**300/600 Joint Protocol and Dual Jurisdiction**

**Policy and Procedure**

**(AB129/WIC 241.1)**

##### Overview

The Welfare and Institutions Code (“WIC”) Section 241.1 requires that the county’s Probation Department and Family and Children’s Services develop a written protocol to ensure local coordination in the assessment of a youth to determine the appropriate jurisdictional status under WIC 300, WIC 602, or both. Family and Children’s Services (FCS) and the Probation Department shall cooperatively assess and produce a written joint recommendation regarding whether Wardship, Dependency, and/or Dual Status will serve in the best interest of the child and the safety of the community.

FCS and Probation have developed a joint protocol process that includes coordination of services while maintaining the values and philosophy of each agency. The joint protocol process will benefit the youth, their family, and the community, while enhancing communication between the two systems. FCS and Probation will consider the least restrictive environment that is family-centered, strength-based, and complies with the Continuum of Care Reform.

# Joint Protocol Process and Procedures

# Identifying Dual System Involvement

1. By an agency: Family and Children’s Services and Probation will contact the other agency to determine a youth’s level of involvement within the dependency and juvenile justice systems in the following situations:

* The Probation Department will, as part of the intake (in and out of custody) or upon completing an intake assessment or disposition report review CWS/CMS for information regarding current or prior FCS involvement, referral history and/or dependency status.

1. By the Court: Upon recognizing or with knowledge of a youth’s possible dual system involvement, the court by its own motion may order the agencies to investigate and/or initiate a 241.1 assessment and report.
2. By a Party: At the request of a child, parent, guardian, or counsel, the court may also order the agencies to investigate and/or initiate a 241.1 assessment and report. *(Calif. Rule of Court 5.512(a)(4))*.

# Initiating WIC 241.1 Report Jurisdiction Process

When the youth or family is identified as having involvement with the other agency, the social worker or probation officer will consult with their supervisor and then notify a manager for appropriateness and approval to pursue the WIC 241.1 process for coordination of services, change of jurisdiction, or dual jurisdiction. Circumstances affecting the decision include:

* Age of the youth
* Is the youth currently a WIC 300 dependent and what is the status of the family? For example, are the parents receiving family maintenance or family reunification services, or is the child in a post-permanent plan?
  + How long has the youth been removed from their parent/guardian’s home?
  + Is the youth currently placed with a relative or in foster care? If so, how long has the youth been placed there?
  + Would return to the parent be contrary to welfare of the youth per FCS?
* Does the youth have current or prior involvement within the juvenile justice system?
* What is the nature and seriousness of the current allegation(s)? Probation shall provide FCS with information regarding this consideration.
* Is parent(s)/guardian(s) refusing to take the youth into their home and all attempts to engage the family, including attempts to locate relatives, have been exhausted?
* Is parent(s)/guardian(s) able and willing to exercise appropriate maintenance and control to prevent the youth from further criminal activity or behaviors that put the youth at risk?
* Is parent(s)/guardian(s) abusing substances that is impacting their ability to safely parent?
* Do parent(s)/guardian(s) have diagnosed behavioral health issues that is impacting their ability to safely parent?
* What services would be the most effective for the family? And for the youth?
* What services have been tried for the family? And for the youth?
* Does the youth have behavioral health or substance abuse issues that impact their ability to follow through with services?

The social worker or probation officer must take their request to their respective Court for an official WIC 241.1 Assessment and Report court order. If the request originates in Juvenile Justice Court, the WIC 241.1 Report request will be made as early in the process as possible, and will be determined by the Court after the resolution of the WIC 602 petition but prior to disposition. However, if the District Attorney initiates to transfer proceedings to adult court, then a youth’s dependency case will be placed “on-hold” pending the resolution of the WIC 602 petition.

Once the joint assessment and report are ordered by the Court, a receipt of report date and determination of jurisdiction hearing will be calendared in accordance with the timelines below, in accordance with Cal. Rule of Court 5.512(e)-(f):

* + If the youth is detained/ in-custody, the 241.1 hearing must be calendared as soon as possible after detention but no later than 15 court days;
  + If the youth is not detained/out-of-custody, the 241.1 hearing must occur within 30 court days;
  + At least 5 calendar days before the hearing: notice of the hearing and the copies of the 241.1 Report must be E-filed and/or provided to the child, child’s parent or guardian, all attorneys of record, any CASA volunteer, and both juvenile courts;
  + No later than 48 hours before the scheduled court hearing date and time, the WIC 241.1 Report shall be filed with the Juvenile Court Clerk’s Office.

