

Disposition

Introduction


In the workflow model used for this manual, it will have been a number of days since the referral was received. Check SDM (Structured Decision Making) and SafeMeasures again to organize any necessary actions that must be taken across the worker's case load. Areas to be checked are upcoming contacts with clients due in the immediate future, case plan updates due, initial case plans due date, upcoming court reports, etc.

The Disposition Hearing is generally heard within ten judicial days of the Jurisdiction Hearing. A completed written report is required and needs to be filed with the Court clerk no later than 48 hours prior to the hearing date. In other words, the Disposition Hearing is scheduled within two weeks of the Jurisdiction Hearing, and the required Disposition report is to be filed at least two days before the Disposition Hearing.

The Disposition Report must include the case plan and the health and education information required by Welfare & Institutions § (section) 369.5. The case plan is always attached to the report. The HEP could also be attached to satisfy the code shown above. This is the reason the Initial Case Plan and the HEP are discussed before the Disposition Hearing and report in this manual.

The Disposition Report

The Disposition Report is considered the first status review and shares a number of common elements with all subsequent status review hearings. In addition, a number of findings and orders must be made for the child to be eligible for federal participation in foster care funding. This report is also one of the largest reports written in the Court life of a child's case. The only other report that matches this report for scope is the "366.26" report. Many out-of-state jurisdictions refer to the "366.26" report as a "TPR" (Terminating Parental Rights) report.

If not already completed, there are a number of fields that should be verified and completed prior to creating a Disposition report. Accuracy and completeness are very important. First, check the "Client Management" section  notebooks and pages for accuracy and completion. Start with the Client ID pages for each client. Be sure that the name is accurate, the complete and

legal first name, middle name and last name should be entered.

Prefix	First	Middle	Last	Suffix
	Child		Training	

 The example is not sufficient. In most cases, a copy of the client's birth certificate and social security number are available from eligibility. A copy of the birth certificate and social security card are required to be kept in the hard file. Use the birth certificate to enter the client's full legal name. If the client does not have a legal middle name, check for specific county policy regarding how to handle this. One practice is to use the letters NMN (no middle name) in the middle name field. Follow county practice, however, since the various counties may handle this differently.

The next field to review is gender.

Gender
Male

 The application default is "unknown." By the time, a Disposition Report is written, gender is known. Be sure the correct gender is entered. Gender populates directly to the Court Report document.

Next, confirm or enter the social security number.

SSN
..

 Next, confirm or enter a date of birth.

Date of Birth or Age and Age Unit

10/01/2001 8 Years

The application will calculate the age based upon the date of birth. It will always be correct if the date of birth is entered correctly.

The next field to confirm or edit is the “Confidentiality” information box. If the department wishes this client’s address to remain confidential, then click the box and enter the date of that decision.

Confidentiality

☒ Confidentiality In Effect

Effective Date

09/29/2009

Unless the SCP has relinquished confidentiality, or the court has ordered the department to provide the SCP’s address, the child’s placement is confidential. If the department wishes to maintain an adult’s address as confidential, use this field for that purpose. If the “Confidentiality in Effect” box is checked, the application will not print the address for that client on most Court documents. It is a good idea to review each Court document for address issues for every hearing. If the address is to remain confidential, be sure that it is not accidentally provided on a Court document.

Next, review and confirm the address page. Be sure that the client’s current address is listed and is correct. If the client is a child in out-of-home placement, the address page should show that it is a placement address.

+	Type	Number	Street Name	City	State	Zip	County	Ph
1	Placement	234	County Road Q	Orland	California	95963	Glenn	(530) 865-7

For an adult client, the address page should show the correct current address.

+	Type	Number	Street Name	City	State	Zip	County	Pt
1	Common	258	Parker Aven	Orland	California	95963	Glenn	

If it is necessary to change an adult client's address, the process is as follows. From the Adult Client's notebook, go to the address page. Click on the "+" in the top left corner of the grid.

+	Type	Number	Street Name	City	State	Zip	County
1	Common	258	Parker Aven	Orland	California	95963	Glenn

Address Type

- <None>
- Business
- Common
- Homeless
- Other Mailing
- Penal Institution
- Permanent Mailing Address
- Residence
- Residence 2

Select the "Address Type" from the drop down menu.

The application will not allow a client to have two "Residence" addresses at one time. If at any of the preceding hearings, the client gave the Court a "Permanent Mailing Address," it is important to document that address.

A permanent mailing address is a very specific address. To obtain one, the Court asks the parents to provide it. The court also admonishes (warns) the parents that if they provide a "Permanent Mailing Address," it their responsibility to notify the Court and the department in writing if they move. If the parents provide a "Permanent Mailing Address" and the department provides notice to that address, the Court will find that the department "Provided Notice as Required."

After selecting the address type, fill out the remaining fields providing as much information as possible. If a "State" or a "Zip" code is entered, a "foreign Country cannot be entered."

Address Type	Street No.	Street Name	
Permanent Mailing Address		P.O. Box 1000	
City	State	ZIP	ZIP Ext
Anytown			
County	Additional Address Header		
Foreign Country	Foreign ZIP		
Foreign Address Description (Province Name, etc.)			
Phone			
Primary		Ext	
() -			
Message		Ext	
() -			
Emergency		Ext	
() -			

Next, verify that the client relationships are correct. It is poor practice to go to Court with a report that identifies the 34 year male as the son of the four year old. Remember, the Court Report documents all read relationship information from this page.

Related Clients

+	Relative	Relationship
1	Training, Child	Mother/Son (Birth)
2	Training, Father	Spouse/Spouse

Relative's Name

Training, Child

Training, Mother /

Training, Child

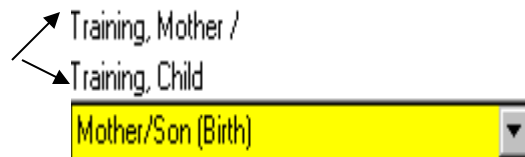
Mother/Son (Birth)

Start Date

End Date

☒ Live at the same location ☐ Parent's Whereabouts Unknown

One way to be sure the relationship is correct is to compare the first person shown with the first relationship. If that is correct, the order is correct.



Hint: Unless there has been a documented Court finding, do not use "Presumed" as a father type.

Next, review the "Juv Crt #" (Juvenile Court Number) page.

Summary	ID	Demog.	Address	Names	Related Clients	ID Num	Juv. Crt. #	Search Log	AFDC-FC	Attorneys	Service Providers	I.C.V.
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Juvenile Court Number

+	Court Case Number	Number Issued Date	Number Closed Date	County
1	J - 9999	09/30/2009		Glenn

Court Case Number (Petition Number) County
 J - 9999 Glenn

Court Case Number Issued Date Court Case Number Closed Date
 09/30/2009

☐ Inactive




Confirm that the number is entered and if entered, that the number is correct.

If the whereabouts of either parent is not known, efforts must be made to find the missing parent. The Court is aware at the Petition and Jurisdiction hearings that the department has had a very short time to instigate any searches. However, there has been time to do a reasonable search. Use the "Search Log" page [Juv. Crt. #](#) [Search Log](#) [AFDC-FC](#) of the missing adult client to document the searches. This page leads to a display of a number of places to search.

Client Search

+	Source	Date of Search	Description	Results
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Click the “+” in the left top corner of the grid. That will result in “Source” and “Date of Search” becoming mandatory fields.

Source	Date of Search	Action Result Date
		

Clicking on the down arrow in “Source” will provide a drop down menu.

<None>	CYA	MEDS	
Air Force	DMV	Navy	
Army	DOJ	Neighbor	
Attorney	Eligibility Worker	Other Search Source	School for Forward of Scho
Child Support Division	Employer	Postal Service/Last Known	SACSS
Coast Guard	Landlord	Prison	SAWS
County Jail	Local Jail	Probation/Parole	Utility Company
CDS	Local Police	Property Rolls/Assessor	Voter Registration
CII	Marines	Referred for Location Servi	Welfare
CWS/CMS	Minor	Relatives/Friends	tu/CHHS

Choose one of the sources listed. Then enter the “Date of Search.” Next, enter the date that a result, or answer, was obtained to the search. This may be the same as the “Date of Search” or may be later.

If “File Clearance” ☐ **File Clearance** is checked, it indicates that the search selected in the Client Search grid was performed for file clearance purposes. Next, complete the “Description” narrative. Use the narrative section to further describe the search.

Description

You can enter up to 4,000 characters in this field.

The last thing to do is complete the “Results” narrative by entering what the results of the search were. If new information pointing to a possible location was provided, document that information then follow the information to confirm or reject the possible new address.

Results

You can enter up to 4,000 characters in this field.

There is no magic number of searches. The requirement is that the search efforts are

diligent. Three searches the day before writing the report are probably not going to be satisfactory. The efforts should be ongoing and use many different resources.

Three of the most common first searches are CWS/CMS, MEDS and the local jail. Another very good resource is the “Child Support” office of the local District Attorney’s office.

+	Source	Date of Search	Description	Results
1	MEDS	10/07/2009	A search of eligibility records.	

Source: MEDS Date of Search: 10/07/2009 Action Result Date: 10/07/2009

☒ File Clearance

Description: A search of eligibility records.



Results: No results were found for any matching clients in the eligibility records statewide.

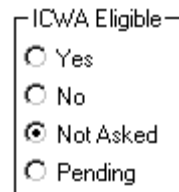
To the left is a sample page of a completed search. In the training example, the whereabouts of both parents are still known. A search would not have been necessary.

ICWA Compliance

Compliance with the ICWA (Indian Child Welfare Act) is mandatory. As stated in Chapter 3, Initial Court, the initial petition has a mandatory form documenting ICWA questions and possible eligibility. This is a review of how CWS/CMS documents possible Indian Ancestry and the process for creating the required notices.

The social worker who is working with the family at the time of detention is required to inquire about possible American Indian Ancestry. The first documentation of that inquiry is on the client ID page. To access that page, click on the “Client

Management” section button.  Open the child client by clicking on “Open Existing Client.”  Select the child client. Near the bottom of the page in the “Other Client Information” information box on the left are several fields related to ICWA.



ICWA Eligible

☐ Yes

☐ No

☒ Not Asked

☐ Pending

The first of these fields is a radial button choice. Only one choice can be selected. In the example, the default is what is selected. Unfortunately, that is never the appropriate answer. The question should always be asked. Initially, only “Pending” and “No” would be appropriate. The department cannot determine eligibility, only the tribes can make that finding. If the family may be eligible, pending is the correct choice until the tribe responds and determines eligibility. If the family denies any possible Indian ancestry, then “No” would be the appropriate answer.

If the family says that they are, or may be, eligible, mark pending here and then click the “+” in the grid in this field.

☐ Child has Indian Ancestry

Indian Ancestry Notification

+	County	Date

County Date Informed

Doing so will require the entry of the date when the department first learned of the possible Indian ancestry in the “Date” box. The “County” box will automatically complete based on the County of the user. It is “[Read Only](#)” and cannot be changed.

Next, document all tribes in which the parents may have ancestry. To document the possible ancestry, open the parent client claiming possible ancestry. Go to the “I.C.W.A.” page Service Providers I.C.W.A. on the far right of the pages. Clicking on the I.C.W.A. tab will open the following page.

Client Services - Case [Training, Child] - [Client [Mother Training]]

File Edit Search Action Associated Attach/Detach Window Help Tools

Summary ID Demog. Address Names Related Clients ID Num Juv. Cr. # Search Log AFDC-FC Attorneys Service Providers I.C.W.A.

ICWA

Tribal Membership

+	Tribal Affiliation	Tribe	Status	Parent

Tribe Location: Tribal Affiliation: Tribe:

Membership Status: Status Date: Enrollment Number:

Ancestor Information

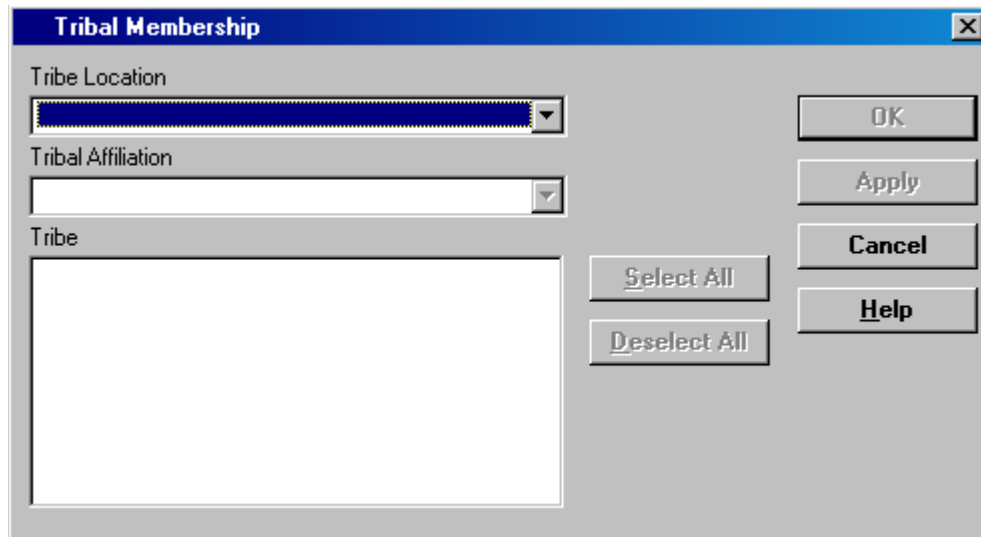
+	Relative Type	Name

Relative Type: Name:

Title First Middle Last Suffix

Ready Case [Training, Child] -> Client [Mother Training]

Click on the “+” in the top left corner of the grid to enter information in this page. Doing this will result in the following dialogue box.



The image shows a Windows-style dialog box titled "Tribal Membership". It has a blue title bar with a close button (X) in the top right corner. The dialog box contains three input fields on the left: "Tribe Location" with a dropdown arrow, "Tribal Affiliation" with a dropdown arrow, and "Tribe" with a large empty rectangular box. To the right of these fields are four buttons: "OK", "Apply", "Cancel", and "Help". Below the "Tribe" field are two buttons: "Select All" and "Deselect All".

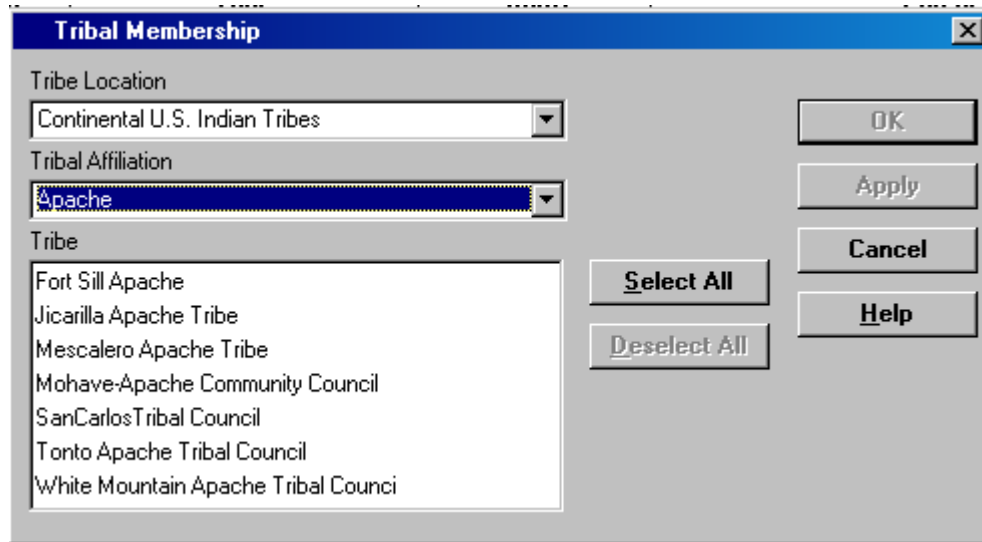
Click on the down arrow next to “Tribe Location” resulting in the following list.



