**Effective Date: December 8, 2006** **Number: G-0318**
**Revised: August 22, 2012**

# Fifteen Day Review Hearings

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|---|---|
| **Purpose** | To provide guidelines for completing court reports required to initiate Fifteen Day Review hearings and the Fifteen Day Review Hearing Report. |
| **Approved** | This policy was approved by Gary Taylor, Director of CFS, on August 22, 2012. *Signature on file*. |
| **Most Recent Revision** | This revision of the Policy and Procedure (P&P) contains information regarding when to use a Court Return Detention Hearing Report (DHR), Jurisdictional/Dispositional Hearing Report (JD Report), or Ex Parte to calendar Fifteen Day Review hearings. |

**Background**

Orange County Juvenile Court conducts Fifteen Day Review hearings to review the status of the Social Services Agency's efforts to place a dependent child in suitable placement. Fifteen Day Review hearings are held no more than every fifteen calendar days until the child is placed.

Court requires that Fifteen Day Review hearings be held when:

- A child continues to be placed in Orangewood Children and Family Center (OCFC), in an Emergency Shelter Home (ESH), or in a Temporary Shelter Home (TSH) (including the Court Return Facility [CRF], Boy's Town 0-6, Tustin Family Campus [TFC] cottages A and B, Olivecrest Garfield House, and the Sibling Assessment Facility [SAF]) when declared a dependent at the Dispositional hearing
- A dependent child placed in out-of-home care is removed from placement and placed in OCFC, ESH, or TSH
- A dependent child who has run away ("gone AWOL") from

OCFC, ESH, is located and returned to placement in OCFC, ESH, or TSH

The Fifteen Day Review Hearing Report informs the Juvenile Court of efforts made to place the child, factors effecting placement, and the impact of delayed placement on the child.

Depending on the circumstances of the case, Fifteen Day Review hearings are initiated by the assigned social worker by recommendation in the:

- Jurisdictional/Dispositional Hearing Report (JD Report)
- Court Return Detention Hearing Report (DHR)
- Ex Parte

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**Legal Mandates**

Welfare and Institutions Code Section 367(b) mandates court hearings be held at least every fifteen days pending suitable placement of a dependent child, for the Court to review efforts to locate suitable placement, reasons for the delay in placement, and effects of the delay in placement on the child.

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**Definitions**

None.

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## POLICY

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**Initiating Fifteen Day Review**

The assigned Senior Social Worker (SSW) will initiate a Fifteen Day Review hearing depending on the circumstances of the case as follows:

A. **Jurisdictional/Dispositional Hearing Report:**
The assigned SSW will include a recommendation to calendar a Fifteen Day Review hearing 14 calendar days from the date of the Dispositional Hearing in the JD Report or Addendum to the JD Report for a child placed in OCFC, ESH, or TSH and for whom the recommendation is to declare dependency. (Complete the JD Report pursuant to CFS P&P Jurisdictional/Dispositional Hearing Report [G-0310]. Use Recommendation autotext code INVEE or INVFF as applicable.)

**Note:** The Fifteen Day Review hearing is held 14 calendar days after the Dispositional Hearing to avoid the fifteenth day being a weekend day.

B. **Court Return Detention Hearing Report (DHR):**
Pursuant to the Procedure section below, the assigned SSW will complete a Court Return DHR when a dependent child placed in out-of-home care is placed in OCFC, ESH, or TSH upon:

- Removal from out-of-home care
- Being located after going AWOL from out-of-home care

**Note:** The Court Return DHR does not have its own template. A Detention Hearing Report must be created pursuant to CWS/CMS Data Entry Standard "Creating Detention Hearing Reports and Petitions" and modified to include the title "Court Return Detention Report."

Court Return DHRs will be filed with the Court by the **court filing deadline**, no later than **three court business days** from the date the child was placed in OCFC, ESH, or TSH.

C. **Ex Parte:**
The assigned SSW will submit an Ex Parte when a child who has run away from OCFC, ESH, or TSH is located and returned to placement in OCFC, ESH, or TSH.

The Ex Parte will include the recommendation to calendar a Fifteen Day Review hearing 14 calendar days from the date of the hearing on the Ex Parte.

**Fifteen Day Review Hearing Report**

Fifteen Day Review hearings will be held every 14 calendar days until the child is placed in a setting other than OCFC, ESH, or TSH.

**Note:** Additional Fifteen Day Review hearings may be calendared after suitable placement is made based on courtroom protocol.

The assigned SSW or Placement SSW will create the Fifteen Day Review Hearing Report pursuant to CWS/CMS Data Entry Standard "Writing a Court Report Using CWS/CMS."