1. **Notification**

By the end of the next business day from when the Court initiates the WIC 241.1 Report process, the respective agency shall contact FCS Screeners (x2273) or Investigations Probation Supervisor (X3800) to make a referral for a 241.1 Joint Protocol Report. The information needed for the referral must include the following:

FCS to Probation Probation to FCS

Youth Name, DOB Youth Name, DOB

Parent/Guardian Name Parent/Guardian Name

Current contact information Current contact information

Next Court date Next Court date

Social worker contact information Youth’s custody status/whereabouts

Child abuse and neglect history Reason for arrest/referral

Most recent Court Report (if any) Previous arrests and adjudications

Current child abuse or neglect concerns

Probation contact information

Intake Assessment Report OR

Most current probation report

The department that requests the WIC 241.1 Joint Assessment and Report will notify the youth and their parents/guardian. Each department will notify their respective attorneys by phone or e-mail by the end of the next business day.

FCS to Notify Probation to Notify

County Counsel Office District Attorney’s Office

Youth’s WIC 300 attorney, if appointed Youth’s WIC 602 attorney

Probation Officer/File FCS Social Worker

CASA volunteer, if applicable Parent(s)/Guardian(s)

Parent(s)/Guardian(s)

Parent(s)/Guardian(s) counsel

##### Lead Preparation of WIC 241.1 Report by FCS

The FCS social worker will take the lead in preparing the WIC 241.1 Report and shall be present in the respective Court that ordered the report under the following circumstances:

* the youth is currently a WIC 300 dependent, or
* the youth has been a dependent within the last six months, or
* FCS has an open investigation (excluding current referral)

##### Lead Preparation of WIC 241.1 Report by Probation

The probation officer will take the lead in preparing the WIC 241.1 Report and shall be present in the respective Court that ordered the report under the following circumstances:

* the youth is a 602 ward; or
* the youth is a non-ward on active probation status (i.e. WIC 654.2 informal, WIC 725(a) “6 months without wardship”, WIC 790 “DEJ”); or
* the youth has not previously been a 300 dependent within the last 6 months or FCS does not have an open investigation.

# Joint Coordination for Completion of WIC 241.1 Report

The FCS social worker and the probation officer shall jointly coordinate in developing a single WIC 241.1 Report and a joint recommendation regarding jurisdiction for submission to the Court., Coordination shall include, but is not limited to, the following reasonable efforts:

* Early and ongoing discussions between FCS social worker and Juvenile Probation Department JDP probation officer (via Microsoft Teams, phone calls, email, etc.) regarding prior history or reports from their respective agencies to start and develop the initial assessment and needs of the case;
* Identifying any resources or services to support the youth and family;
* Planning and scheduling any assessments or evaluations ordered for the case;
* Conducting Child and Family Team meetings (when possible, considering timelines of the report);
* Staffing cases to discuss level of involvement for each agency (if appropriate) in a timely manner at staff, supervisory, and management level (when agencies not in agreement);
* Co-creating a plan for ongoing coordination of services to both the youth and the family. Services shall not be duplicated.

A meeting to determine the appropriate jurisdiction shall be conducted in person, by phone, or Microsoft Teams to ensure that information presented by each agency is articulated and understood by both agencies. Each agency should provide clarification and further understanding on how an appropriate jurisdiction and disposition under their respective system was determined. This may require agencies to describe each agency’s assessment, rational for their recommendation, and ongoing responsibilities, if any. Supervisor approval is required for all recommendations. If the supervisors do not agree, the managers will consult with the Juvenile Probation Director and FCS Division Director for a final determination.

When a mutual understanding has been reached on the joint recommendation and services, the FCS social worker or probation officer shall provide each other with a written statement regarding corresponding agency involvement and completion of the appropriate section(s) for inclusion in the WIC 241.1 Report in the form of an e-mail or memo. The e-mail or memo shall contain the following information:

## FCS to Probation

* Statement of the current child abuse or neglect allegation(s);
* Brief explanation of prior child welfare history and referrals, if needed;
* Recommendation regarding the filing of WIC 300 petition;
* Assessment of youth and family;
* The disposition of the allegation(s) in juvenile court, or if pending, likely outcome;
* Rationale for recommendation.