The image shows a dropdown list for "Tribe Location". The list is open, showing a blue header with "<None>" and several options in black text: "Alaskan Indian Tribes", "California Indian Tribes", "Continental U.S. Indian Tribes", "No Tribe Specified", and "Other U.S. Indian Tribes".

Select one of the enabled (black) options by clicking on it. Next, click the “Tribal Affiliation” down arrow resulting in a list of the possible tribes for that affiliation. The next page will show the “Tribal Membership” dialogue box with these two selections made.

Click on the “Select All” button. That will enable the “OK” and “Apply” buttons.



The screenshot shows a dialog box titled "Tribal Membership". It contains two dropdown menus: "Tribe Location" with "Continental U.S. Indian Tribes" selected, and "Tribal Affiliation" with "Apache" selected. Below these is a list box labeled "Tribe" containing the following items: "Fort Sill Apache", "Jicarilla Apache Tribe", "Mescalero Apache Tribe", "Mohave-Apache Community Council", "San Carlos Tribal Council", "Tonto Apache Tribal Council", and "White Mountain Apache Tribal Council". To the right of the list box are four buttons: "Select All", "Deselect All", "OK", and "Apply". Below these are two more buttons: "Cancel" and "Help".

If this is the only possible tribal affiliation, use the “OK” button. If the family indicates possible heritage in more than one tribal affiliation, use the “Apply” button. That will reset the “Tribal Membership” dialogue box and allow another selection to be made without needing to click on the “+” in the grid again. In this example, a second choice will be shown.

Tribal Membership

Tribe Location
Continental U.S. Indian Tribes

Tribal Affiliation
Assiniboine

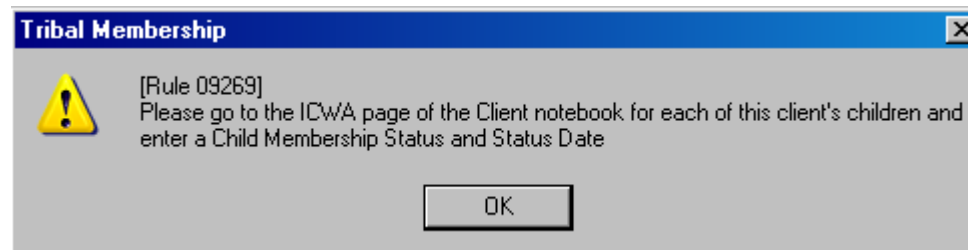
Tribe
Assiniboine & Sioux Tribes
Gros Ventre & Assiniboine Tribes

Select All
Deselect All

OK
Apply
Cancel
Help

When the entry of all possible affiliations is complete, click on the “OK” button.

The following reminder will appear on the screen.



Click the “OK” button and the reminder will disappear.

The next page shows the “I.C.W.A.” page to this point.

Client Services - Case [Training, Child] - [Client [Mother Training]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

Summary ID Demog. Address Names Related Clients ID Num Juv. Cr. # Search Log AFDC-FC Attorneys Service Providers I.C.W.A.

ICWA

Tribal Membership

	Tribal Affiliation	Tribe	Status	Parent
1	Apache	Fort Sill Apache		
2	Apache	Jicarilla Apache Tribe		
3	Apache	Mescalero Apache Tribe		
4	Apache	Mohave-Apache Community		
5	Apache	San Carlos Tribal Council		
6	Apache	Tonto Apache Tribal Council		
7	Apache	White Mountain Apache Tribal		

Tribe Location: Continental U.S. Indian T
 Tribal Affiliation: Apache
 Tribe: Fort Sill Apache

Membership Status:
 Status Date:
 Enrollment Number:

Ancestor Information

	Relative Type	Name

Relative Type:
 Name: Title First Middle Last Suffix

Ready Case [Training, Child] -> Client [Mother Training]

Click on the “+” in the “Ancestor Information” grid. Complete the fields now available.

Ancestor Information				
+	Relative Type	Name		
1				

Relative Type

Name

Title

First

Middle

Last

Suffix

“Relative Type” is a drop down menu. Select the correct relative from “Father,” “Grandfather,” “Grandmother” or “Mother.” Those are the only choices available.

Hint: Remember, it is the parent’s relative, not the child’s relative on this page. A choice of “Mother” here will be the child’s maternal grandmother.

Next, complete the “Name” fields.

Name

Title

First

Middle

Last

Suffix

Then, complete the “Other Names” information box by clicking on the “+” in the top left corner of the grid resulting in the following dialogue box. See example on the next page.

Tribal Ancestor Other Names

Name Type
Maiden

Prefix First Middle Last Suffix

Indian Maiden

OK
Apply
Cancel
Help

If there is only one “Other Name” known, click on the “OK” button. If desiring to add more names to this field, click on the apply, enter the next name or names until finished adding names, then click “OK”

Complete the “Date Birth/Death” and “Place of Birth/Death” fields if known.

Date of Birth	Place of Birth
<input type="text"/>	<input type="text"/>
Date of Death	Place of Death
<input type="text"/>	<input type="text"/>

Hint: If the information is not know, for Place, enter” Asked, not provided” or similar in the “Place” text boxes. These fields populate to the ICWA notice and using “Asked, not provided” or similar will help the tribes to know that the department tried to get that information. If left blank, the application populates “Unknown.”

Next, for the relative, complete the tribal affiliation information box in exactly the same manner as for the parent. Click the “+” in the top left corner of the grid. Select the “Tribal Location,” “Tribal Affiliation” and “Tribe” as previously explained. In this example, the mother has an affiliation with only the Assiniboine tribes. The mother’s father, or maternal grandfather, has the affiliation with the Apache tribes.

Then, complete the “Current Address” and “Former Address” fields.

Current Address	Former Address
Street No. & Name	Street No. & Name
City, State, Zip	City, State, Zip

Hint: If the current or former address is not known, and an attempt to obtain that information has been made, enter “Asked, not provided” or similar in the “Street No. & Name” text lines.

When completed with all the fields on that page, go back to “Relative Type” and enter the available information for the next relative who may have Indian ancestry. There are four relative types to from which to choose. Two other types are now grayed

out and no longer available.

Relative Type

Relative Type

<None>

<None>

Father

Grandfather

Grandmother

Great-Grandfather

Great-Grandmother

Mother

On the next page is a completed I.C.W.A. page for the child’s mother.

Client Services - Case [Training, Child] - [Client [Mother Training]]

File Edit Search Action Associated Attach/Detach Window Help Tools

Summary ID Demog Address Names Related Clients ID Num Luv. Crt. # Search Log AFDC-FC Attorneys Service Providers LC.W.A. Adoption Info AAP Eligibility

4	Apache	Mohave-Apache Community Council		
5	Apache	San Carlos Tribal Council		
6	Apache	Tonto Apache Tribal Council		
7	Apache	White Mountain Apache Tribal Council		

Tribe Location: Continental U.S. Indian Tribe
Tribal Affiliation: Apache
Tribe: Fort Sill Apache

Membership Status:
Status Date:
Enrollment Number:

Ancestor Information

+	Relative Type	Name
1	Mother	Training, Grandmother
2	Father	Training, Grandfather

Relative Type: Mother
Name: Title First Middle Last Suffix
Grandmother Training

Date of Birth:
Place of Birth: Asked, not provided
Date of Death:
Place of Death: Not deceased

Other Names

+	Name Type	Other Name
1	Maiden	Maiden, Indian

Relative Tribal Membership

+	Tribal Affiliation	Tribe
1	Assiniboine	Assiniboine & Sioux Tribes
2	Assiniboine	Gros Ventre & Assiniboine Tribes

Tribe Location: Continental U.S. Indian Tribe
Tribal Affiliation: Assiniboine
Tribe: Assiniboine & Sioux Tribes
Enrollment Number:


Current Address
Street No. & Name: Asked, not provided
City, State, Zip:

Former Address
Street No. & Name: Asked, not provided
City, State, Zip:

Ready Case [Training, Child] -> Client [Mother Training]

Follow the same procedure repeating all the steps necessary for the child client's father if the father claimed any Indian ancestry. The department is obligated to report all known information regarding the child's parents.

Hint: ICWA applies to mothers, presumed fathers, and birth fathers. If a father is alleged, the act does not technically apply. However, as an alleged father may ask the Court to give him a presumed status, it is best to record the information on the father. Then, should the alleged father at some point be granted a presumed status, the information is already documented.

After entering all known Indian ancestry information about the child's parents, open the child client and record that client's status concerning tribal membership. Click on the "Open Existing Client" icon  and select the child from the list of clients.

Hint: The application will always highlight the focus child when opening this dialogue box. However, the child is not selected. Click on the child and then click "OK."

Click on the child's "I.C.W.A. page. . This will result in the following page being opened.

Client Services - Case [Training, Child] - [Client (Case Focus Child) [Child Training]]

File Edit Search Action Associated Attach/Detach Window Help Tools

Summary ID Demog. Address Names Related Clients ID Num Juv. Cr. # Search Log AFDC-FC Attorneys Service Providers ICWA

ICWA

Tribal Membership

	Tribal Affiliation	Tribe	Child Status	Parent
1	Apache	Fort Sill Apache		Training, Mother
2	Apache	Jicarilla Apache Tribe		Training, Mother
3	Apache	Mescalero Apache Tribe		Training, Mother
4	Apache	Mohave-Apache Community Council		Training, Mother
5	Apache	San Carlos Tribal Council		Training, Mother
6	Apache	Tonto Apache Tribal Council		Training, Mother
7	Apache	White Mountain Apache Tribal Council		Training, Mother

Tribe Location: Tribal Affiliation: Tribe:

Child Membership Status: Status Date: Enrollment Number:

Family Tree

Membership Status / Date

Ancestor Information

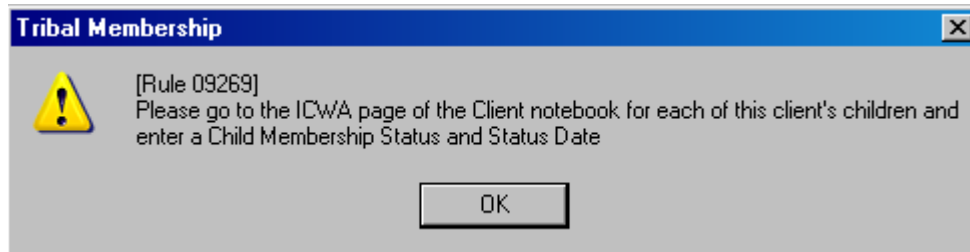
Relative Type	Name

Relative Type: Name:

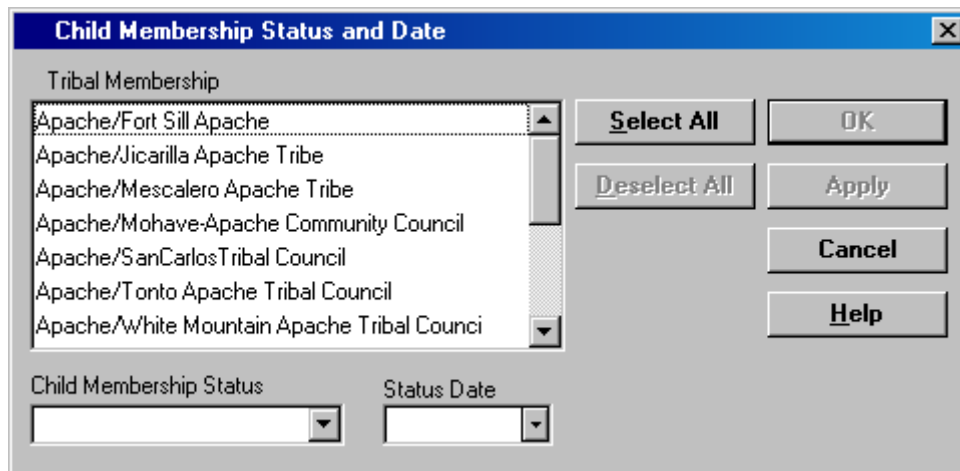
Title First Middle Last Suffix

Ready Case [Training, Child] -> Client (Case Focus Child) [Child Training]

The following reminder appears when entering the ancestry information for the parents:



This is now the “client’s child’s ICWA page” and the status can be entered. Click on the “Membership / Status” button. That will open the following dialogue box. Use this box to select the status for the child. The status is specific to each tribe in which the child **might** have membership; however, only the tribe is able to determine membership. There is no appeal process if the worker or department does not agree with the tribe’s determination.



Click on “Select All” unless for some specific reason it was necessary to enter “select tribes” from the list. To select specific tribes, click on each tribe desired. Usually “Select All” is the best action. After selecting which tribes, enter a child’s membership status from the drop down menu.

<None>
 Claims Membership
 Eligible
 Member
 Not Eligible
 Pending Verification

At this point, the best answer is “Pending Verification.” Remember, only the tribe can determine membership. It is possible that the tribes could determine that the child is not eligible even though the parent is. For that reason, it is better to select “Pending Verification” until an official response is received from the tribe.

Next, enter the date of this entry. In the example, this was done prior to the detention hearing. The date used is October 1, 2009. After entering the date, click on the “OK” button. Sometimes, the “Apply” button is clicked. The selection dialogue box will return to the starting point with no selections shown. Click on the “Cancel” button. The result should be the same as clicking on the “OK” button.

Tribal Membership

	Tribal Affiliation	Tribe	Child Status	Parent
1	Apache	Fort Sill Apache	Pending Verification	Training, Mother
2	Apache	Jicarilla Apache Tribe	Pending Verification	Training, Mother
3	Apache	Mescalero Apache Tribe	Pending Verification	Training, Mother
4	Apache	Mohave-Apache Community	Pending Verification	Training, Mother
5	Apache	San Carlos Tribal Council	Pending Verification	Training, Mother
6	Apache	Tonto Apache Tribal Council	Pending Verification	Training, Mother
7	Apache	White Mountain Apache Tribal	Pending Verification	Training, Mother

As the tribes respond to the notice they receive, come back to this page and document the specific tribe's response and the date of the response. To do this, first be sure that the child client's "I.C.W.A." page is in focus. Then, click on the specific tribe to

record that tribe's response. Go to "Child Membership Status" field , click on the down arrow.





<None>
Claims Membership
Eligible
Member
Not Eligible
Pending Verification

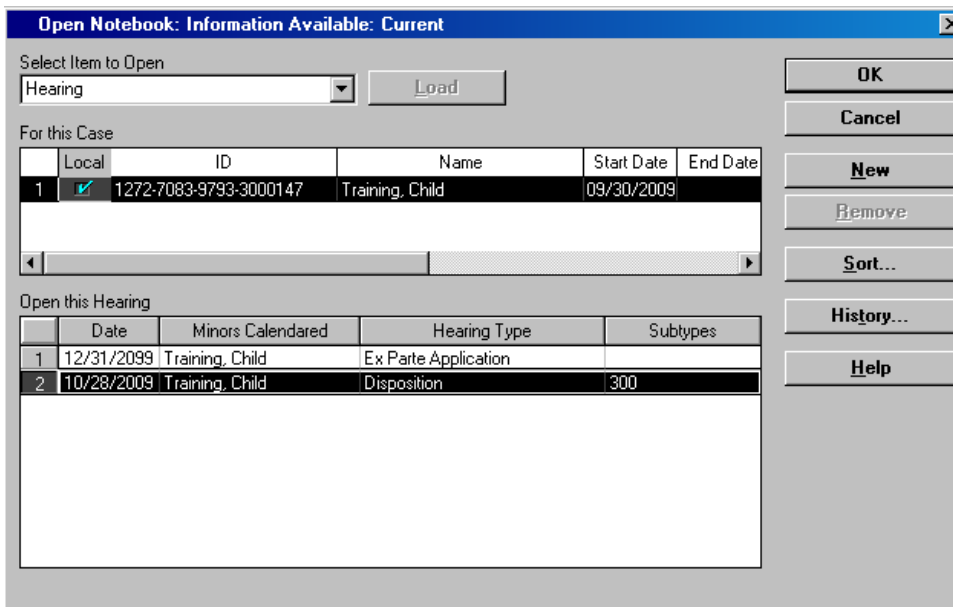
Select one of the options. Go to the "Status Date" field  and enter the date of the response.

