two court days before the day set for the conference.

(c) Extension of Time. The time for filing a joint trial statement may be extended only by order of court.

(d) Contents of Joint Trial Statement. The joint trial statement must contain the following:

1. Caption, date and time;

2. Factual information. A complete and objective factual statement of the case, including (i) a description (including filing date) of the petition forming the issues to be tried, (ii) the names, ages and relationships of all persons relevant to the proceeding and the names of their attorneys, (iii) the date and substance of any prior orders of the court which are pertinent, (iv) the date and substance of any documents which are pertinent to any contested issue, and (v) any other relevant information;

3. Expedited presentation of the case. Counsel must address the use of any expedited means of presenting evidence in an effort to reduce the length of trial, including stipulated facts, agreements regarding admission of evidence, and agreements regarding summaries of testimony. Each joint trial statement must include a stipulation listing (by reference to the exhibit list required by subsection 6.ii.a. of subdivision (d) all exhibits which may be received in evidence without objection, and a second stipulation listing (by reference to said exhibit list) all exhibits to which any objection as to foundation is waived;

4. Uncontested issues of fact and law. All uncontested issues shall be summarized;

5. Statement of contested issues of fact and law. A concise statement of each contested issue shall be included; and

6. Discussion of contested issues: A comprehensive discussion of each contested issue shall be provided, which shall include the following:

i. Any factors relevant to that issue;

ii. A list of all documents, schedules or summaries to be offered at trial on the issue, and a summary of their contents and purpose, copies of reports of experts to be offered at trial. The failure to comply with this provision may result in an order excluding the document, report, or testimony of the expert at trial;

iii. The name and business address of any percipient or expert witness whom a party intends to call at trial, and a brief statement setting forth the substance of the witnesses' testimony. This requirement does not apply to any witness anticipated in good faith to be called solely for the purpose of impeachment or rebuttal. The failure to comply with this provision may result in an order excluding witnesses, documents or expert testimony at trial;

iv. Any legal argument relevant to that particular issue on which a party intends to rely; and

v. Legal objections to evidence, including objections to witnesses, expert testimony, documents and reports.

(e) Non-compliance. If the parties fail to prepare and file a joint trial statement in accordance with these instructions, each party must summarize in writing the attempted compliance, including dates of meetings or discussions and total time spent in attempted compliance, and file a separate trial statement containing the required information. The failure to comply with the provisions of Local Rule 7.24 may result in sanctions.

(Rule 7.24 new and effective July 1, 2011)

TRIAL AND RELEASE BEFORE DISPOSITION

7.25 TRIAL IN PROGRESS

A trial in progress shall proceed continuously on a day-to-day basis. Counsel must be prepared to proceed with the trial in this manner.

(Rule 7.25 new and effective July 1, 2011)

7.26 APPOINTMENT OF EXPERTS

(a) Indigent Parties. Where a party cannot afford to employ an expert, and an expert is necessary to enable counsel to properly represent the party, counsel may move for the appointment of an expert pursuant to Evidence Code section 730 for the purpose of (i) assisting counsel in case preparation, and/or (ii) testifying at the adjudication, disposition, or other hearing. The motion must be made in writing and shall be heard in the department where the case is pending.

(b) Discoverability of Expert's Report. If the court appoints an expert, the appointed expert's report shall be discoverable. (*Collins v. Superior Court* (1977) 74 Cal.App.3d 47.)

(c) Fees. Court-appointed experts shall be in accordance with the schedule approved by the Juvenile Court Committee for Court-Appointed Experts. No expert will be paid unless counsel has received the court's approval. Upon a showing of good cause, a judge may approve fees in excess of the schedule up to a limit of $2,500, so long as the fees were approved by the court before they were incurred. Fees paid to the same expert in the same case in excess of $2,500 must be approved by the Presiding Judge of the Juvenile Court.

(Rule 7.26 new and effective July 1, 2011)

7.27 LAY WITNESS FEES AND COSTS

(a) Authorization. Welfare and Institutions Code sections 341 and 664 permit the court discretion to order the payment of witness fees in the amount set forth in Government Code section 68093 for a person attending a hearing pursuant to subpoena.

(b) Policy. Witness fees for a subpoenaed witness will not be approved unless the request involves unusual circumstances which are either known to the judge or which are set forth in the a specific written request. A request for witness fees will be considered untimely unless submitted within 30 days of the witness' last court appearance.

(c) Procedure. A witness fee request must be submitted on either of two forms: (i) the "Request for Witness Fees" (available from the Office of the County Counsel) where County Counsel subpoenaed the witness; or (ii) the "Declaration and Order for Witness Fees" (available in the clerk's office) for all other subpoenaed witnesses.