Probation to FCS

* Summary of Present Difficulty / Offense(s);
* Juvenile Record Information;
* Performance / History on Probation;
* Probation recommended terms / conditions;
* Juvenile Assessment (JAIS) presenting risk and needs and level of supervision (moderate or high risking youth only);
* Rationale for recommendation
* Any recent Probation court report, including Intake Assessment report

1. **WIC 241.1 Report Template**

The same WIC 241.1 Report template should be used by FCS and Probation to provide consistency. For FCS staff, the template is available in the Word Templates and must be copied and pasted into CMS. Consult your supervisor for assistance on how to do this. For Probation staff, this template is available in the shared drive, juvenile word templates folder and in caseload explorer. Consult with your supervisor for further assistance if needed.

### Circumstances when a different format may be used:

There may be circumstances when a report other than the WIC 241.1 Report template may be submitted with a Dual Status recommendation. For example, if the case is in the Dependency Investigations Unit, it may be more appropriate to submit the 300 Jurisdictional/Dispositional (J/D) Report. Or, in the event that the youth is pending criminal charges for which an escalation to wardship is being recommended, an original 602 disposition report may be the appropriate template. If a different template is used, “241.1 Report” must be added to the title of the report.

In any case, social workers or probation officers must consult with their supervisor and manager to determine if it is appropriate to submit a report utilizing a different template. If so, the following sections from the WIC 241.1 Report template must be included:

* + Prior record of delinquent behavior
  + Statement by any counsel representing the youth
  + Statement by court appointed special advocate (CASA)
  + Jurisdiction recommendation
  + Coordination of future services
  + Summary of Services (by Probation / FCS)

### Assessment Report Requirements

The WIC 241.1 Report must contain both a FCS and probation jurisdictional recommendation as to which court, or both courts, is most appropriate to hear this case. The best interest of the youth and family, the least restrictive environment, and the protection of the community shall be taken into consideration. The report shall be strength-based and will include specific information indicating how recommended services will benefit the youth and family. The Assessment section should include a detailed rationale that supports the recommendation.

The WIC 241.1 Report must also include:

* Age of the youth
* ICWA applicability and status
* Any medical needs of the youth, including physical and l behavioral l health
* Description /summary nature of the referral
* History of any physical, sexual, or emotional abuse of the youth
* Prior record of the youth’s parents\* for abuse of this or any other youth
* Prior record of the youth for out-of-control or delinquent behavior, including summary of probation services provided and/or available
* Parent’s\* cooperation with the youth’s school, confirmation of educational rights holder(s)
* Youth’s functioning at school
* Statement from school personnel
* Nature of the youth’s home environment
  + Any relevant cultural and language needs
  + TILP attachment, if applicable
* If the youth is in out of home placement, include statement of the youth’s caregiver
* History of involvement of any agencies or professionals with the youth and his/her family
* Any services or community agencies that are available to assist the youth and his/her family
* Youth and family’s ability to benefit from rehabilitative services taking into account the youth’s: current risk and needs; stage of adolescent development; and social, emotional, and cognitive functioning
* Availability of adequate resources within and outside of County
* Statement by any counsel currently representing the youth
* Statement by any CASA currently appointed for the youth

(\*If the youth does not live with a parent, the Report should clearly identify the legal caretaker or guardian.)

##### Distribution of WIC 241.1 Report

The Notice of Hearing and WIC 241.1 Report shall be e-filed with the Juvenile Court Clerk’s office and distributed to the following parties and individuals **at least 5 calendar days** before the hearing. For all cases, the Requesting Court shall receive the original report from the department responsible for writing the report and a copy provided to the non-requesting Court. Distribution of the report shall be completed by each agency as follows:

FCS to E-file and Distribute to: Probation to Distribute to:

County Counsel Office

Parent(s)/Guardian(s) – *via paper copy*

Parent(s)/Guardian(s) counsel, if

appointed Assistant District Attorney

Youth’s WIC 300 attorney, if appointed Youth’s Defense attorney

Probation Officer/File FCS Social Worker

CASA volunteer, if applicable

*Any confidential documents (psychological evaluation, medical privacy issues) must be provided to the requesting court and identified as confidential when e-filed. Placing agency shall indicate to the non-requesting court the existence of such confidential reports.*

1. **Placing Agency Determination and Joint Responsibilities**

When WIC 300 Dependents have non-wardship involvement with Probation, FCS will continue to be the Placing Agency. When Dual Status is the preferred jurisdiction, a recommendation of Lead Court and Placing Agency will be made in the WIC 241.1 Report.