Compliance with ICWA is critical. To prevent compliance problems, record all known information as soon as it is learned. Send notice to the tribe or tribes as soon as there is any reason to believe that a child *may* be eligible for membership. There is no legal requirement that the Court *MUST* delay proceedings until a response from the tribe or tribes is received; however, the Court *may* delay the proceeding if the Court finds reason. Notwithstanding the Court's option to delay the proceedings, if after 60 days from notice, the tribe or tribes have not responded, the court may find that ICWA does not apply to this child and proceed. The Court must be willing to reverse that finding if a tribe responds that the child is eligible for membership after 60 days.

In most counties, legal clerks create and send the notices for the hearing, but there is some information required for the ICWA notices that the clerk would have no means of knowing without the worker having the information and providing it. To show what that information is, and how the information entered into CWS/CMS is used when creating ICWA notices, the ICWA notice creation process follows.

First, open the case of the child who is the focus of the hearing. It is not necessary to open all the cases for all of the children in the hearing, but doing so will prevent a reminder that there are siblings whose case may have information in it not in the open case showing. In the example, there is only one child.

With the child's case open, go to the "Court Management" section . Click on the gavel icon ("Open Existing Hearing").  In the selection dialogue box, select the hearing report to create and click the "OK" button. In the example, the Disposition Hearing is selected. **Do not click the "+" under the gavel to create a new hearing.** If the hearing is not already created, follow the steps necessary to "Create Next Hearing."



After clicking the "OK" button above, the selected hearings "ID" page will be in focus.

Client Services - Case [Training, Child] - [Hearing [10/28/2009]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

ID Minors Citations and Subpoenas Notices Results Attendees

Identification

Hearing Information

☒ Hearing Date Set Hearing Date: 10/28/2009 Time: 09:30am
☐ Date Not Set

Hearing Continued

Next Hearing Date: Next Hearing Time: : am
 Continuance Reason:

Court Information

Court: Glenn County Superior Court Department: 1
 Title: Judicial Officer
 Judge: Training Judge

Interpreter Needed

Interpreter Requested for this Language:

Notes

Create New

+ Petition Notebook + Court Report Notebook + Hearing Summary Document
 + ICWA/JV Document

Ready Case [Training, Child] -> Hearing [10/28/2009]

Be sure that the information shown is correct. Edit it if necessary.

Hint: Enter the “Department” in the same way the department is designated by the Court. If the Court uses roman numerals, use roman numerals. For “Judicial Officer” use the Judges name in the way that the Judge prefers. If the Judge prefers to be referred to as Judge Adam Smith, use Adam Smith in the text field.

If an interpreter is needed for this hearing, use the down arrow to select the language from the following list.

<None>	German	Mandarin	
American Sign Language	Hawaiian	Mien	
Arabic	Hebrew	Other Chinese	
Armenian	Hmong	Other Non-English	
Cambodian	Ilacano	Polish	
Cantonese	Indochinese	Portuguese	Spanish
English	Italian	Romanian	Tagalog
Farsi	Japanese	Russian	Thai
Filipino	Korean	Samoan	Turkish
French	Lao	Sign Language (Not ASL)	Vietnamese

The application automatically defaults to “English.”

If the hearing was created correctly, the “Minors” page is already completed and should require no further entry. Only use the “Citations and Subpoenas” page if the department, through its attorney, issued a citation or subpoena. After the hearing date has passed, this page becomes inoperative. The next page is the “Notices” page.

Click on the “Notices” page. Doing so opens a window shown on the following page.

Client Services - Case [Training, Child] - [Hearing [10/28/2009]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

ID Minors Citations and Subpoenas **Notices** Results Attendees

Notices

+	Type

Notice Type

Recipient

+	Name	Type	Service Method	Date of Service

Name Individual Type **Service Method/ Date of Service**

Relationship to Focus Child Service Method Date of Service

Ready Case [Training, Child] -> Hearing [10/28/2009]

Creating the ICWA Notice

To create an ICWA notice, click on the “+” in the top left corner of the top grid.

ID	Minors	Citations and Subpoenas	Notices	Results	Attendees
Notices					
+		Type			

Next, select the type of notice from the drop down menu under “Notice Type.”

Notice Type

<None>
<None>
Hearing on Petition
Review Hearing - Juvenile
Selection of a Permanent Plan - Juvenile
ICWA - Indian Child Proceeding
Indian Child Proceedings - SOC319
Other

In this example, select “ICWA – Indian Child Proceeding.”

When “ICWA – Indian Child Proceeding” is selected, the system creates a new information box named “Document Data Based On” to the right of the “Recipient” information box.

Document Data Based On

+	Name

Click the “+” in the top left corner of the information box. This will result in a dialogue box asking which parents the ancestry is based on.

Select Document Parents

Select Father

	Name	Type
1	Training, Father (40)	Alleged

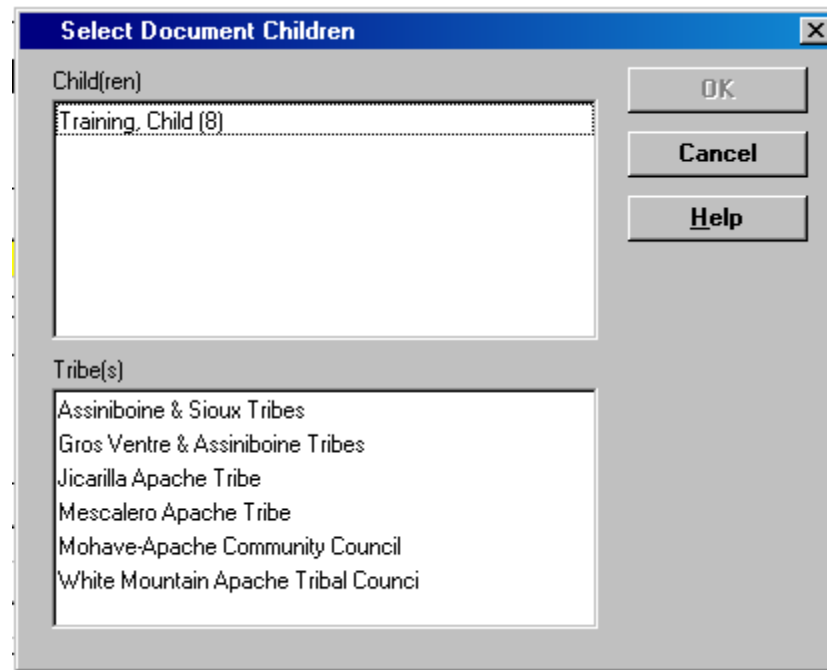
Select Mother

	Name	Type
1	Training, Mother (39)	Birth

OK
Cancel
Help

Usually, it is possible to select all parents shown, and then click the “OK” button. The button will be enabled after a parent is selected.

Next, select the child or children and tribes that are a part of the ICWA notice document. The “Tribe(s)” section will list all the tribes without a status of “Not Eligible.”



Select the child or children who will be named in the ICWA notice, then select all the tribes listed. Click on each entry. After all selections have been made, click on the “OK” button. An example of the “Name” grid in the “Document Based On” information box after the above three selections are made is shown on the next page.

Document Data Based On

+	Name
1	Assiniboine & Sioux Tribes (Tribe)
2	Gros Ventre & Assiniboine Tribes (Trib)
3	Jicarilla Apache Tribe (Tribe)
4	Mescalero Apache Tribe (Tribe)
5	Mohave-Apache Community Council (
6	Training, Child (Child)
7	Training, Father (Father)
8	Training, Mother (Mother)
9	White Mountain Apache Tribal Council

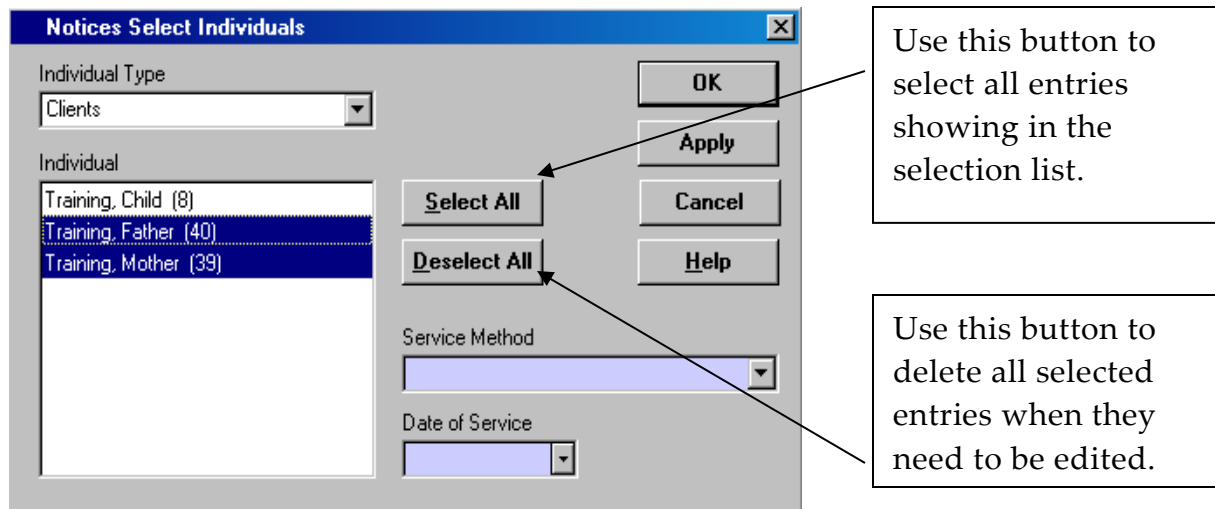
Next, click on the “+” in the top left corner of the grid in the “Recipient” information box.

Recipient

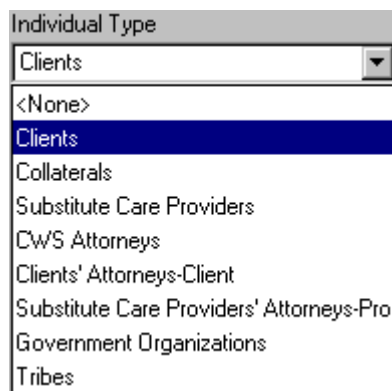
+	Name	Type	Service Method	Date of Service

A new dialogue box appears asking who is going to get the ICWA notices. The dialogue box is named “Notices Select Individual.” The first selections choices presented are for clients. County practices vary regarding which clients receive a copy of the ICWA notice; check with the supervisor or county counsel for your county’s specific practice.

In this example, the parents are chosen. Due to the child’s age, the child is not selected. “Service Method” or “Service Date” is not completed at this time.



There are still more entries that need to be made. Clicking the “OK” button and then clicking the “+” in the grid again is one choice to make, or click the “Apply” button. With either choice, the selection box will again look like it did before clients were selected. At this time, click on the down arrow in “Individual Type.”



“Collaterals” and “Substitute Care Providers” may or may not receive a copy of the ICWA notice. Check with the county for specific practice. “CWS Attorneys,” “Clients’ Attorney – Client,” “Government Organizations” and “Tribes” will always be recipients of ICWA notices. If the SCP has an attorney, most counties are providing the “Substitute Care Providers’ Attorneys – Pro” a copy of the notice. The selection process for each of the types is identical to the process for the parents just shown.

As a further example of the process from the drop down menu, select "Tribes."

The screenshot shows a Windows-style dialog box titled "Notices Select Individuals". At the top, there's a blue title bar with a close button (X). Below the title bar, the "Individual Type" is set to "Tribes" in a dropdown menu. Underneath, a list box labeled "Tribe" contains the following items: "Assiniboine & Sioux Tribes", "Gros Ventre & Assiniboine Tribes", "Jicarilla Apache Tribe", "Mescalero Apache Tribe", "Mohave-Apache Community Council", and "White Mountain Apache Tribal Council". To the right of this list are two buttons: "Select All" (which is highlighted with a blue border) and "Deselect All". Further to the right are three more buttons: "OK", "Apply", and "Cancel". Below these buttons are two more fields: "Service Method" and "Date of Service", both with dropdown arrows. At the bottom right, there is a "Help" button.

Next, select "Select All." The selection box will highlight all possible choices.

Notices Select Individuals

Individual Type
Tribes

Tribe
Assiniboine & Sioux Tribes
Gros Ventre & Assiniboine Tribes
Jicarilla Apache Tribe
Mescalero Apache Tribe
Mohave-Apache Community Council
White Mountain Apache Tribal Council

Select All
Deselect All

OK
Apply
Cancel
Help

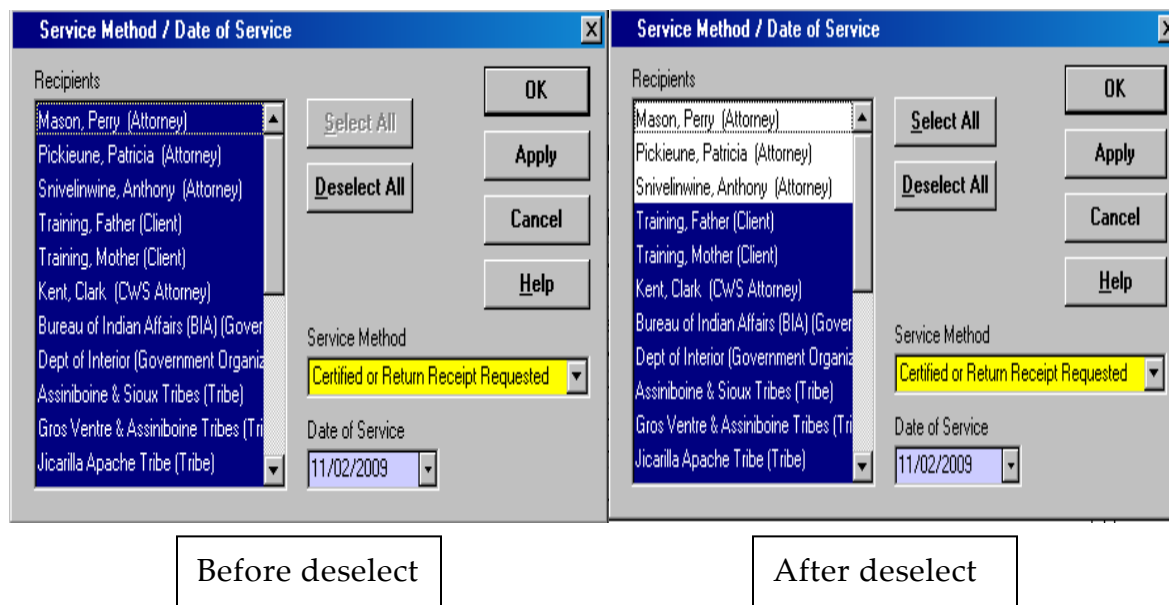
Service Method
Date of Service

If all other choices have been made, click on the “OK” button. If there are other choices remaining, click on the “Apply” button.

When all selections have been entered, click on the “OK” button, and the grid in the “Recipients” information box will be filled in with names.

	Name	Type	Service Method	Date of Service
11	Snivelinwine, Anthony	Attorney		
12	Training, Father	Client		
13	Training, Mother	Client		
14	White Mountain Apache T Tribe			

Use the scroll bar to the right to view the entire list as the grid only shows four entries at a time. Now, click on the “Service Method / Date of Service” button. **Service Method/ Date of Service** A new selection box will appear that will list all of the recipients who are getting ICWA notices. Click “Select All.” In the “Service Method” bar, select “First Class, Return Receipt Requested.” This is the way the tribes and government agencies are sent the ICWA notice. In the example, the ICWA notices were mailed on November 2, 2009. It is not usual to use this method of sending notices for everyone. For example, the CWS Attorney would not have it mailed to him/her. It is unlikely the clients’ attorneys would be mailed the ICWA notice. Usual practice in most counties is to place the ICWA notice in the attorney’s box at the Court. To unselect a recipient from this list, before clicking on “OK,” click on the recipient that needs to be deleted from this service method.