A request for witness fees will be decided by the judicial officer who heard the proceedings for which the witness was subpoenaed. If that judge is unavailable, the judge currently assigned to the courtroom where the proceedings occurred shall consider the request. The request for

witness fees must be submitted directly to the appropriate judge and not to the Presiding Judge of the Juvenile Court.

In each instance, the judge should ensure that the amount authorized for witness fees and mileage is specifically set forth in the authorization.

The clerk shall forward the authorization for fees to the Office of the County Counsel (if County Counsel subpoenaed the witness), or the court's Accounting Office for processing.

(Rule 7.27 new and effective July 1, 2011)

7.28 APPLICATION FOR DETENTION OR RELEASE OF CHILDREN IN DEPENDENCY COURT SUBSEQUENT TO DETENTION HEARING AND PRIOR TO DISPOSITION IN EMERGENCY AND NON-EMERGENCY SITUATIONS

(a) General Policy. A court procedure for an application for the detention or release of a child during the period subsequent to the court's detention order and prior to the dispositional hearing is authorized by Welfare and Institutions Code section 385. Nothing in this rule is intended to limit the court's power under Welfare and Institutions Code section 385 or the right of law enforcement or DCFS to take a child into temporary protective custody pending a hearing on the matter.

(1) Definitions. A detained child is one who has been previously detained by the court. A released child is one who has been released by the court to a parent or guardian, or who has never been detained.

(2) Format of Papers. The requesting party must file an Application for Detention or an Application for Release setting forth the required statement of the facts sufficient to support the application.

(3) Filing of Papers and Location of Hearing. The application and any supporting documents must be filed with the clerk where the case is pending and heard in that department.

(b) Non-Emergency Applications for Detention or Release.

(1) In a case where a child was taken into temporary protective custody by DCFS or law enforcement, the matter must be filed within 48 hours, and shall be calendared for the next court day.

(2) In all other non-emergency cases, the matter shall be calendared for hearing not less than five days after filing the application. The requesting party must obtain a hearing date from the clerk. The requesting party must give notice, by telephone or facsimile to all counsel not less than 72 hours prior to the hearing date, including the date, time and location of the hearing, and the facts upon which the application is based. The receptionist for the County Counsel Juvenile Division at the facility where the hearing will be held is authorized to accept service for County Counsel.

(3) The requesting party must instruct any person or agency to whom a child four years of age or older has been released, or with whom the child is detained, to bring the child to court. If the child is detained in a shelter or non-relative foster home or group home, the requesting party must request DCFS to transport the child to court. If the case is already scheduled for another proceeding in the near future, the requesting party must attempt to calendar the application for that date.

(4) A response to the application must be filed with the clerk not later than one court day before the hearing unless good cause is shown. The responding party shall give notice that a response was filed by telephone or facsimile to all counsel not later than the date the response is filed. Said notice shall include a brief description of the basis for the response.

(5) A proof of service of the notice of filing an application or response as provided herein shall be filed on the hearing date.

(c) Emergency Applications for Detention or Release.

(1) In a case where an emergency necessitates consideration of detention or release of a child subsequent to the detention hearing and prior to the disposition hearing, an application for modification may be presented to the court. The application must comply with Local Rule 7.16(c) regarding emergency applications for hearing and California Rules of Court, rule 3.1200 *et seq.*, regarding *ex parte* applications and orders. This emergency application procedure does not apply to situations in which a child has been taken into temporary protective custody by DCFS or law enforcement.

(2) If the court does not find that a sufficient emergency exists, the application shall be set for hearing in accordance with the procedures for non-emergency applications for detention or release.

(d) Conduct of Hearings.

(1) The court may summarily deny an application on the date set for hearing if there are insufficient facts alleged in the application to warrant the relief requested.

(2) The court may rule on an application based on the facts contained in the application, facts presented orally to the court for an emergency detention, and facts presented in any response, with or without argument of counsel. The court also may receive evidence at the hearing before ruling on any application.

(3) The hearing on any application will be conducted in the same manner as an original hearing and is subject to the same burden of proof.

(4) The hearing on an application for release will be limited to consideration of new evidence or a change of circumstances sufficient to justify a change in the previous order.

(5) If the facts supporting a request for detention are also relevant to the jurisdictional hearing, an amended petition may be filed and an arraignment may be conducted on the amended petition at the time that the application for detention is heard.