The Social Worker and Probation Officer, in consultation with their supervisors and managers, will use the WIC 241.1 Report as their guide in determining the Placing Agency. If a determination cannot be made, the case will be staffed during a case conference. The social worker, probation officer and their respective supervisors and managers are required to attend this meeting. Supervisor and manager approval is required for all recommendations. If the managers do not agree, the managers will consult with the Chief Probation Officer and FCS Division Director for a final determination.

1. The Placing Agency Worker is responsible for:

* Developing a unified case plan:
  + Identify which services from FCS or Probation will best meet the needs of youth and family, taking into consideration the JAIS Assessment presenting needs and strengths for youth assessed with moderate or high risk factors;
  + If FCS is the placing agency, a case plan will be developed in CWS/CMS with input from Probation regarding activities for the youth;
  + If Probation is l the placing agency, a Juvenile Assessment Intervention System (JAIS) Case Plan will be developed with the youth/parent and input from FCS regarding activities for parents. Please refer to the JAIS Manual for further details regarding case plan development.
  + Case plans will be updated a minimum of every 6 months.
* Coordinating on-going services:
* FCS and Probation should routinely measure and evaluate a youth’s and family’s progress with their respective case plans and consider any emerging needs;
* Organize and Facilitate Monthly Joint Team Meetings to include social worker, probation officer, parents, youth, caregiver, Children’s Behavioral Health, family’s natural supports and any additional service providers.
  + This meeting can be considered the Child Family Teaming (CFT) meeting as long as CFT issues are addressed.
  + The meetings must be scheduled at times and locations convenient for utmost family member and natural support participation. Meetings should be conducted in a way that establishes a safe environment that develops trust and reflects the child and family’s cultural preferences and norms.
    - The initial meeting will occur within 2 weeks of the WIC 241.1 Disposition order and will focus primarily on case plan development for the youth. This should be documented in CE for Probation and CWS/CMS for FCS.
    - Subsequent Team Meetings will occur at least monthly with all service partners present and will focus on:
      * The progress the youth is making on case plan activities;
      * The appropriateness of the youth’s placement;
      * The educational, medical, and behavioral health needs of the youth;
      * The parent’s progress with their court ordered services.
    - Monthly meeting notes and attendance should be documented in CWS/CMS and CE systems. In addition, the information should be included in all court reports.
* Coordinating the development of any subsequent Court reports and memos:
  + FCS and Probation will communicate with their respective counterpart during the preparation of any Court report or memorandum, and will include a section describing the status and/or progress of the youth and family in the sister case. Both social worker and probation officer should follow standard policy and procedures in entering and documenting collateral contacts in their respective CWS/CMS and CE systems.
  + These reports will include information regarding, at a minimum:
  + Dependency and Juvenile Justice Court Case Numbers,
  + The type and level of services being provided to youth and family by both Probation and FCS,
  + Summary of the CFT team meetings and any treatment provider forms;
  + Extent of collaboration with agency and community partners, and
  + The family and youth’s progress towards case plan goals
  + Youth and family strengths, efforts to identify natural supports, and opportunity to overcome challenges and barriers should be highlighted in all progress reports
* Ensuring communication and collaboration between partners:
  + Provide timely notification to their respective attorney/family of subsequent Court dates and appearances (at a minimum of 48 hours before the hearing or submission of the report),
  + Notify the other Department when a memo will be submitted to the court and ask for input and information.

If the youth re-offends and a new WIC 602 petition or a WIC 777 petition for a probation violation is filed, the probation officer will communicate with the social worker to determine if a n supplemental 241.1 assessment and report is warranted under the youth’s new behaviors and/or circumstances. If both agencies agree that a change in Placing Agency is needed, then a request for a new 241.1 hearing will be made if not yet ordered. Each agency shall then notify their respective attorneys and family members of subsequent court dates and of the recommendation as soon as possible.