When satisfied with the recipient list and the method of service for everyone on the list, click “OK.”

The recipient grid now looks like this.

+	Name	Type	Service Method	Date of Service
11	Snivelinwine, Anthony	Attorney		
12	Training, Father	Client	Certified or Return Receip	11/02/2009
13	Training, Mother	Client	Certified or Return Receip	11/02/2009
14	White Mountain Apache T	Tribe	Certified or Return Receip	11/02/2009

Next, click on each line in the grid that does not have a “Service Method” listed, and complete the fields for each line.

Service Method	Date of Service
<input type="text"/>	<input type="text"/>

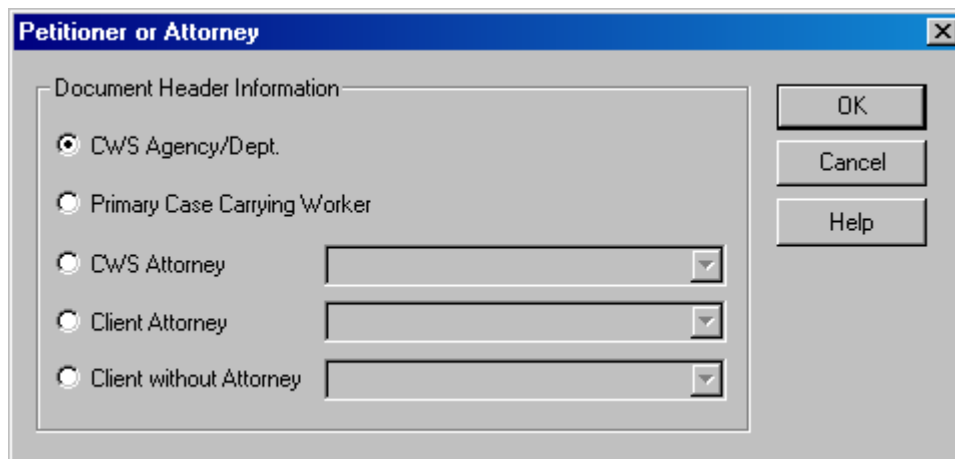
The list of “Service Method” options is shown below.

- <None>
- Personal Service
- Substituted Service
- Certified or Return Receipt Requested
- First Class Mail
- First Class Mail to Grandparent
- Notice Given By Court
- In Person
- Telephone
- Telegram
- Publication
- Registered Mail
- Other
- Certified or Regstrd, Retn Recpt Requested

When all the recipients and all the service methods for the recipients have been selected and the date of service has been entered for all recipients, create the ICWA notice document.

When a recipient is selected, the “Create Document” button is displayed.  **Create Document**

To create the ICWA notice document, click on the “+.” A series of dialogue boxes appear that require user input. The first of these dialogue boxes wants to know who is the petitioner or attorney bringing the action.

A screenshot of a Windows-style dialog box titled "Petitioner or Attorney". The dialog box has a blue title bar with a close button (X) in the top right corner. The main area is divided into two sections. The top section is labeled "Document Header Information" and contains five radio button options: "CWS Agency/Dept." (which is selected), "Primary Case Carrying Worker", "CWS Attorney", "Client Attorney", and "Client without Attorney". To the right of the last three radio button options are three empty text input fields with dropdown arrows. The bottom section of the dialog box contains three buttons: "OK", "Cancel", and "Help".

Usually, the CWS Agency/Dept. is the default. Click the “OK” button.

The next dialogue box will ask for the address of each parent.

Select Parent Former Address(es)

Father
Father Training

Former Addresses
☐ None ☐ Unknown ☒ Select Address(es)

Start Date	End Date	Address
09/29/2009	12/15/2009	258 Parker Aven, Orland, California 95963

Mother
Mother Training

Former Addresses
☐ None ☐ Unknown ☒ Select Address(es)

Start Date	End Date	Address
		Confidential Address

OK
Cancel
Help

Click on the radial buttons for “None,” “Unknown” or “Select Address” for all parents shown. If either “None” or “Unknown” are selected, the box will be blank. If “Select Address” is clicked, the box will show a gridline with the known addresses for that parent. Select the correct address from the list. When an address has been selected for each parent, the “OK” button will become enabled. If the “Cancel” button is clicked, the application will quit creating the notice document and go to the “Notices” page. In that case, the creation process will begin again. Use this when concerned about a possible error.

ICWA - Indian Child Proceeding Information [X]

Information on child who is the subject of an involuntary custody proceeding

Paternity Information

☒ Birth father is named on birth certificate. ☐ Unknown

☒ Birth father has acknowledged paternity. ☐ Unknown

☐ There has been a judicial declaration of paternity. ☐ Unknown

Have any family members ever:

Attended an Indian school?
☐ Yes ☒ No ☐ Unknown

Received medical treatment at an Indian health clinic or U.S. Public Health Service hospital?
☐ Yes ☒ No ☐ Unknown

Lived on federal trust land, a reservation or rancheria, or an allotment?
☐ Yes ☒ No ☐ Unknown

Tribal Affiliation and Location

☐ 1906 Final Roll Name of relative:

☐ Roll of 1924 Name of relative:

☐ California Judgment Roll Roll number:

Indian Custodian

Name Tribe(s)

OK
Cancel
Help

The first section asks about paternity.

Paternity Information	
<input checked="" type="checkbox"/> Birth father is named on birth certificate.	<input type="checkbox"/> Unknown
<input checked="" type="checkbox"/> Birth father has acknowledged paternity.	<input type="checkbox"/> Unknown
<input type="checkbox"/> There has been a judicial declaration of paternity.	<input type="checkbox"/> Unknown

This is required information. No answer is equal to “NO.” The next portion of the dialogue box is asking about information that will help the tribe to confirm ancestry.

Have any family members ever:	
Attended an Indian school?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<input type="radio"/> Unknown	
Received medical treatment at an Indian health clinic or U.S. Public Health Service hospital?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<input type="radio"/> Unknown	
Lived on federal trust land, a reservation or rancheria, or an allotment?	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<input type="radio"/> Unknown	

If there are records of any of these, “Yes” should be selected. A yes on any one of these three questions will result in a follow up dialogue box for specifics.

ICWA - Indian Child Proceeding Additional Information

List all information for any family members who have ever:

Attended an Indian school

☒ Yes ☐ No ☐ Unknown

Name/relationship	Type of school	Dates attended	Location of school

Received medical treatment at an Indian health clinic or U.S. Public Health Service hospital

☒ Yes ☐ No ☐ Unknown

Name/relationship	Type of treatment	Dates treatment received	Location where treatment received

Lived on federal trust land, a reservation or rancheria, or an allotment

☒ Yes ☐ No ☐ Unknown

Name/relationship	Name and address	Dates

OK
Cancel
Help

If, when arriving at this page and then discovering that it is not possible to provide the requested information, click “No” or “Unknown” and the field will close. When completed, click “OK.”

The final part of this page is asking about tribal affiliations.

Tribal Affiliation and Location

☒ 1906 Final Roll Name of relative:

☒ Roll of 1924 Name of relative:

☐ California Judgment Roll Roll number:

If any of the Rolls are checked, enter the name of the relative who is on that roll to the right of the check box.

The final dialogue box asks for a parent's address. Click the correct address and then click the "OK" button. The application will then finish creating the ICWA notice document. All recipients receive exactly the same document. Check this carefully for an address that may have been printed when the address is confidential.

Recipient Address

Recipient(s)

OK
Cancel
Help

Select Address

Type	Start Date	End Date	Address
<no address>			
Common	09/29/2009	12/15/2009	258 Parker Aven Orland, California 95963

The ICWA notice document created for this example is 14 pages, which includes the proof of service.

The ICWA notice document saves to the Court “Documents” notebook when closed. This is the reverse of the “normal” notice, which will not automatically save to the system.

As stated earlier, in most counties, the worker does not create or mail this notice. That is usually the responsibility of the legal clerk. Remember, that whoever is creating this document is dependent upon being provided the correct information to complete the document. The notice requires not only information entered in the “I.C.W.A.” page but also other information that must be provided by the social worker.

Creating the Disposition Report

When all data is completed, it is time to create the Disposition report. To create any report for a hearing, the steps are the same. What changes are the name of the hearing and the name of the report. Based upon what hearing is selected and which report is chosen, the template for the correct report will be selected. There are three different templates for nearly every Court Report type. The template shown is determined by decisions the county made in the past and is not alterable by the end user.

To create a report for a hearing, first open the case for the child or cases for siblings. In this training scenario, in order to complete the ICWA notices, the case for the child has been opened, so it does not need to be opened again unless it has been closed. If the legal clerk completed the notices prior to the worker wanting to do the report, then the case would need to be opened.

With the case or cases open, go to the “Court Management” section.



Clicking on the **pink** button displays the “Court Management” section.

Client Services - [Case [Training, Child]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

ID Svc Comp Assignment Trans Req ICPC-100A ICPC-100B Doc Tracking Spec Proj Closure Summary

Identification
****Active Safety Alert Exists - See Client Notebooks****

Case Info

Case Name
[Training, Child]

Case Number
[1272-7083-9793-3000147]

Start Date [09/30/2009] End Date [] Projected End Date [09/30/2010]

County [Glenn] State [California]

Country [United States]

Case Status

+	Status	Effective Date	End Date
1	Court Involvement	09/30/2009	

Status
☒ Court Involvement
☐ Voluntary

Effective Date [09/30/2009]
End Date []

Intervention

+	Reason
1	Physical Abuse

Case Alerts

--

Ready Case [Training, Child]

Notice that the pages do not change until the new notebook is opened. Look at the page above. The “Court Management” section is selected and the “Court Management” section notebooks are showing. The page is the “Case ID” page. This is normal application functioning; do not be alarmed.

Open the hearing that the report will be for by clicking on the “Gavel,” the first notebook in the “Court Management” Section. Next, view the dialogue box giving a number of options. A hearing can be opened from here. A “New Hearing” may also be created here. Unless it is a “special hearing” and not a part of the normal

hearing flow, **DO NOT** use this function. If a hearing has not been saved, it may be removed by using the “Remove” button. If wanting to sort the hearing by a criteria other than date, use the “Sort” button. Obtain a historical view of hearings by using the “History” button. The final button is the “Help” button.

See below for an example of the dialogue box.

Open Notebook: Information Available: Current

Select Item to Open
Hearing [v] [Load]


For this Case

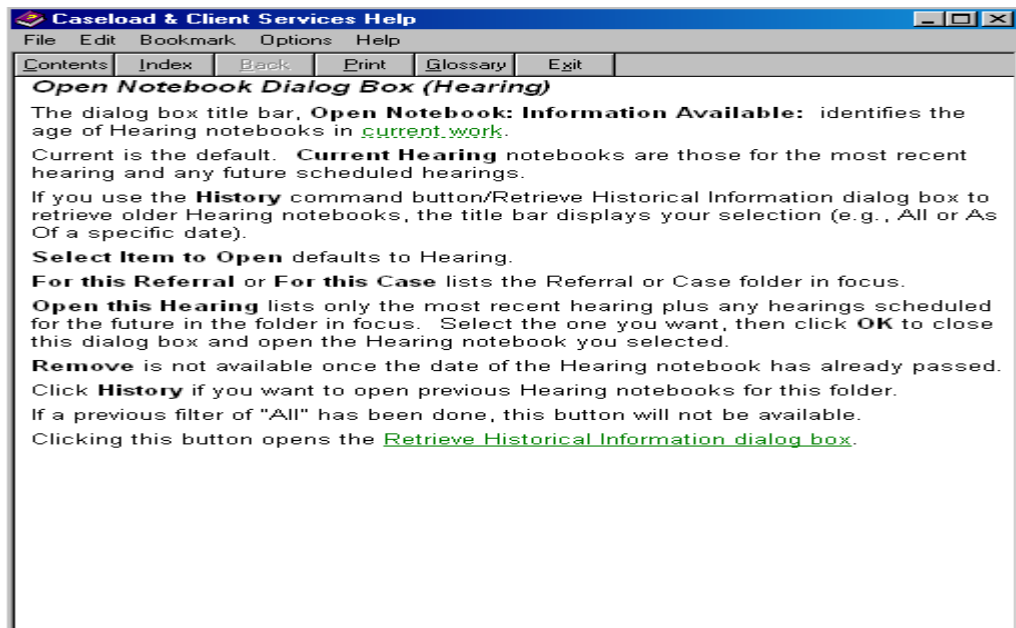
	Local	ID	Name	Start Date	End Date
1	<input checked="" type="checkbox"/>	1272-7083-9793-3000147	Training, Child	09/30/2009	

Open this Hearing


	Date	Minors Calendared	Hearing Type	Subtypes
1	12/31/2099	Training, Child	Ex Parte Application	
2	10/28/2009	Training, Child	Disposition	300

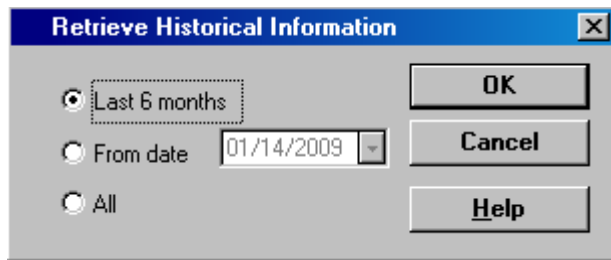
Buttons on the right: OK, Cancel, New, Remove, Sort..., History..., Help

Before beginning the Disposition report, look at the buttons on the right in more detail. Starting with the “Help” button, clicking on the “Help”  button will provide the following display.




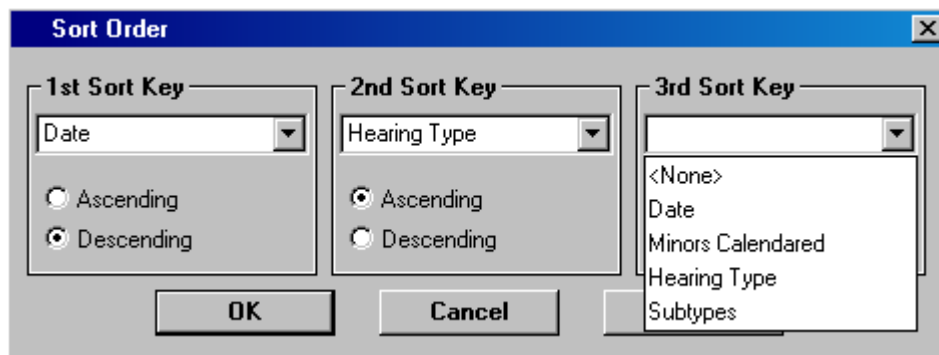
Another way to get help on any field in CWS/CMS is to use the special function key “F1” on the keyboard. Pressing the “F1” key will bring up a help pane for the field that the cursor is in when the “F1” key is pressed. The “F1” key is usually at the very top of the keyboard.

Using the “History” button  displays the court history. There will be options from which to choose on how much history to view.




Select from the “Last 6 months,” “All” or from a specific date. To enter a specific date, first click the “From date” radial button, then enter the date in the date field.