In addition to the information that populates when creating the Fifteen Day Review Hearing Report in CWS/CMS, the assigned SSW or Placement SSW will provide the following information under the "Reason for Hearing" heading:

- Detailed summary of activities completed on each date placement efforts were made, including:
    - Dates of telephone calls
    - Dates and results of home assessments
    - Dates of responses from potential placement resources

- Reasons suitable placement has not been located, including impact of child's physical, psychological, medical, and educational needs on locating suitable placement
- Potential placement resources that were assessed and determined to not be suitable placement options, including the reasons placement was not made
- Impact of the delay in placement on the child
- Services provided to child pending suitable placement
- Planned activities to locate suitable placement within 14 days prior to next Fifteen Day Review hearing

Further, the assigned SSW or Placement SSW will include one of the following recommendations in the Recommendation section after the populated statement, "It is respectfully recommended that the matter:"

- If the child is placed as of the date of the Fifteen Day Review hearing: "Be removed from the Fifteen Day Review calendar."
- If the child is <u>not</u> placed as of the date of the Fifteen Day Review hearing: "Be continued to (date 14 calendar days after current Fifteen Day Review hearing) for a Fifteen Day Review."

A. **<u>Initial Fifteen Day Review Report</u>**

1. <u>Assigned SSW</u>: The assigned SSW will complete the initial Fifteen Day Review Hearing Report, and include information obtained from the Placement SSW.

   A SSW transferring a case to another SSW or program will complete the initial Fifteen Day Review Hearing Report and document doing so on the *Child Transfer Summary (F063-28-319R)*.

2. Assigned Court Typist: The assigned Court Typist will email the final, formatted copy of the initial Fifteen Day Review Hearing Report to the 15 Day Review Foster Home In-Box. The Placement Unit IPT will forward this report to the assigned Placement SSW.

   As applicable, the Permanency Services Program (PSP) Placement Unit SSW/IPT will obtain the final, formatted copy of the initial Fifteen Day Review Hearing Report pursuant to program protocol.

3. Placement Unit IPT: The Placement Unit IPT will check the 15 Day Review Foster Home In-Box every business day for emailed copies of initial Fifteen Day Review Hearing Reports and Fifteen Day Review Hearing Addendum Reports. (**Note:** An Addendum to a Fifteen Day Review is not required, but may be necessary when providing Juvenile Court information obtained after filing of the Fifteen Day Review Hearing Report.)

B. **Subsequent Fifteen Day Review Report**

1. Assigned SSW: The assigned SSW will complete all Fifteen Day Review Hearing Reports required after the initial Fifteen Day Review hearing when the:

   - Specialized Family Services (SFS) Program Placement SSW is responsible for locating special medical placement
   - Adoptions Child SSW with secondary assignment is responsible for locating placement

2. Placement SSW: The Placement SSW will complete all Fifteen Day Review Hearing Reports required after the initial Fifteen Day Review hearing when the Placement SSW is responsible for locating placement.

**Formatting/ Filing 15-Day Review Hearing Report**

When formatting the initial or any subsequent Fifteen Day Review Report, the assigned Court Typist will:

- If applicable: Insert the name, telephone number, building number, and caseload of Placement SSW
- Insert "[ ] Read and Considered" under "[ ] Order of the Court"

The Fifteen Day Review Hearing Report will be filed with the Court by the court filing deadline, no later than **one court business day** prior to scheduled hearing date.

Fifteen Day Review Hearing Reports will be filed to Court by the assigned Court Typist pursuant to program protocol.

## REFERENCES

**Attachments and CWS/CMS Data Entry Standards**

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

- CWS/CMS Data Entry Standards—Creating Detention Hearing Reports and Petitions
- CWS/CMS Data Entry Standards—Writing a Court Report Using CWS/CMS

**Hyperlinks**

Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS P&P Jurisdictional/Dispositional Hearing Report (G-0310)

**Other Sources**

Other printed references include the following:

None.

## REQUIRED FORMS

**Online Forms**

Required forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

| Form Name | Form Number |
|---|---|
| None. | |

**Hard Copy Forms**

Forms listed below must be completed in hard copy (including multi-copy NCR forms). ***For reference purposes only,*** links are provided to view these hard copy forms, where available.

| Form Name | Form Number |
|---|---|
| None. | |

**CWS/CMS Forms**

The following required forms may **only** be obtained in CWS/CMS. ***For reference purposes only,*** links are provided to view these CWS/CMS forms, where available.

| Form Name | Form Number |
|---|---|
| Child Transfer Summary | F063-28-319R |

**Brochures**

Brochures to distribute in conjunction with this procedure include:

| Brochure Name | Brochure Number |
|---|---|
| None. | |

## PROCEDURE

**Required Actions—Preparing a Court Return DHR**

The following procedure will be followed when completing each heading of the Court Return DHR. (Refer to CWS/CMS Data Entry Standard "Creating Detention Hearing Reports and Petitions" for instructions regarding generating a Detention Report in CWS.)

**Note:** Headings other than the ones listed below do not need to be included unless the assigned SSW/Senior Social Services Supervisor (SSSS) determines there is pertinent information to include under one of those headings.

| Staff Responsible | Step | Required Action |
|---|---|---|
| Assigned SSW/Placement SSW | 1. | Heading: "15 Day Review Report" will pre-populate. |
| | 2. | Hearing Date: Enter date hearing will be held. |
| | 3. | Hearing Time: Enter 08:30 am. |
| | 4. | Dept./Room: Enter number of courtroom in which dependency proceedings are being held. |

**5.** Hearing Type/Subtype: Enter "15 Day Review"

**6.** In the Matter Of: Verify the accuracy of the pre-populating information for the child:

- Name
- Date of Birth
- Age
- Sex
- Court Number (i.e., Dependency [DP] number)

**7.** Summary Recommendation: Use autotext code **CRD1** to enter: "Detain child at OCH/ESH/Hospital/other facility pending suitable placement, suitable placement order remain in full force and effect, calendar Fifteen Day Review Hearing on (date 14 calendar days from date of Court Return Detention Hearing).