1. **On-Going Coordination**

Collaboration, communication, and interaction between partners are necessary for the on-going assessment of needs and service delivery to youth and their families. It will be the standard that FCS and Probation will coordinate as much as possible, including the development of case plans. Other coordinated efforts are outlined below.

* 1. Transportation to Court Hearings and Medical Appointments
* Case Coordination: At the monthly CFT meeting (or, in the alterative, monthly telephone/Teams check-in call between the social worker and probation officer), the Dually-Involved Youth’s team shall identify and review all upcoming appointments for the youth.
* For Routine/Ordinary Medical Appointments: the primary responsibility for ensuring youth attends his/her appointments and providing transportation is as follows:
* For youth on Family Maintenance (home with parents): Parent is responsible.
* For youth in RFA, STRTP, or other out-of-home care placement: caregiver is responsible.
* For youth temporarily held in Juvenile Hall: Juvenile Hall staff will provide transportation if the non-urgent appointment is not able to re-scheduled, and staffing is available.
* For Court Hearings:
* For Dependency Court Hearings: social worker will ensure youth has transportation to attend the hearing.
* For Juvenile Justice Court Hearings: At the CFT meeting, the team will ensure that the youth has transportation to any upcoming hearings, with the following order suggested:
* For youth in Family Maintenance (home with parent): Parent is responsible.
* For youth in group home, STRTP, or other congregate care: Probation Officer will communicate with staff 2 weeks prior to Juvenile Justice Hearing to ensure that the hearing is on the youth’s calendar and confirm that staff will bring the youth to the hearing.
* For local youth in RFA home: Team will request that the caregiver bring the youth to the hearing. However, if the caregiver is unable due to work or other commitments, the team will:
  + Ask CASA, WRAP staff, CBH, or other trusted adult team/support member to assist with transportation;
  + Assess whether youth is mature enough to take public transportation on his/her own.
  + For youth temporarily detained in Juvenile Hall: Juvenile Hall staff will bring the youth to court.
  1. Approval and Payment of Psychological Evaluations for Youth
* Where raised at a CFT Meeting: If the need for a psychological evaluation is identified and discussed by team members at a CFT, the social worker and/or probation officer shall:
  + - Consult with the youth’s behavioral health provider(s) to assess the degree to which such psychological evaluation is necessary and appropriate;
    - Seek management approval prior to asking the court to order this evaluation.
    - Payment to the evaluator will be made by the agency seeking the evaluation. However, in cases where the evaluation may be helpful in providing reasonable services to the youth in both the 300 and 602 cases, management of both agencies may agree to share and/or split the costs of the evaluation.
* Where raised at a court hearing and requested by youth’s counsel, parent, and/or the Court: If the need for a psychological evaluation is identified and discussed at a court hearing by a party, attorney, or the court, the social worker or probation officer shall:
  + - Notify their supervisor and/or manager of the court’s order;
    - Arrange for payment of the evaluator.
* Confidentiality: Upon receipt of the evaluation, the social worker and/or probation officer shall:
* E-File the evaluation as “confidential” with the court that ordered the evaluation. For sister court (which did not order evaluation), e-file the evaluation as a “confidential” attachment with the next regularly scheduled hearing report.
* For youth over age 12: Only release evaluation to parent upon receiving consent from the youth and youth’s counsel, unless the court orders otherwise.

1. Pick-up Warrants

Agencies should notify each other, and both Courts, when a youth absconds and returns to placement. On the Juvenile Justice side, probation officer may file a pick and detain while waiting for the warrant to be signed by the Juvenile Justice judge. On the FCS side, a social worker should file a Memo informing the Dependency Court that the youth is out of placement and whether there is a need for a protective custody warrant. Both courts should be informed when a youth is back in placement and/or picked up on a warrant. For a Dual Status youth picked up on a releasable bench warrant, youth may be returned to their placement, or another alternative arrangement can be made, as assessed by the probation officer. Social workers and probation officers should consult their agency’s operating procedures for AWOL youth.

1. **Detention and Placement of a Dual Status Youth at Juvenile Hall**

As a Juvenile Detention Alternatives Initiative (JDAI) Model Site for detention reform, the Santa Cruz County Probation Department and system stakeholders have determined that the purpose for detention is for the immediate and urgent necessity for the protection of the youth or community safety. To ensure that youth are assessed for risk and needs, Probation and FCS will assess for trauma indicators that influence a youth’s behaviors. As such, Probation and FCS will work to develop alternatives to detention in order to not further traumatize foster youth or criminalize related behaviors. Further, Probation and FCS will consider all alternatives to detention, as they would for any youth who is not involved in the foster care system.