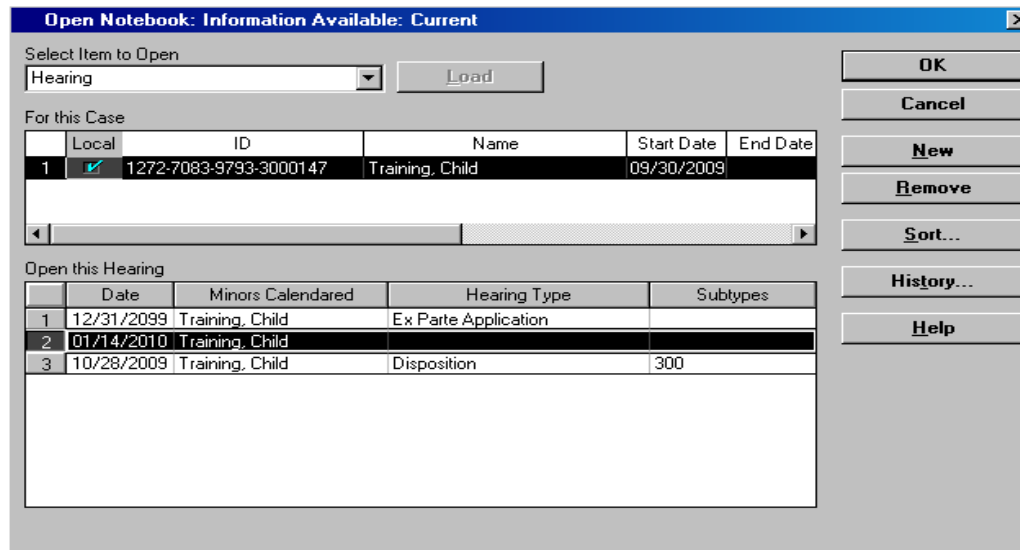
The “sort” button  sorts the results in the “Open this Hearing” grid. When clicked, choose the options desired for sorting the grid.



Any of the four sort criteria may be used in the “Sort Keys.” The drop down menu is the same for each key. Ascending is sorting that key from the lowest to the highest, or for “Date” from future hearings to the beginning or furthest past hearing. Descending would be the opposite. This “Sort Order” ability is present in a number of other

dialogue boxes throughout the application and will always work in the same manner. After deciding the sort order, click on the “OK” button. The results will be sorted according to the order selected.

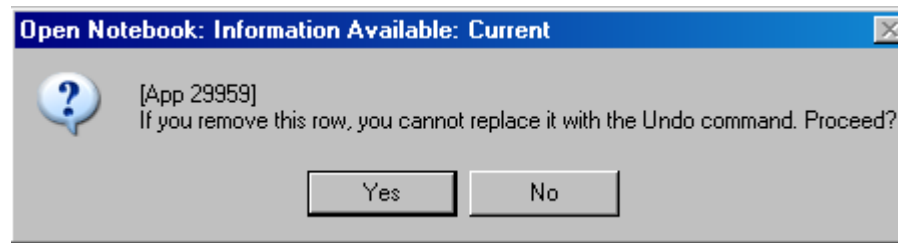
The remove button  provides a way to remove a hearing that has not been saved to the database. If the report has not been saved to the database, the gavel is clicked, and “Remove” selected, the next screen will ask for which report to remove. In the first example, a report that has not been saved to the database is selected.



Local	ID	Name	Start Date	End Date
1	1272-7083-9793-3000147	Training, Child	09/30/2009	

Date	Minors Calendared	Hearing Type	Subtypes
12/31/2099	Training, Child	Ex Parte Application	
01/14/2010	Training, Child		
10/28/2009	Training, Child	Disposition	300

When the “Remove” button is clicked, the following message appears.




If "Yes" is selected, the hearing cannot be reproduced with one click and must be recreated. If the hearing is truly meant to be deleted, click "Yes."

If the Hearing has been saved to the database but there is a need to remove it, the following messages will be received. First, the above message is displayed. Then, after clicking the "Yes" button, the following message will appear.



The message is, in essence, saying that the hearing cannot be removed. Additionally, depending on the amount of data entered for a hearing, the "Remove" button may not be enabled thus removing even the idea that it might be removed.

The “New” button  is the same as hitting the “+” under the gavel and has been discussed before.

The “Cancel” button  will cancel that “Open Existing Hearing” command and return to the previous page.

The “OK” button  will open whichever hearing is highlighted in the “Open this Hearing” grid.

Returning to the “Open Existing Hearing” dialogue box, after the gavel is clicked, there are two hearings from which to choose. See the next page.

Open Notebook: Information Available: Current

Select Item to Open
Hearing ▼ Load

For this Case

	Local	ID	Name	Start Date	End Date
1	<input checked="" type="checkbox"/>	1272-7083-9793-3000147	Training, Child	09/30/2009	

Open this Hearing

	Date	Minors Calendared	Hearing Type	Subtypes
1	12/31/2099	Training, Child	Ex Parte Application	
2	10/28/2009	Training, Child	Disposition	300

Note the dates for the two hearings.

Open this Hearing				
	Date	Minors Calendared	Hearing Type	Subtypes
1	12/31/2099	Training, Child	Ex Parte Application	
2	10/28/2009	Training, Child	Disposition	300

The first hearing is set for December 31, 2099. Obviously, this child will not be having a hearing 80+ years from now. The date must be incorrect. This is intentional. Notice that the hearing is an “Ex Parte Application.”

In social worker language, that means that the worker has made a written request to the Judge. A frequent use of an “Ex Parte Application” is for travel authorization for the SCP to take a dependent child placed with them when they are traveling. Usually no one else is present when the Judge makes a decision. The Judge either approves the request and signs the request or denies the request. In either case, there is a date to that action. After the Judge has reviewed and decided, enter the date of the decision in the “Date” field for that hearing.

At the “Open Existing Hearing” dialogue box, be sure that the correct hearing is selected. In the example on the following page, that would be the “Disposition” hearing set for October 28, 2009. Click the “OK” button. That will open the “Hearing ID” page for the selected hearing.

ID	Minors	Citations and Subpoenas	Notices	Results	Attendees
----	--------	-------------------------	---------	---------	-----------

Identification

Hearing Information

☒ Hearing Date Set
 Hearing Date Time

☐ Date Not Set

Hearing Continued

Next Hearing Date : am

Continuance Reason

Court Information

Court Department

Title

Judge

Interpreter Needed

Interpreter Requested for this Language

Notes

Create New


Petition Notebook
 Court Report Notebook
 Hearing Summary Document
 ICWA/JV Document

On the bottom of the “Hearing ID” page is the “Create New” information box.

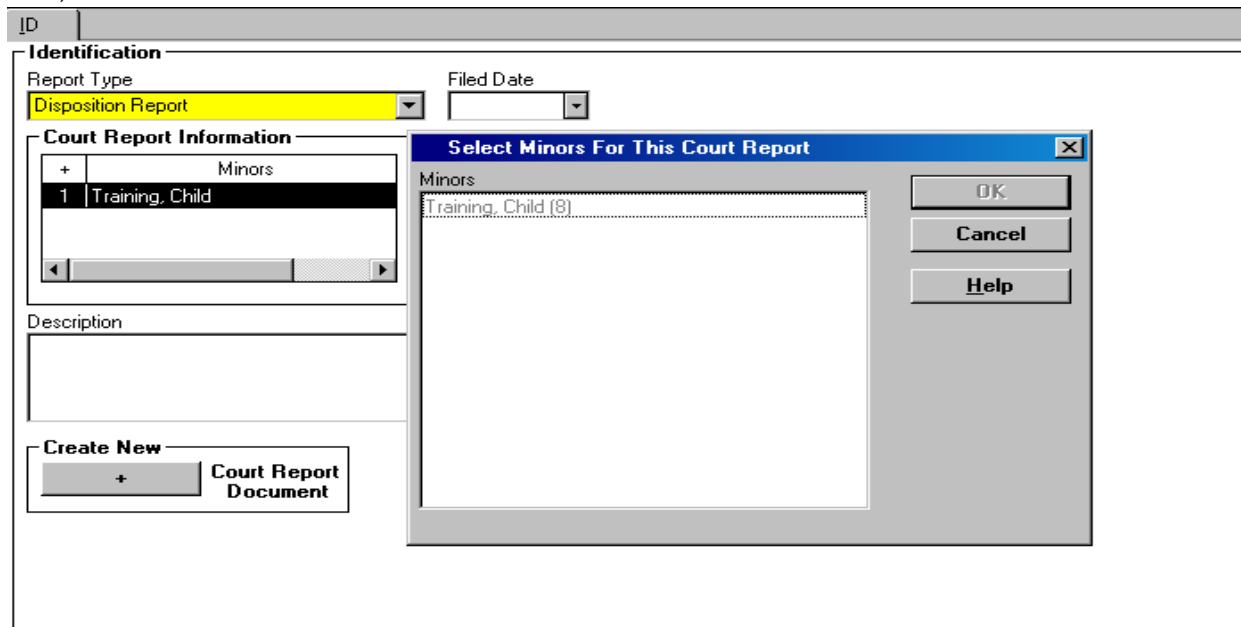
Create New

Petition Notebook
 Court Report Notebook
 Hearing Summary Document
 ICWA/JV Document

Previously, the “Petition Notebook” was used to create a new petition is the course example. The “Court Report Notebook” was also used to create a Detention Report and a Jurisdiction Report.

To create the Disposition Report, while in the Disposition Hearing notebook, click on the “Court Report Notebook +” button.  **Court Report Notebook** This will open a new “Court Report” notebook.

Next, select what “Report Type” is being created. In this example, it is a Disposition report. Select the correct type. Now specify what minors are included in this report. Generally, all siblings are included. To add siblings to this box, click the “+” in the “Minors” box.



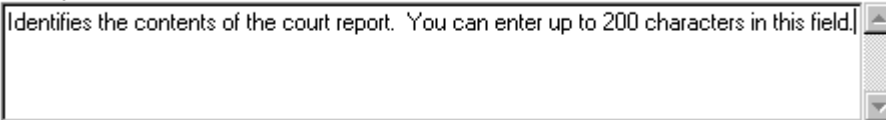
The screenshot shows a software interface for creating a Court Report. The main form has a header bar with an 'ID' field. Below it, the 'Identification' section includes a 'Report Type' dropdown menu set to 'Disposition Report' and a 'Filed Date' dropdown. The 'Court Report Information' section contains a 'Minors' table with a '+' button and a scrollable list of minors, currently showing '1 Training, Child'. Below this is a 'Description' text area. At the bottom left, there is a 'Create New' section with a '+' button and the text 'Court Report Document'. A modal dialog box titled 'Select Minors For This Court Report' is open, showing a list of minors with 'Training, Child (8)' selected. The dialog has 'OK', 'Cancel', and 'Help' buttons.

If there were any siblings related to this child, their names would be in the “Minors” box. Click the sibling’s names then click the “OK” button. In the example, there is only one sibling. To clear the box, click on “Cancel.”

Next is the “Description” box.


Description

Identifies the contents of the court report. You can enter up to 200 characters in this field.

A rectangular text box with a thin border. The top part contains a label 'Description' and a hint text 'Identifies the contents of the court report. You can enter up to 200 characters in this field.' The bottom part is empty for text entry. On the right side, there are two small vertical arrows (up and down) for scrolling.

Follow county practice and guidelines when completing “Filed Date.”

Filed Date


A small rectangular dropdown menu with a thin border. The text 'Filed Date' is positioned above it. The menu itself is empty, showing only a small downward-pointing arrow on the right side.

If county practice requires system approval of court reports, the “Approval” box allows viewing of the current

status of the approval request.


Approval

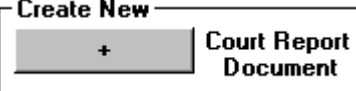
Approval Status	Date
Request Not Submitted	

A rectangular box with a thin border. At the top, it has a title 'Approval'. Below the title is a table with two columns: 'Approval Status' and 'Date'. The 'Approval Status' cell contains the text 'Request Not Submitted' in blue. The 'Date' cell is empty.

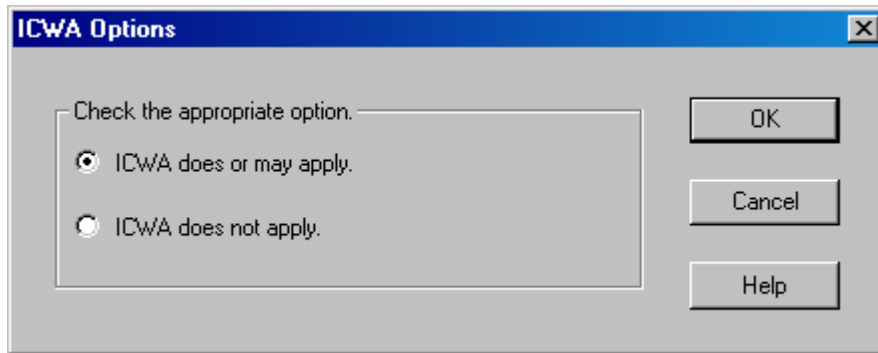
To create the report click, the “+” button in the “Create New” information box.

Create New

 **Court Report Document**

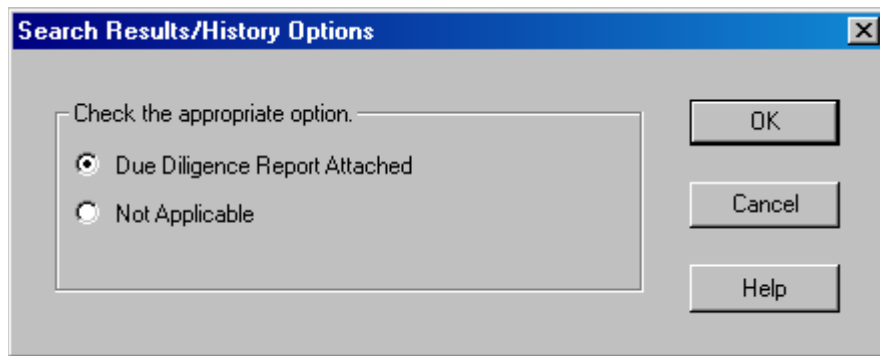
A rectangular button with a thin border. The top part has the text 'Create New'. Below it is a large grey button with a white plus sign '+'. To the right of the plus button is the text 'Court Report Document'.

That will start a series of dialogue boxes. The first asks if ICWA does or may apply to this case. In our example, it does or may. So the “ICWA does or may apply” radial button is selected.

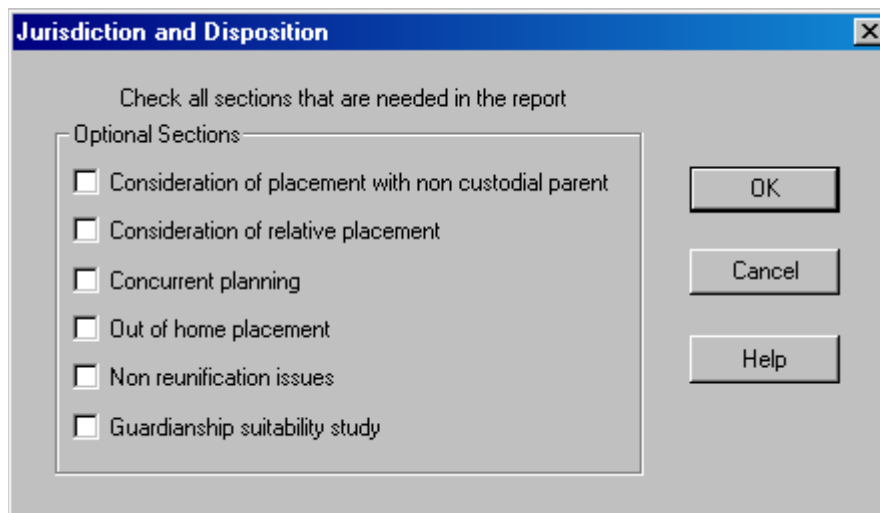


After clicking the “OK” button, the next dialogue box will appear. This box asks if it is necessary to inform the court of any searches made for parents whose whereabouts are unknown at this time.

In the example case, the whereabouts for both parents is known, so the “Not Applicable” radial button will be selected and then the “OK button clicked. See the window on the next page.



The last dialogue box is to select sections that are needed for this specific report.



From this list, select only the sections necessary for the Disposition report. In the example, all except the “Consideration of placement with non-custodial parent” and “Guardianship suitability study” options would be

appropriate. As the child is in out-of-home placement, the remaining sections must be discussed. “Non reunification issues” should always be discussed in the body of the report, even if only to tell the court that there are no “Non reunification issues” present in this matter.