(Rule 7.28 new and effective July 1, 2011)

MISCELLANEOUS PROVISIONS

7.29 FINANCIAL RESPONSIBILITY UNDER WELFARE AND INSTITUTIONS CODE SECTION 903

(a) Policy. Pursuant to Welfare and Institutions Code section 903 *et seq.*, the court is required to make an evaluation of the financial ability of parent(s) or guardian(s) to reimburse the County for legal services and cost of care, support and maintenance of a child placed, detained, or committed pursuant to order of the juvenile court.

(b) Time of Referral. Parents, legal guardians, and parties other than children, who receive appointed counsel will be ordered to immediately report to the court's Cost Recovery Division for a financial evaluation to determine the party's ability to pay for legal representation, following: 1) the first hearing in which an attorney is appointed to represent that party in a dependency proceeding, and 2) the adjudication hearing.

(Rule 7.29 new and effective July 1, 2011)

7.30 DEPENDENCY COURT TORT POLICY

(a) Representation of Dependent Children in Tort Actions. The Juvenile Court Dependency Tort Policy, established pursuant to Welfare and Institutions Code section 317(e), sets forth the duties

and obligations of a child's dependency attorney, tort attorney, and guardian *ad litem* in potential tort cases only. The Juvenile Court Tort Policy establishes the exclusive procedure for the referral of tort cases and specifies the manner in which tort attorneys and guardians *ad litem* are appointed to represent dependent children. No attorney may represent a dependent child in a potential tort action unless appointed for that purpose by the Presiding Judge of the Juvenile Court. A copy of the Juvenile Court Tort Policy may be obtained by calling the Presiding Judge's Office at (323) 526-6377.

(b) Reporting Duties of Child's Dependency Attorney.

(1) Duty to Report Injuries. Pursuant to the Juvenile Court Dependency Tort Policy, an attorney representing a child in a dependency proceeding must investigate and report to the Presiding Judge of the Juvenile Court any injury or condition of the child which could form the basis of a tort claim against a third party. The attorney has no obligation to report injuries to the Presiding Judge of the Juvenile Court when (i) the child is deceased, (ii) the child is placed with a parent, or (iii) the injury was allegedly caused by a parent or step-parent.

(2) Duty to Report Termination of Juvenile Court Jurisdiction. The child's dependency attorney must notify the office of the Presiding Judge of the Juvenile Court, when the juvenile court where the dependency case was heard terminates jurisdiction. Such notification must include the reason for the termination, and where and with whom the child is residing.

If jurisdiction is terminated because the child has been declared a ward pursuant to Welfare and Institutions Code section 602, the procedures outlined in the Juvenile Court Dependency Tort Policy must be followed to the extent possible as if the child remained a dependent.

(c) Procedure for Filing an Injury Report Pursuant to Subdivision (b). The child's dependency attorney must report the injury to the Presiding Judge of the Juvenile Court using the form "Report of Child's Injuries Pursuant to Welfare and Institutions Code section 317, subdivision (e)" (Juvenile Form 5) available online at the court's website and in the clerk's office at the Children's Court.

Three typed copies must be filed in the Office of the Presiding Judge of the Juvenile Court. One copy must be filed in the dependency court of record.

The report must be filed no later than 30 days from receipt of notice of the child's injury. The child's dependency attorney must include in the report as much information and substantiating documentation as possible, and must provide supplementary material to the Presiding Judge of the Juvenile Court as it becomes available, noting the earlier filed report(s). Separate reports must be filed for each potential claim.

(d) Penalty for Failure to Report. The failure of a dependency attorney to adhere to the reporting requirements of the Juvenile Court Dependency Tort Policy may result in appropriate action by the Presiding Judge of the Juvenile Court including monetary sanctions, removal from the dependency court panel, and report to the State Bar. Similar actions may be taken if a tort attorney fails to adhere to the procedures outlined in the policy.

(Rule 7.30 new and effective July 1, 2011)

7.31 PETITION PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTION 331

A petition filed pursuant to Welfare and Institutions Code section 331 must be filed in the clerk's office of the Children's Court, which must refer the matter to the Supervising Judge of the Dependency Court for review and further proceedings.

(Rule 7.31 [*7/1/2011*] amended and effective January 1, 2020)

7.32 CLIENT COMPLAINT PROCESS

(a) Client Complaint Form. A party in a juvenile proceeding seeking to lodge a complaint about that party's court-appointed attorney must fill out a "Client Complaint Form." Forms are available in the clerk's office at all juvenile courts.

(b) Filing the Complaint. The Client Complaint Form must be completed with specificity, and submitted to the clerk's office at the Children's Court, or mailed to the Presiding Judge of the Juvenile Court. All delinquency complaints will be reviewed by the Presiding Judge of the Juvenile Court. All dependency complaints will be forwarded for review to the Supervising Judge.