1. Initial Intake and Screening of Temporary Custody

Pursuant to WIC 628, when a 300 youth is taken into Juvenile Hall and screened for continued detention or possible release, Probation CANNOT keep the foster youth in Juvenile Hall ONLY because:

* The child is a current foster youth or has a pending CPS case;
* The current placement seems to be contrary to the youth’s welfare; or
* The inability of FCS to locate a placement for the youth.

Probation MAY keep a foster youth in Juvenile Hall, similar to other youth not involved in the 300 system, when:

* Detention is needed for the “immediate and urgent necessity” for the protection of the youth or community safety;
* The youth is likely to flee the jurisdiction; or
* The youth has violated a court order.

1. Placement/Group Home Conduct and Failures

Any youth who absconds from a Short-Term Residential Treatment Placement (“STRTP”), Resource Family Approved (RFA) home, Relative Placement and/or Non-Relative Extended Family Member (NREFM) Placement within the county shall be assessed for an alternative to detention prior to being detained in Juvenile Hall. Any youth with a placement failure or who absconds from an out of county Resource Family, Relative Placement, NREFM home, or STRTP may be placed in Juvenile Hall pending a 602 detention hearing.

Additionally, under WIC 241.1(b)(3)(B), if any alleged 602 conduct by a foster youth occurs in, or under the supervision of, a resource family home, STRTP placement, or other licensed residential care setting, Probation and FCS may consider whether the alleged 602 conduct was within the “scope of behaviors” to be managed or treated by the resource home, placement, or facility. In determining the youth’s behavioral needs and which status will serve the best interests of the youth. Probation and FCS should look to the youth’s case plan, needs and services identified by service providers, and any therapeutic or emergency plans developed by the facility.

When a youth returns to Juvenile Hall from a placement, the youth's assigned Placing agency worker will inform Juvenile Hall medical staff (454-3855) of the most updated medication, medical status, and any behavioral health needs of the youth within 72 hours.

1. Minimum Contact Standards for In-Custody Cases

Youth in Juvenile Hall are to have an initial face to face or virtual meeting by the Social Worker and/or Probation Officer within five working days. Following the initial visit, subsequent Juvenile Hall visits shall occur every 15 days thereafter by the Probation officer and monthly by the Social Worker, depending on who is designated the lead worker.

1. **Special Jurisdictional Situations**

FCS and Probation shall also work together to determine which agency and/or juvenile court will serve the youth’s best interest where a youth may appear to fall within one of the following special jurisdictional situations:

1. **WIC 450 Non-Minor Dependents:** Transition Jurisdiction for Youth age 17 ½ or Older

*(Incorporating Changes from 2019 Dual Status Protocol Updates)*

1. Pursuant to WIC 450, the Juvenile Justice Court may seek to modify the jurisdiction of a youth from WIC 602 wardship who:

* Has reached at least 17 years ½ but not yet 18 years old, and has a current order for Title IV-E foster care placement; OR
* Has reached 18 years or older, but remains under the age of 21, and had an order for Title IV-E foster care placement on his/her 18th birthday; AND
* Has fulfilled all terms and conditions of wardship and no longer needs probation supervision under the Juvenile Justice Court.