The court has many options available at Disposition. It is necessary that the worker report to the court all available information regarding the family and relatives to enable the court to make an informed decision regarding the next steps. Following is a list of options at Disposition.

- Dependency Not Declared, Terminate Jurisdiction
- Dependency Not Declared, Family Maintenance Services
- Dependency Declared, Custody Granted to Previously Non – Custodial Parent, Custody Order (JV-200) Issued, Dependency Terminated
- Dependency Declared, Child not Removed from Home – Family Maintenance Services
- Dependency Declared, Custody to Previously Non – Custodial Parent, Custody Order (JV-200) Issued, with Court Ordered Family Maintenance Services, No Family Reunification Services to Previously Custodial Parent
- Dependency Declared, Placement with Previously Non – Custodial Parent; with Court Ordered Family Maintenance Services, and Family Reunification Services to Previously Custodial Parent
- Dependency Not Declared, Legal guardianship Established
- Dependency Declared, Legal guardianship Established
- Dependency Declared, Family Reunification Services

- Dependency Declared, Family Reunification Services Recommended Despite Parent's Ineligibility for Reunification Services
- Dependency Declared, Family Reunification Services for One Parent, No Reunification Services for the Other Parent
- Dependency Declared, No Reunification Services for Either Parent
- Dependency Declared or Continued, Disposition on Subsequent Petition
- Dependency Continued, Disposition on Supplemental Petition

Disposition report--section by section

Northern Training Region /
Training Department
604 East Walker St
Orland, California 95963

Nyal Homsher
(530) 384-1485
In-box caseload
DSS No. 5487854

SUPERIOR COURT OF CALIFORNIA
COUNTY OF GLENN
1279 County Road K, Orland, California 95963

This section is created by the application. The example is based on training region data. In your county, it will be your county's information. A number of counties delete the "In-box caseload" and "DSS No."

The Superior Court information is based on the information entered when the hearing was created.

DISPOSITION REPORT

Much of the demographic information will pre-populate into this report from the CWS/CMS data base. Other information is entered by the user into form fields designed for local text entry. Either the cursor or the F11 key may be used to navigate from one non protected form field to another. Navigating with the F11 key puts your cursor in the correct position to proceed. With the first letter entered, both the form field and the text in the form field, if any, disappear.

<u>Hearing Date</u>	<u>Hearing Time</u>	<u>Dept./Room</u>	<u>Hearing Type/Subtype</u>
10/28/2009	08:30am	1	Disposition / 300

IN THE MATTER OF

<u>Name</u>	<u>Date of Birth</u>	<u>Age</u>	<u>Sex</u>	<u>Count Number</u>
Child Training	10/01/2001	8	M	J - 9999

The blue text above is “Read Only.” It will not print to the document unless it is forced to print. All of the completed information was filled in by the application based on information in CWS/CMS. If any fields are black, that means nothing was entered in them. This is not a controlled document, so the missing information can be typed in.

SUMMARY RECOMMENDATION



“Summary Recommendation” is the box where the recommendation at the end of the report is summarized. Do not detail the findings and orders--just give a general summary. In the example being followed in the course, it might be something similar to “The department will recommend continued out-of-home placement for the minor and that the parents receive reunification services.”

CHILD(REN)'S WHEREABOUTS

Enter the circumstances of the child(ren)'s whereabouts, but DO NOT disclose the address detail if the child is in a licensed foster family home which is exercising its right for its address to remain confidential pursuant to §308(a) WIC or if the court has entered a non-disclosure or confidential placement order.




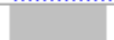

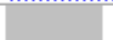
Tell the court the whereabouts of the child or children. If the placement is confidential, say so. Some jurisdictions require only "The child is in confidential placement." Others may want something to the effect of "The child is in confidential placement in Xxxxx County. The foster parents have not waived confidentiality nor has the court ordered disclosure of the address.

<u>PARENTS/LEGAL GUARDIANS</u>		
<u>Name/ Birthdate</u>	<u>Address/ Phone</u>	<u>Relationship/ To Whom</u>
Mother Training 01/01/1971	Confidential Address.	Mother/ Child
Father Training 01/01/1970		Father (Alleged)/ Child

This section is completed from information in CWS/CMS. It is also where previously entered incorrect client relationships will show. For example, if Father had been entered as the son to Child, the relationship would say that. Again, any omissions are because there is no data in CWS/CMS.

INDIAN CHILD WELFARE ACT STATUS

The Indian Child Welfare Act does or may apply.

<u>Child's Name</u>	<u>Indian Child</u> <i>yes/no/maybe/ unknown</i>	<u>Tribe (If Known)</u>	<u>ICWA Eligible</u> <i>yes/no/maybe/ unknown</i>
			

Indicate which parent is affiliated with which tribe(s), if known. Also, indicate whether the tribe(s) and/or the BIA have been notified that dependent child proceedings have been initiated on the child(ren)'s behalf; further, whether the tribe, if known has been notified of their right to intervene[SOC 319]. If the child(ren) are or may be Indian, enter efforts made to locate an Indian home for the child(ren)'s placement. Alternatively, if there are appropriate non-Indian placement alternatives for the child(ren), enter justification for NOT pursuing placement with an Indian caretaker.



The ICWA section is to be completed if there was an earlier selection to which the act may apply. Type the child's name; type the answer to "Indian Child"; type the Tribes; type the answer to ICWA eligible. If there are siblings, hit the tab button on the keyboard, which will create a second row for the next sibling. Continue completing the line for each sibling. In the grey box, document all efforts made to comply with the act. Notices will be documented later in the report, but if the worker made phone calls or spoke to other relatives, tell the Court what was done, who was contacted, etc.

The notices section will list all notices that have been created in the application. The example here only shows four entries. All tribes and individuals will be listed.

<u>NOTICES</u>			
<u>Name</u>	<u>Relationship</u>	<u>Method</u>	<u>Notice Date</u>
Assiniboine & Sioux Tribes	Tribal Organization/ Child	Certified or <u>Regstrd, Rtrn</u> <u>Recpt Reqsted</u>	10/02/2009
Bureau of Indian Affairs (BIA)	Government Organization	Certified or <u>Regstrd, Rtrn</u> <u>Recpt Reqsted</u>	10/02/2009
Dept of Interior	Government Organization	Certified or <u>Regstrd, Rtrn</u> <u>Recpt Reqsted</u>	10/02/2009
<u>Gros Ventre & Assiniboine Tribes</u>	Tribal Organization/ Child	Certified or <u>Regstrd, Rtrn</u> <u>Recpt Reqsted</u>	10/02/2009

Due Diligence Report attached.



If a search for missing parents is necessary, it is not possible to attach a “Declaration of Due Diligence” to the report. An option would be to use the report to detail all search efforts made. Confirm local practice. If the “Search” notebook for a missing parent is used to document search efforts, the application can use that date and “write” the declaration of due diligence report.

<u>LEGAL HISTORY</u>		
<u>300 WIC Subsection(s)</u>		
<u>Initial Removal</u>	<u>Initial Detention Order</u>	<u>Initial Jurisdiction Finding</u>
	Child - 10/02/2009	Child - 10/15/2009
<u>Initial Disposition Order</u>	<u>Initial 364 FM Review</u>	<u>Second 364 FM Review</u>
<u>Initial 366.21(e) – 6 Month FR Review</u>	<u>Initial 366.21(f) – 12 Month FR Review</u>	<u>Initial 366.22 – 18 Month FR Review</u>
<u>FR Services Terminated</u>	<u>Non-Reunification Ordered</u>	
<u>Initial Permanent Plan: Type/ Date Ordered</u>		<u>Current Permanent Plan: Type/ Date Ordered</u>

With the exception of the “Initial Removal” box, all other fields in this section will populate from the application. There is no need to enter anything. However, if the next hearing was not created in the correct manner, this will never work and there is nothing that can be done to correct it. If only specific fields are not populating, it may be that the “Results” page was filled in incorrectly and that can be fixed. If necessary, type in the fields.

Additional Legal History

Additional legal history for any child(ren), such as subsequent or supplemental petitions, multiple jurisdiction/disposition dates, prior dependency, etc., may be entered by the user in this section.



Follow the hidden text. Any subsequent petitions or prior CWS history is entered here. If there is additional legal history, be specific and complete.

REASON FOR HEARING

User text entry.



Tell the Court why this hearing is being held. A paragraph summarizing the court hearings to this point is usual.

PATERNITY/LEGAL RELATIONSHIPS

This information can be reviewed from the Family Information page and Related Clients page of Client Notebook. Include marital history, any paternity findings/orders (whether a paternity order has been issued, the date of the order, the identity of the court issuing the paternity order, and the identity of the person named as the child's father), waivers of paternity, statements of mother regarding paternity if unresolved, issues related to concurrent planning, legal guardianship issues, etc. Please refer to the 6 questions outlined in §316.2(a) WIC.



Report to the Court everything known or alleged about possible paternity. All alleged fathers should be named. Also, tell the court if a father is named on the birth certificate, and whom the mother is married to, if married. Be complete; list every male known to the department who may have any claim to or responsibility as a father to the child or children named in the report. Remember that the status of presumed father is a legal order. Provide the Court with all information known to serve as a basis for a paternity finding.

Paternity is defined in Family Code. There are a number of ways that a man can qualify for a presumed status. The first is that the man is married to the mother and not sterile--normally considered a conclusive presumption.

Another way is that the man is still married to the mother; that is, the man and mother may not have been living together for the past 15 years, but if the marriage is still valid, he will be eligible to be a presumed father. This is true even if it is known that he is not the biological father of the child.

If the man's name is on the birth certificate and the man has signed a statement of paternity at the hospital, he is eligible to be considered for a presumption. If his name was added before the legal requirement to sign a statement of paternity, he might not be eligible.

Another situation is when the man knows he is not the biological father of the child but has held the child out to the public as his and has played an important part in raising the child. Increasingly, Courts are looking to the man who raised the child and who the child knows as Dad over the biological father, especially if the biological father has had no or very limited contact with the child.

One more situation is called Kelsy S. This is when the father wants to take an active role in the child's life, but the mother is hiding the child or otherwise preventing the father from taking that role.

Yet another possibility for being granted presumed paternity is if "any court of competent authority" has found the man to be the father. This is most common with family law and support awards.

Presumption is a very important finding. A presumed father has rights in dependency court that an alleged father does not have. The Indian Child Welfare Act does not apply to the children of alleged fathers, only presumed fathers. Alleged fathers are not entitled to services but presumed fathers are. Alleged fathers may be given services but are not entitled to services. The Court should make the findings. Provide all known information to the court to enable the Court to make an appropriate finding.

PRIOR CHILD WELFARE HISTORY

User text entry.



Unless the Court specifically did not have this history provided in previous reports, just cut and copy this section from previous reports. If any new history has been discovered, report it.

CRIMINAL HISTORY

Enter name, AKA, of significant persons; then enter information regarding arrests and/or convictions. Also include probation/parole status, including date probation/parole status expires; name and phone number of current Probation/Parole Officer. If a parent is currently in jail or prison, include name and location of the jail/prison, the inmate's jail or prison ID number; and the anticipated release date. Enter 'None' if there is no criminal history.



The same would be true with criminal history. Just copy and paste from previous reports. Add any newly discovered criminal history.

JURISDICTIONAL SUMMARY

Enter jurisdictional information according to local practice: Information may include either a summary of the allegations of or the complete text of the sustained petition; date and circumstances the petition was sustained; etc.



Document what allegations the Court found true at the Jurisdiction hearing. Do not list any allegations the Court did not find true.

SOCIAL STUDY/FAMILY ASSESSMENT

*Including, but not limited to: **Problems Requiring Intervention and Possible Causes** (contributing factors, domestic violence, drug abuse, etc) **Relevant Social, Cultural, and Physical Factors** (discussion of various issues including marital history and other significant relationships), **Family Strengths, Family's Perception of Their Needs** (Enter specific statements or a summary from children, parents and others re: their perception of what they need to do to overcome the circumstances that brought them to the court's attention.).*



This is one of the most important elements of this report. The Court cannot get this information anywhere else. Be specific about the elements. Tell the Court about all the contributing factors and what may have caused them. Do not preach; just tell the Court what those factors are.

Tell the Court about all the Cultural issues, Social issues or Physical issues that are present for this family. That one of the parents is wheelchair bound is a critical component that the Court must be made aware of. Explain the issues and discuss how they influence this family and may affect possible services.

To tell the Court the family's perception, the family must be asked. Do not be scared to report exactly what the family said. With the advent of Family Engagement Efforts and things like Family Team Decision making, the family's perception is probably an accurate perception. Prior to the above programs and methodologies, a family perception of "I just need you out of my life" was not uncommon. It was also very difficult to overcome.

CHILD(REN)

Regarding: Child

*Discuss issues regarding **Medical** (Include information regarding CHDP or alternative preventive health services plan), **Developmental** (Indicate if child is a client of the Regional Center), **Educational** (Discuss IEP and need for surrogate parent pursuant to §361(a) WIC as appropriate), **Mental and Emotional** status (Indicate if the child is in therapy and/or on medication as appropriate; also indicate if child is eligible for Victim Witness or other funding sources for services), and **Special Needs of Minor as a Parent**, if appropriate. You may address all children under each category.*

.....



Use this section to tell the Court about each of the children in this hearing. If the HEP was created and is complete, summarize the HEP and attach it to the report if county practice will allow it. If not, then provide the Court with all known information regarding the child or children. It is clearer if each child is listed separately under his/her own name.

An often-overlooked element is the “Special Needs of Minor as a Parent.” This also pertains to dependent males who also happen to be fathers and want to take on that role but do not want to take on the responsibility. Be prepared to report to the Court on any dependent who is also a parent and any special problems he may be encountering.

CHILD(REN)'S SAFETY IN HOME

Including the Need, if any, for Removal; Circumstances Surrounding the Severe Physical Abuse of Child.



Discuss the children's safety in the home. Is s/he safe? If not, why not. What needs to happen to make the home safe?

CONSIDERATION OF PLACEMENT WITH NON-CUSTODIAL PARENT

If this is considered an FM placement, then discuss placement details and adjustment here. If child released to/placed with the non-custodial parent as an FR placement, then discuss OHC details below.



If the parents are separated, this must be considered, and the circumstances must be provided to the Court.

CONSIDERATION OF RELATIVE PLACEMENTS

Include Non-Custodial Parent here if you are a county that gives placement to non-custodial parent while providing FR services to the previously custodial parent. Discuss OHC details below.



Are there relatives to consider? Tell the court what is known. If the parents did not disclose relatives, has the department tried to find them? Relatives are to be given preferential consideration in placement. This is not a guarantee of placement, but they are to be considered first. Unless there is a specific reason not to place with a relative, the child is likely to be placed there. Tell the Court which relatives have requested placement. Report on any evaluations of potential relative caretakers. This area of juvenile dependency law continues to grow. A new law that became effective January 1, 2010, requires written notification of relatives and adult siblings. Use this section to document that notification.

OUT OF HOME PLACEMENT

Enter child(ren)'s name(s) and detail about the following categories:

This is a broad section heading. There are three subsections under it.

Current Placement:

Include placement type/location, duration of placement, any changes during this period of supervision, adjustment to placement, and continued necessity for and appropriateness of placement. ICPC or out-of-county/courtesy supervision issues must be addressed; further per 361.2 unless the child is placed with relatives, the child shall be placed in the county of residence of the child's parents, and if not, the particular needs of the child requiring out of county placement shall be specified.



Use the hidden (blue) text above as a guide.

Sibling Placement:

Include appropriateness of placing siblings together. The report must discuss the agency's plan to keep the sibling group together unless separation is in an individual child's best interests pursuant to WIC 16002(b).



Independent Living Plan Services:

If the minor is 16 years or older, address the development of an Independent Living Plan, or describe why the minor cannot benefit from ILP services, ie, mentally or physically not able to benefit.