(c) Review of the Complaint. The Presiding Judge of the Juvenile Court or the Supervising Judge will review the complaint and forward a copy to the attorney who is the subject of the complaint, the attorney's supervisor if one exists. The Presiding Judge of the Juvenile Court or the Supervising Judge of the Dependency Court will send a letter to the complainant stating that the matter has been brought to the attention of the attorney and the attorney's supervisor. If the matter has not been resolved to the satisfaction of the complainant, then a motion may be filed with the court of record to relieve the attorney and/or the matter may be referred to the State Bar for review.

(d) Confidential Files. The juvenile court shall maintain a permanent file of all attorney complaints, attorney responses, and documentation of the actions taken, if any.

(Rule 7.32 [*7/1/2011, 1/1/2020*] amended and effective July 1, 2022)

7.33 JUVENILE COURT BLANKET ORDERS

The juvenile court finds that a blanket order is necessary for court administration and case management under certain circumstances. Copies of all existing blanket orders issued by the Presiding Judge of the Juvenile Court are available at the clerk's office of the Children's Court, or on the court's website: www.LACourt.ca.gov.

(Rule 7.33 [*7/1/2011*] amended and effective January 1, 2026)

7.34 ELECTRONIC FILING IN JUVENILE DEPENDENCY ACTIONS

(a) Mandatory Electronic Filing. Except as otherwise provided in this rule, a represented party or agency in a juvenile dependency action must file documents electronically. The filer must use an approved electronic filing service provider ("EFSP"). EFSP provider information is available on the court's website at www.LACourt.ca.gov.

(b) Documents That May Not Be Filed Electronically. The following documents may not be filed electronically:

(1) A challenge for cause or a peremptory challenge of a judicial officer pursuant to Code of Civil Procedure sections 170.3 or 170.6.

(2) Trial and evidentiary hearing exhibits.

(c) Timing for Filing Exempted Document. A filer must file a document exempt from mandatory filing requirements under subdivision (b) at the clerk's filing window between 8:30 a.m. and 4:30 p.m. Except as directed by the court, the clerk may not allow the public to enter the offices for the purpose of filing papers or obtaining other official services after 4:30 p.m. Persons in the clerk's office at 4:30 p.m. may complete their filing.

(d) Timing for Filing Initial Petitions. The submitting party must electronically file a petition involving a detained minor by 4:30 p.m. on the court day before the hearing date. (Welf. & Inst. Code, §§ 315, 319(b) and CRC, rule 5.670(b).) For a petition involving a non-detained minor, the court will set the initial hearing date within 15 court days from the date of filing. (CRC, rule 5.670(a)).

(e) *Ex Parte* Applications. A submitting party must electronically file an *ex parte* application and all supporting documents no later than 10:00 a.m. the court day before the *ex parte* hearing. A filer opposing an *ex parte* application must electronically file an opposition by 8:30 a.m. the day of the *ex parte* hearing.

(f) Technical Requirements for Electronically Filed Documents. A filer must electronically submit all documents pursuant to the following technical requirements:

(1) A document must be in text-searchable portable document format (PDF).

(2) An electronic document containing exhibits must comply with CRC, rule 3.1110(f)(4).

(3) An attachment to primary documents must be indexed separately by selecting the corresponding document type. Examples include, but are not limited to, the following:

i. medical reports;
ii. educational reports;
iii. psychological reports;
iv. birth certificates;
v. photographs of minors; and
vi. any other documents that are sealed or are statutorily confidential.

(4) An exhibit to documents must be text-searchable when technologically feasible without impairment of the document's image and must be bookmarked within the document pursuant to CRC, rules 2.256(b) and 3.1110(f)(4).

(5) In the limited circumstances in which a document cannot practicably be converted to a text-searchable PDF, the document may be scanned or converted to non-text searchable PDF.

(6) Accompanying/multiple documents. A filer may upload accompanying or multiple documents related to one case in one electronic envelope transaction.

(g) Sealed Documents. A submitting party must electronically file documents sealed or conditionally sealed under CRC, rule 2.551, and accurately designate the documents as sealed or conditionally sealed at the time of filing.

(h) Redaction. A submitting party must redact confidential information (Social Security number, caregiver's address, etc.) so that the information is not publicly displayed. (CRC, rule 1.201.)

(i) Trial Court Records. Pursuant to Government Code section 68150, trial court records are created, maintained, and preserved in electronic format. The court must clerically process any document that the court receives electronically and will only file as an official court record those documents that satisfy all legal filing requirements. (CRC, rules 2.100 and 2.253(b)(6) et seq.)

(Rule 7.34 [*7/1/2023*] amended and effective January 1, 2026)