1. If the youth elects to “opt-in” to participate in AB 12, then Agency case management and supervision of the youth’s ongoing & future NMD case shall be determined as follows:
   1. Probation: All 450 Non-Minor Dependent Youth who -
      1. Have never been adjudicated a 300 dependent;
      2. Whose child welfare history was in early childhood (ages 0-5) and no subsequent referrals or allegations appear in CMS/CWS.
   2. Family and Children Services: All current or former 300 Youth who -
      1. Had/have a current, open 300 dependency case approaching or on his/her 18th birthday; and/or
      2. Dually-Involved Youth where FCS was the “Lead Agency” through the case history and retained primary responsibility for placement.
   3. Exceptions: Staffings and Individualized Case-by-Case Determinations.
      1. Staffings: Probation or FCS may request a staffing to discuss courtesy supervision of any youth who had an open 300 dependency case after the age of 13.
      2. Additionally, notwithstanding the above, Probation and FCS may make arrangements on a case-by-case basis for supervision of a youth by a particular agency and court, provided that both agencies are in agreement and the court so orders the recommendation for alternate courtesy supervision.
      3. Examples include, but are not limited to, the following circumstances:
         1. Youth is approaching or has reached age 18 under 602 supervision but has extensive child welfare history between ages 5 to 10.
         2. Youth expresses a desire to remain under one court because of an established working connection to his social worker, probation officer, judge, attorney, and/or multidisciplinary team, etc.
         3. An agency identifies a challenging relationship with a youth, or other exceptional circumstances exist, and the agency recognizes that the sister agency may be better suited to meet the youth’s individualized needs.
      4. For cases under this exception, the agency seeking the exception shall arrange for an AB 12 case staffing and meeting at least 90 days (if possible) before the Transition/Initial NMD Hearing, or within 15 days of the youth filing a JV-466, Request to Return to Juvenile Court Jurisdiction and Foster Care.
         1. The agencies shall utilize all available assessment tools to determine which agency is better suited to meet the youth’s individualized needs, including but not limited to the CANS, JAIS, SDM, etc.
         2. Additionally, the agencies will seek input from the youth, CFT team, service providers, and other multidisciplinary partners.
         3. 60 days prior to every six-month ongoing NMD Status Review Hearing, the agencies shall meet and confer to re-assess whether the courtesy supervision continues to be necessary and better suited to meet the youth’s individualized needs.
2. Once the court makes the finding that the youth comes with Transition Jurisdiction and meets the criteria for AB 12, the court shall set a next hearing date no later than six months from the date WIC 602 wardship was terminated for a Non-Minor Dependent Status Review Hearing.
   * 1. If the youth will be supervised by FCS, the youth will return to 300 Dependency Status and future hearings shall take place in Department A.
     2. If the youth will be supervised by Probation, the youth will transition to 450 NMD Status and future hearings shall take place in Department B.
3. Modification of Jurisdiction from Juvenile Justice Court to Dependency Court

Pursuant to WIC 607.2 and WIC 727.2, the Juvenile Justice Court may also modify a youth’s jurisdiction to Dependency Court where a youth under WIC 602 wardship meets all of the following:

* Has been under an order for foster care placement;
* Does not appear to come within or yet meet the age criteria of WIC 450 Transition Jurisdiction and/or Extended Foster Care; BUT
* Appears to come within the description of WIC 300 and cannot be returned home safely; AND
* Has met all his/her rehabilitative goals and Probation is now recommending dismissal or termination of wardship.

If the Juvenile Justice Court identifies such a youth, the Court shall order a 241.1 assessment and Report. At the 241.1 hearing, the Court shall review Joint Recommendation and may:

* Affirm the joint recommendation by both agencies to modify the youth’s jurisdiction from delinquency to dependency court through the filing of a WIC 300 petition;
* Affirm FCS’s decision not to file a petition pursuant to WIC 300; OR
* In situations where the court disagrees with the FCS decision not to file a WIC 300 petition, the court may order the child into protective custody and/or order the filing of a WIC 300 petition. (WIC 607.2(b)(2)(B)).

Once FCS has filed a petition and/or the Juvenile Justice Court has ordered the child into protective custody, all future dates for the youth will be held in Dependency Court and WIC 602 wardship is dismissed.

This provision may also be used to modify and resume the dependency jurisdiction of a 300 youth whose dependency was placed “on-hold” pending the outcome of a “Transfer” hearing in Juvenile Justice Court to Adult Court, and the subsequent outcome of that Transfer hearing was for the youth to remain in Juvenile Court.

1. Non-Minor Dependent Subject to Adult Probation Supervision

If an NMD youth who is participating in Extended Foster Care in Dependency Court becomes subject to adult probation supervision, the FCS social worker supervising the NMD youth shall:

* Secure a signed Release of Information from the NMD to exchange information with Adult Probation and other service providers;
* Communicate with the Adult Probation Officer monthly or as appropriate;
* Coordinate services in conjunction with the Adult Probation officer and the criminal court requirements;
* Request a team meeting with a supervisor and/or manager, as needed, if either or both social worker and probation officer determine that additional resources or services are needed to best serve the needs of the NMD youth, and which have not yet been ordered by either court.