For children 15½ years old, this is optional. For children 16 years old and older, it is mandatory to provide the child with a Transitional Independent Living Plan. Attach a copy of the plan to this report.

VISITATION

Text entry of summary of current visitation plan. Include visitation with parents and continued appropriateness of visitation with siblings, grandparents and other relatives. Compliance efforts/cooperation. Children(s) response to visitation.



Document not only the plan for visitation but also what visitation has already taken place.

REASONABLE EFFORTS

Detail about services offered/delivered from the time of the child(ren)'s removal to the present and parental compliance if any at this point. It is important the court have sufficient information to make the reasonable efforts finding at the time of the disposition.



Document all services offered to the family members. Report any efforts to get the family into services and the family's response to those efforts. The family engagement efforts and team decision meetings or equivalents are services. Did the family cooperate? Did the parents cooperate with finding relatives for possible placement options? Has the mother cooperated with naming or locating possible fathers? Have the parents cooperated with requests for school records or medical records?

CONCURRENT PLANNING

Enter detail regarding concurrent case planning (alternative permanent plan if efforts to reunify fail as well as services needed to achieve the plan) for child who is placed in out of home, based on local county policy/practice. The following advisement must be addressed in this section. Suggested text as follows.

On [Date] the parent(s) was advised of the option to participate in adoption planning and to voluntarily relinquish the child for adoption if an adoption agency is willing to accept the relinquishment. Or

The parent(s) was not advised due to the following: [Specify].



If the child or children are in out-of-home care, it is necessary to recommend a permanency alternative if the reunification services fail. Until the child or children are deemed unadoptable, adoption is the recommended plan. It is the most permanent, and the parents need to know that it is a possible result if the children are unable to be returned to the parents care. Reunification is time limited, usually to 12 months. There are, however, special circumstances that may allow reunification to go to 24 months with special orders of the Court.

The parents must be told that they have the right to voluntarily relinquish the child or children for adoption. If the parents choose this option, they get to help in the adoption planning. This will allow the parents to have a voice in who adopts their child or children. In all consortium counties, except Shasta County, California State Adoptions local branch workers will take the relinquishment. Shasta County does its own adoptions and will deal with relinquishments within the county office.

The date that the parents were advised of this right must be documented. This heading will repeat at every reunification status review.

Although there is language that suggests that there is a reason not to inform the parents of this right, it is somewhat misleading. If the parents' whereabouts are known, it is generally required. Before choosing not to advise a parent, check with your supervisor or County Counsel for specific directions on how to proceed.

NON-REUNIFICATION ISSUES (WIC 361.5)

Discuss reasons for and impact of not ordering reunification services. However, if the case circumstances would normally warrant no reunification services but you are asking that they be provided, state the reason(s) here. If not recommending services for an incarcerated or institutionalized parent, then state the detriment to the child if they were provided.



If any of the reasons specified in W&I §361.5 exist, discuss the impact of ordering reunification or not ordering reunification. These options are not mandatory. The department may recommend reunification services even if the issues exist. Tell the Court the issues that exist and why the department believes that offering services is in the child's best interest. The department may also decide that based upon the issue and the specifics of a case, not offering reunification is in the child's best interest. Provide the Court with the reasoning and tell the Court what the impact on the child will be of not offering services.

GUARDIANSHIP SUITABILITY STUDY (WIC 360(a))

User text entry.



If the department is recommending Guardianship at Disposition, then the Guardianship study required by Welfare and Institutions Code section 360 Part A, must be attached to, or incorporated into, the Disposition report.

The study will include things like the nature and length of the relationship between the child and the proposed guardians. A criminal record check of the guardians will be needed. What, if any, are the financial issues between the proposed guardians and the child or children?

ASSESSMENT/EVALUATION

This is the place for the social worker's 'opinion'. Do not repeat facts previously included in the report, rather, assess and evaluate those facts in a way that lends itself to the logical conclusion of what you are recommending. Include required discussion of appropriateness of CPS (voluntary services) to resolve the matter in lieu of court intervention; a discussion of need for continuing court intervention and/or placement, if appropriate, and statement regarding child's eligibility to be considered for further court action to free minor from parent's custody and control.



This is the only place that opinion is allowed. The opinion should be based upon the facts already reported. One option that may be used here is two subcategories: "Reasons the Child(ren) Should be Returned" and "Reasons the Child(ren) Should Not be Returned." Both are always present in every case. Sometimes the reasons to return are

not very strong, other times they are stronger. Even if the recommendation will be to return, there are reasons not to return the child(ren). Tell the Court what those reasons are.

By starting the assessment section with these two subcategories, the report is more objective. Both sides of the issue are being acknowledged and a recommendation made based upon experience and knowledge.

CASE PLAN

Attached.



The approved Case Plan must be attached. Unless county practice dictates otherwise, the participants should have reviewed the Case Plan and the participants offered an opportunity to sign the case plan. Report to the Court if the parents were willing to sign the case plan or not. If they were not, was there an explanation by the parents as to why not? Report to the Court any reason the parents provided for not signing. The parents have no mandatory obligation to sign the Case Plan; the worker, however, has a mandatory obligation to review the Case Plan with the participants.

The Case Plan is required to be created in cooperation with the participants and that participation, or lack of, needs to be documented.

RECOMMENDATION

Local text entry for recommended advisements, inquiries, findings and/or orders based on local practice.

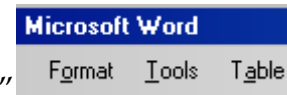


Use county practice to make and include recommendations. As discussed earlier, this is a critical component and each county has specific practices regarding the process. Learn those practices and follow them.

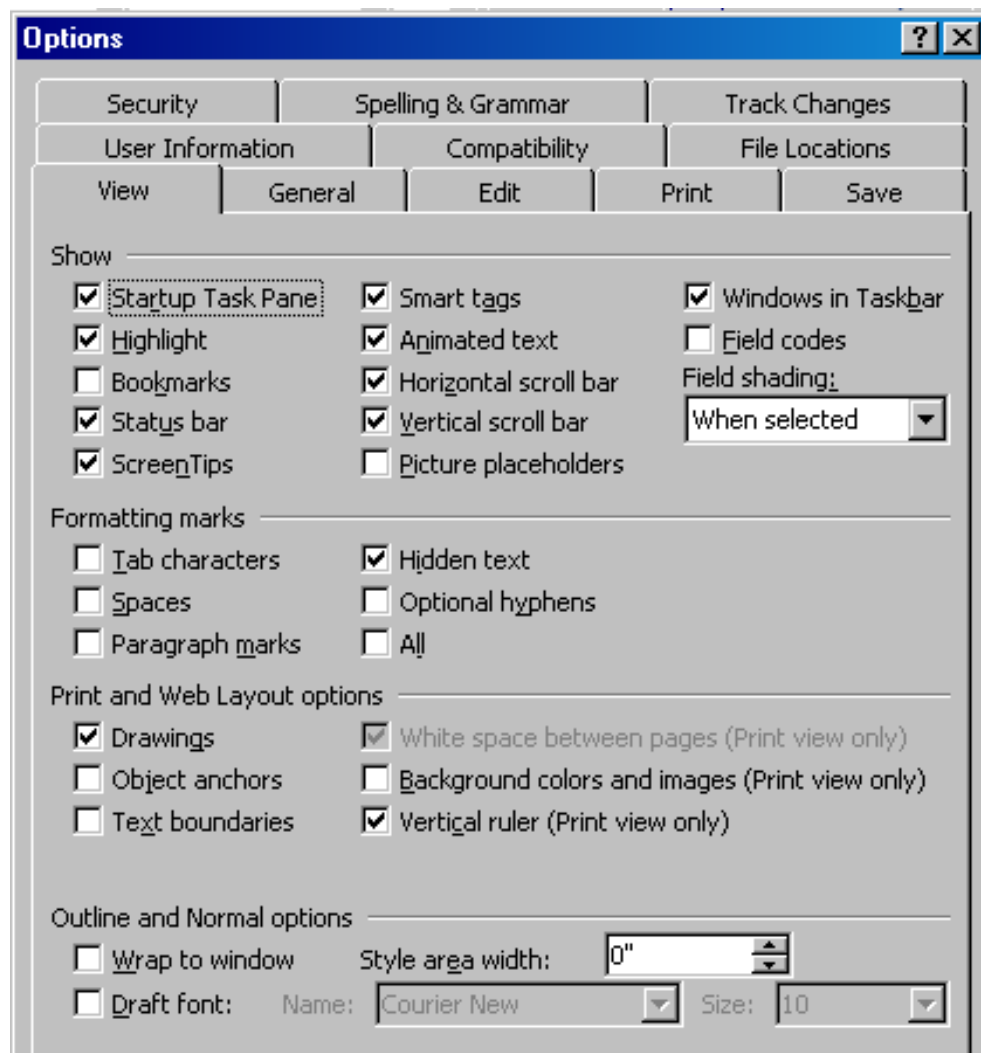
Creating Court Reports

The process for creating Court Reports in CWS/CMS is the same for all Court Reports. First, open the hearing the report is for. Next, create a “New Report” notebook. Select what specific report is being created and which children are to be included in the report. Create the report document. Complete any dialogue boxes that are presented, and then type the body of the report.

Until there is a great deal of familiarity with the contents of each report, the hidden text should be enabled to assist with what to include in each section. Enabling hidden text is a function of the specific computer the worker is using. It is not an attribute of a logon ID or a specific application.



To enable or disable viewing hidden text, click on the “Tools” drop down menu in “Word.” From the new menu select “Options” then click on the tab “View.” Once in the “View” page, approximately half way down the page is a section called “formatting marks.” At the top of the second column in “formatting marks” is the option for “hidden text.” If the ability to see hidden text is turned on, there will be a check in the box next to “hidden text.” If it is turned off, or disabled, there will be no check in the box. To change the status, click in the box. If “hidden text” was not enabled before the click, it will be enabled after the click. The following page shows an example of “hidden text” when it is enabled.



Always spell check a Court Report. Ideally, have spell check set to the most rigid setting possible. Also, set spell check to “Show Readability Statistics.” Court reports should use the least amount of passive writing possible. Passive writing tends to hide who did what.

The Court Report should be written at about the high school graduation or 12th Grade level to be reasonably confident that all adults can understand the report. Many of the clients that we serve do not read at that level. It is the worker’s responsibility to be sure that his/her client can read. Asking the client if s/he can read is probably not the best method. Observing the client reading something or asking the client to read something is much better.

To the extent possible, do not use jargon or acronyms. It is better to spell out what the acronym stands for then to confuse the readers.

Three Additional Court Reports

There are three more Court Reports that need explanation.

The Addendum Report

The first is the “Addendum Report.” Use an Addendum report to submit new information that was not available at the time the initial report was written. An example would be a report from a service provider that was not received until after the status review report was filed.

Inform the Court of the contents of the report. Tell the Court if this changes the recommendations of the filed report and why or why not. If recommendations are changing, how are they changing? There is no statutory filing deadline. All parties should be provided a copy of the report. Anticipate a request for a continuance if the report is filed the day before the hearing or later and it negatively affects one of the clients.

The 366.26 Report

The next report is the 366.26 report. This is the report that recommends a permanency plan for the child after the Court has terminated reunification efforts. In other states, this report may be referred to as a Terminating Parental Rights (TPR) report. At this time in the dependency process, the Court has only three options. It must terminate parental rights and place the child for adoption, select Legal Guardianship as the permanent plan or place the child in long-term foster care. Without specific findings, adoption will be the choice.

Within the adoption finding, the Court may, without terminating parental rights, place the child in a plan of adoption and authorize the agency to find an adoptive placement within the next six months.

A child over age 10 may object to being adopted, the parent may be able to demonstrate specific reasons why adoption would not be in the best interest of the child or the child may not be adoptable. These are all reasons why the Court might not select adoption as the permanent plan. If adoption is not selected, guardianship is the next option to be considered. If guardianship is ruled out as an option, then the Court will place the child in long-term foster care. That is always the last option.

In long-term foster care, there will continue to be review hearings every six months. Once every year the Court must consider if a permanent plan is now appropriate for the child. At that anniversary date, if the department believes that a change in the permanent plan is appropriate, a new 366.26 Report recommending the new permanent plan will be written. In addition, at each status review for long-term foster care, the Court is to consider whether or not return to the parents or a parent is now possible.

Declaration of Due Diligence Report

The last of the three reports to discuss is the “Declaration of Due Diligence” report. This report will utilize the “Client” “Search” page to create a report for the Court documenting the efforts to find that client. The beginning process for creating this report is the same as all other reports. This report differs in that the worker selects “Declaration of Due Diligence” in the “Report” notebook as the type of report.

After selecting “Declaration of Due Diligence,” the page changes to show a “Search Efforts for” information box instead of the “Approval” information box as shown below.

ID

Identification

Report Type Filed Date

Court Report Information

	Minors
1	Training, Son

Search Efforts For:

☒ Related Client ☐ Collateral

Relationship

Select the client that the search is for in the “Related Client” drop down menu.

Search Efforts For: _____

Related Client

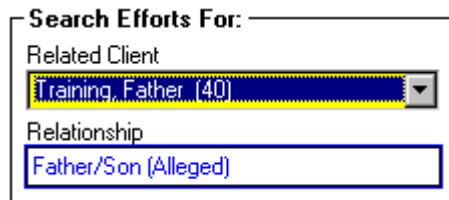
<None>

Training, Father (40)

Training, Mother (39)

The drop down menu will provide a list of adult related clients. Select the correct client from the list by clicking on that client.

The “Search Efforts” information box will now show the results of the search--who was searched for and how that client is related to the child selected on the left.

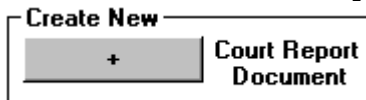


Search Efforts For:

Related Client
Training, Father (40)

Relationship
Father/Son (Alleged)

Go to the bottom of the page and click on the “+” button in the “Create New” information box.



Create New

+ Court Report Document

That will lead to a new dialogue box.

Declaration of Due Diligence Document Information

<p>Document Header Information</p> <p>Minors</p> <p>Training, Child</p>	<p>Search Results For</p> <p>Name</p> <p>Training, Father</p> <p>Relationship to Case Client</p> <p>Father/Son (Alleged)</p>	<p>OK</p> <p>Cancel</p> <p>Help</p>
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Start Date End Date

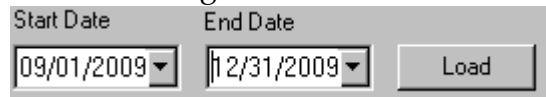
Search Results

Date of Search	Action Result Date	Search Source

Start Date End Date

Select the child, and complete the fields. Next, click the “Load” button to the immediate right of the date fields.

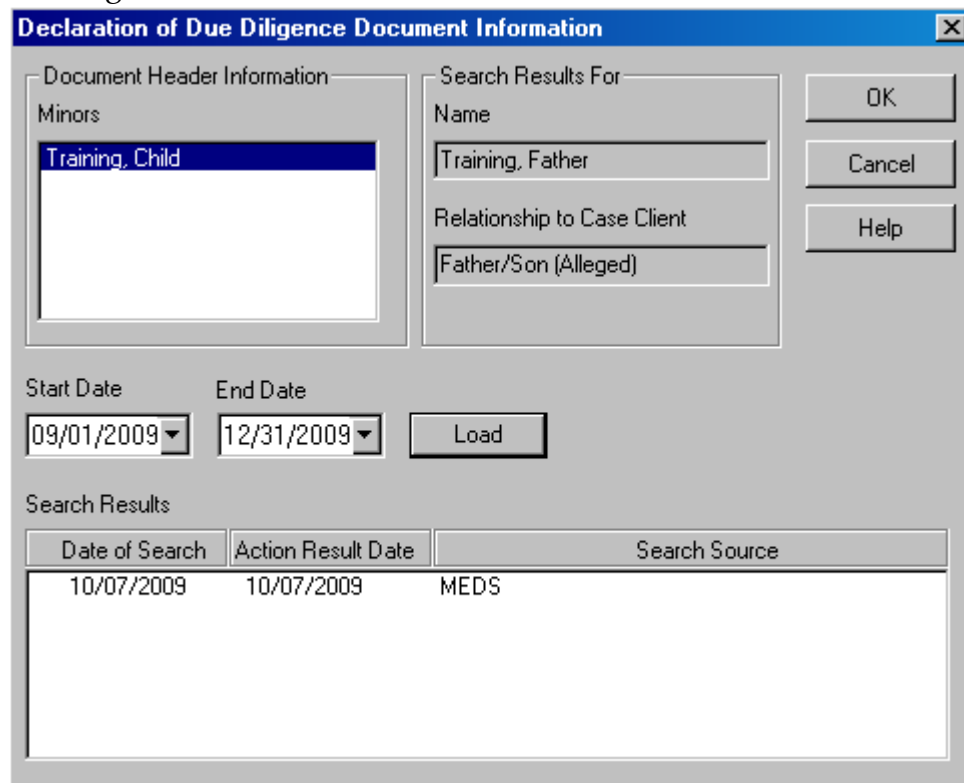
After entering dates in the start and end date fields, the “Load” button will be enabled.