**8.** Child's Whereabouts:

- If placed in OCFC or TSH: Document name of facility, address, and telephone number
- If placed in ESH: Document foster parent's first name and telephone number

**9.** Parents/Legal Guardians: Available information (name, address, telephone number) will pre-populate regarding mother and alleged fathers when creating DHR in CWS/CMS. Check for accuracy.

For incarcerated parents, include address of correctional facility (jail/prison) and booking/California Department of Corrections (CDC) number.

**Note:** If Court orders a parent's/guardian's contact information "confidential," do not include it in the report.

**10.** Interpreter: Indicate whether an interpreter is required and, if so, indicate person(s) requiring an interpreter and the language for which interpretation is needed.

**Note:** Contact the Court Officer SSSS prior to date of the hearing to advise when an interpreter is required for a language other than Spanish, Vietnamese, or Korean.

**11.** Indian Child Welfare Act Status (ICWA):

a. Indicate whether or not ICWA applies (use autotext code **ICWA1** or **ICWA2** as applicable). If ICWA does or may apply, identify the person affiliated with the tribe and the name of the tribe (if known).

b. Document information that led to this conclusion, including statements from each person interviewed regarding ICWA pursuant to CFS P&P Indian Child Welfare Act (G-0309).

c. Document efforts to notice the Bureau of Indian Affairs (BIA), tribe (if known), and the Secretary of the Interior (if tribal affiliation is known). This information will be obtained from the ICWA Unit.

**Note:** Check appropriate Court Minute Order to confirm the referenced ICWA finding.

If no Court finding has been made regarding ICWA, utilize autotext code **ICWA3** to request an ICWA finding be made.

d. Detail prior Court rulings (include date) regarding ICWA. Include rulings from any prior dependency, if applicable.

**12.** Notices: Note recipients, method of giving notice, and date of giving notice.

**13.** Legal History: Available information will pre-populate. Check all dates for accuracy and applicability to current dependency proceedings.

**14.** Additional Legal History:

a. Use autotext **ALH1** to document all sustained counts of the Original Petition. Include sustained language; do not summarize/paraphrase. Duplicative counts need not be repeated.

**Note:** Review legal file to ensure any amended petition counts are accurately reflected.

Use autotext **ALH2** to indicate custody is vested with SSA.

b. Use autotext code **ALH3** to indicate a dependency case was transferred from another county.

c. Use autotext code **ALH4** or **ALH5**, to document any sustained Supplemental/Subsequent Petition. All sustained petition counts will be documented similarly to the Original sustained Petition.

**Note:** For any previously failed FM case, indicate date child was initially returned to custody of the parent(s)/guardian(s).

d. Document legal history (including out-of-county/out-of-state) of the child and any sibling who has prior dependency cases. Include the following:

- Date on which child was declared a dependent
- Subdivisions of WIC § 300 under which child was declared
- All sustained counts of Original/Supplemental/ Subsequent Petition(s) (as applicable). Do not summarize/paraphrase; duplicative counts need not be repeated
- General description of services offered/provided (e.g., FR, FM)
- Date on which child was returned to parent or a permanent plan established

e. Indicate date on which de facto parent standing was granted on behalf of the child (specify individual).

f. Use autotext code **ALH6** to document other Court involvement, including Family Law, Criminal, or Probate. Include the case number and any specific information about the case.

**15.** Reason for Hearing: Description of circumstances that resulted in child being removed from placement and placed in OCFC, ESH, or TSH.

**16.** Relative Placement Information: Specific information regarding:

- Name, telephone number, and relationship to child of any relative/NREFM to be assessed for placement
- Efforts to locate potential relative placement
- Completed assessments of potential relative placement (include status of any assessment pending completion)
- Detailed explanation as to decision to not place with assessed relatives
- Reason(s) potential relative placement options may be pending

**Note:** Include written assessment provided by Relative Assessment Unit (RAU), when available.

**17.** Witness Statements/Supporting Evidence:

a. Description of efforts to locate placement other than relative placements and reason(s) potential placement options may be pending or ruled out.

b. Team Decision Making (TDM) summary, when available.

**18.** Recommendation: Use autotext code **CRD1L** to enter, "It is respectfully recommended that the Court detain the child at OCFC/ESH/TSH pending suitable placement except for pre-placement visits; that the suitable placement order remain in full force and effect, and that a Fifteen Day Review Hearing date be placed on calendar on (date 14 calendar days after Court Return Detention Hearing)."

Use autotext code **R13** to recommend findings pursuant to WIC § 319.2 for a child under six years of age placed in community care facility licensed as a group home or in temporary shelter care.