Start Date End Date

09/01/2009 12/31/2009 Load

After clicking the “Load” button, the “Search Results” box should show the searches that have been made for the missing client.



Declaration of Due Diligence Document Information

Document Header Information

Minors

Training, Child

Search Results For

Name

Training, Father

Relationship to Case Client

Father/Son (Alleged)

OK

Cancel

Help

Start Date End Date

09/01/2009 12/31/2009 Load

Search Results

Date of Search	Action Result Date	Search Source
10/07/2009	10/07/2009	MEDS

If the “Search Results” is blank, do not go any further. Either the search dates are wrong, or there are no searches saved for the client named. The result would be a blank report. If only some of the searches are shown, the search dates are probably incorrect. In addition, the searches might have been entered in the wrong client’s “Search” page. If all the searches made are shown, the click “OK.”

Declaration of Due Diligence Document Information

Document Header Information

Minors

Training, Child

Search Results For

Name

Training, Father

Relationship to Case Client

Father/Son (Alleged)

OK

Cancel

Help

Start Date

09/01/2009

End Date

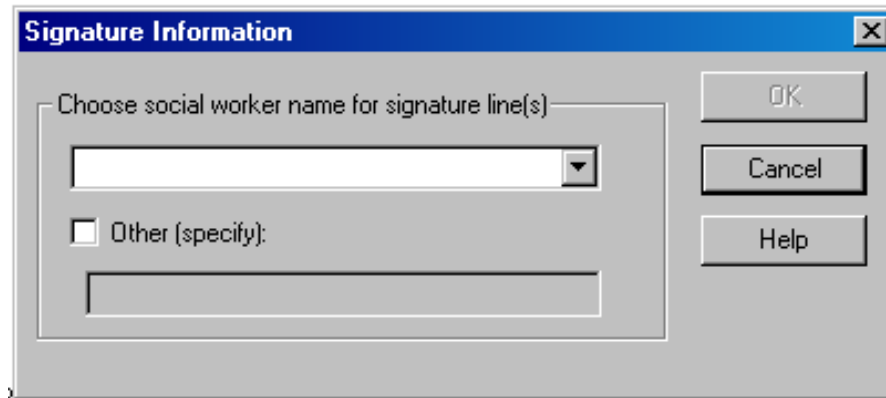
12/31/2009

Load

Search Results

Date of Search	Action Result Date	Search Source
10/07/2009	10/07/2009	MEDS

Next, select who wrote this report.



The drop down menu will show all assigned workers, or click the “other” box and then type in the name of the person signing the report. Then click “OK.” The “OK” button will be enabled after the “Signature Information” is completed.

Clicking the “OK” button will create the report. In some jurisdictions, elements of the report are copied and pasted into the body of the report; in other jurisdictions, the report is printed, signed, and attached to the report.

Activities

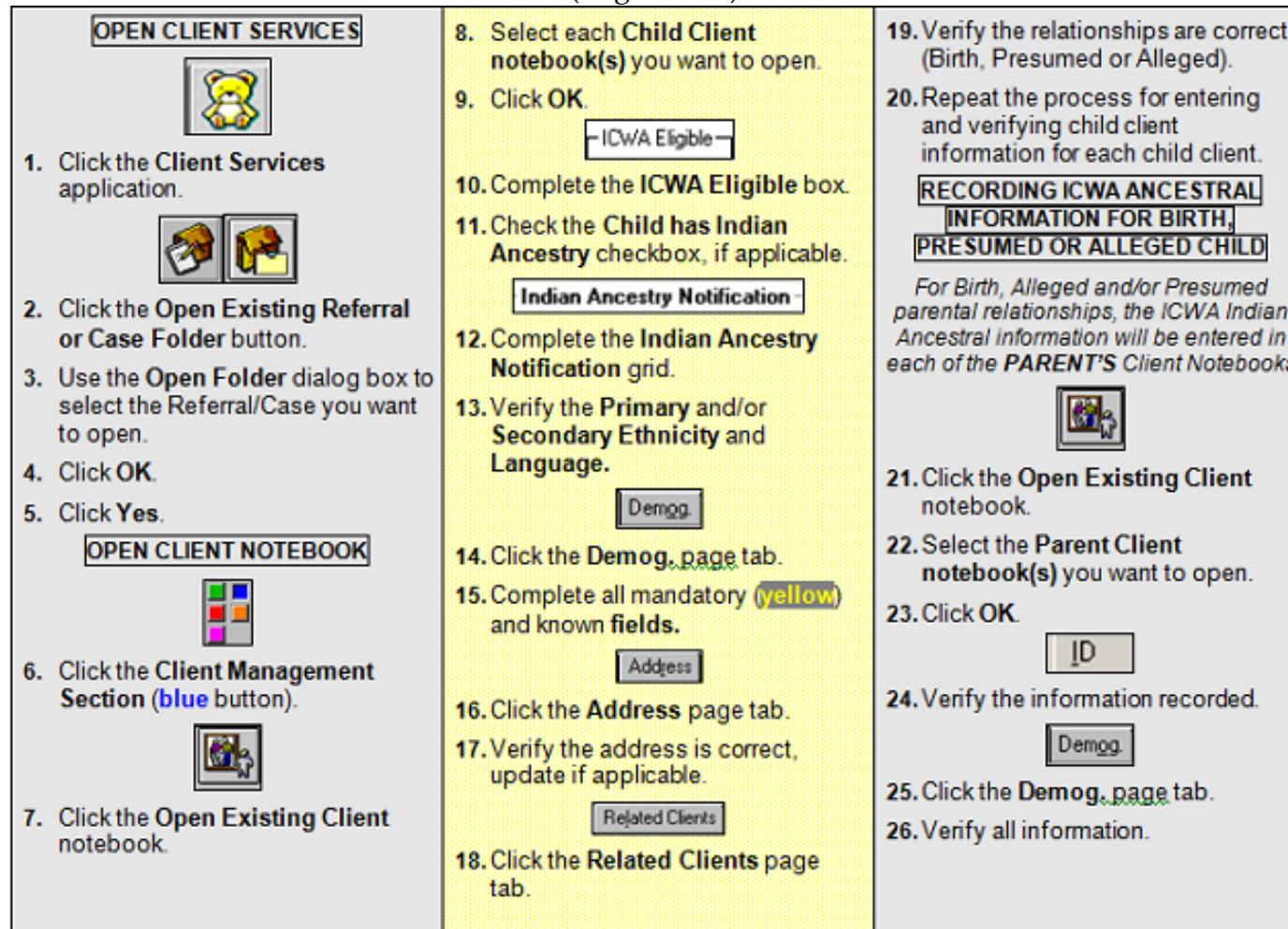
Go to activity handout, chapter 9.


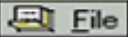

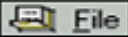
Process Maps, Mapped Documents and Cheat Sheets

C 9, Page 99

Entering ICWA eligibility Process Map

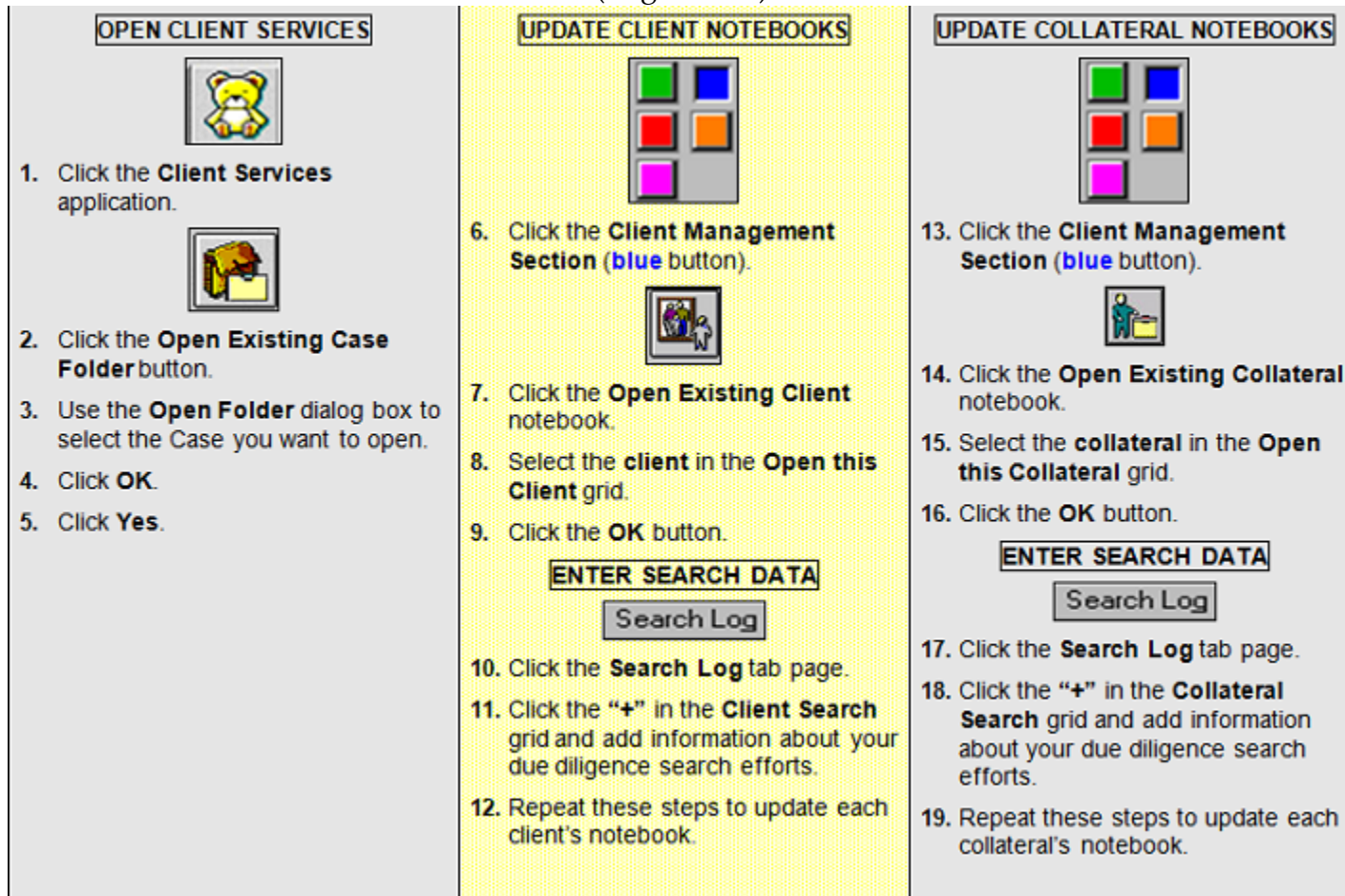
(Page 1 of 2)



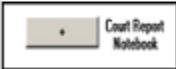



<p>Address</p> <p>27. Click the Address page tab.</p> <p>28. Verify the address is correct.</p> <p>I.C.W.A.</p> <p>29. Click on the I.C.W.A. page tab.</p> <p>30. Record the parent's tribe membership, as well as ancestry information and membership status for all ancestors.</p> <p>31. Repeat the process for verifying information and entering the ancestral information for each parent (birth, presumed, alleged) on the I.C.W.A. page tab of their Client notebook.</p> <p>RECORD THE CHILD'S TRIBAL MEMBERSHIP STATUS INFORMATION</p> <p><i>After entering the parent's Indian Ancestry in their notebooks, you must record the child's tribal membership status in the child's notebook.</i></p>  <p>32. Click the Open Existing Client notebook.</p>	<p>33. Select the Child Client notebook(s) you want to open.</p> <p>34. Click OK.</p> <p>I.C.W.A.</p> <p>35. Click on the I.C.W.A. page.</p> <p>36. For each record in the tribe membership grid, record the child's membership status and dates, if known.</p> <p>37. Repeat the process for updating the information for each child (birth, presumed, alleged) in each of their Client notebooks.</p> <p>- In Production Only -</p>  <p>38. Click the File drop-down menu.</p> <p>39. Select Save to Database.</p> <p>40. Click Continue Working.</p> <p>Created by the CWS/CMS Project Office</p>	<p>VERIFY THE INDIAN CUSTODIAN IN THE COLLATERAL NOTEBOOK</p> <p><i>An Indian Custodian is an Indian person, designated by the tribe, who is an advocate of the Indian child. They are recorded in the Collateral notebook.</i></p>  <p>41. Click the Open Existing Collateral notebook.</p> <p>42. Select the client for whom you wish to see their collateral(s) in the For this Client grid</p> <p>43. Select the Indian Custodian collateral you wish to open in the Open this Collateral grid.</p> <p>44. Click OK.</p> <p>45. Verify and update all known and mandatory fields on the ID and Address page tabs.</p> <p>46. Verify that all children necessary are associated to this collateral.</p> <p>- In Production Only -</p>  <p>47. Click the File drop-down menu.</p> <p>48. Select Save to Database.</p> <p>49. Click Exit CWS/CMS.</p>
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Creating a Declaration of Due Diligence Process Map

(Page 1 of 2)



 <p>20. Click the Court Management Section (pink button).</p> <p>OPEN EXISTING HEARING</p>  <p>21. Click the Open Existing Hearing notebook.</p> <p>22. Select the hearing in the Open this Hearing grid.</p> <p>Click OK. CREATE COURT REPORT</p>  <p><i>The Hearing will open in the ID page.</i></p> <p>23. Click the “+” Create a New Court Report Notebook.</p> <p>24. Click on Report Type drop-down list to select the Declaration of Due Diligence report.</p> <p>25. Enter the date the report will be filed with the Juvenile Court.</p>	<p>26. Click the “+” in the Minors grid to add additional children to be included in this court report.</p> <p>27. Click OK.</p> <p>Search Efforts For: <input checked="" type="radio"/> Related Client <input type="radio"/> Collateral</p> <p>28. Click the Search Efforts For drop-down list; select the client or collateral for which the search was performed.</p> <p>CREATE COURT REPORT DOCUMENT</p> <p>Create New <input type="button" value="+"/> Court Report Document</p> <p>29. Click the “+” Create a New Court Report Document.</p> <p>30. Select the children that should appear in the document header.</p> <p>Load</p> <p>31. Select the date range of searches that should appear in the report and click the Load button. The searches will appear in the Search Results grid.</p>	<p>32. Click OK.</p> <p>33. Click the assigned staff person whose name will go on the signature line or check the Other box and type another person's name.</p> <p>34. Click OK.</p> <p>35. Review the document for accuracy.</p> <p>36. Click Print.</p> <p>37. Save, close and minimize Microsoft Word.</p> <p>- In Production Only -</p> <p>SAVE TO DATABASE</p> <p> File</p> <p>38. Click the File drop-down menu.</p> <p>39. Select Save to Database.</p> <p>40. Click Exit CWS/CMS.</p> <p>Created by the CWS/CMS Project Office</p>
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