

Detention Hearing Report

A Detention Hearing Report (DHR) is completed when an *Application for Petition (F063-28-43)* is submitted to Juvenile Court to commence dependency proceedings for a child. The factors to be addressed in the DHR do not vary, regardless of whether the child has been taken into protective custody (i.e., removed from the home or remains in the care the parent(s)).

This tool is intended to assist CFS staff in completing the DHR. Guidelines for completing each section of the report are *italicized in blue*.

Note: Document efforts to obtain required information not available for inclusion in the court report.

Refer to [CWS/CMS Data Entry Standards—Creating Detention Hearing Reports and Petitions](#) for CWS/CMS instructions to generate a DHR.

The DHR and Petition are to be e-filed in accordance with CFS P&P [Electronic Signing and Filing of Court Reports \(B-0217\)](#).

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE**
341 City Drive South, Orange, California 92868

DETENTION REPORT

| <u>Hearing Date</u> | <u>Hearing Time</u> | <u>Dept./Room</u> | <u>Hearing Type/Subtype</u> |
|---|---------------------|--|--|
| <i>Date on which hearing will be held</i> | 08:30am | <i>If the child is a current/prior dependent of Orange County, specify courtroom; otherwise, leave blank</i> | Type: "Detention" Subtype: "300" (for Original Petition) "342" (for Subsequent Petition) "387" (for Supplemental Petition) <i>Reference subdivisions of WIC § 300 included in the petition</i> |

IN THE MATTER OF

| <u>Name</u> | <u>Date of Birth</u> | <u>Age</u> | <u>Sex</u> | <u>Court Number</u> |
|-------------|----------------------|------------|------------|--|
| | | | | <i>If the child is a current/prior dependent of Orange County, specify Court (DP) Number; otherwise, leave blank</i> |

SUMMARY RECOMMENDATION

Select appropriate autotext Summary Recommendation. Refer to the [Detention Hearing Recommendation Desk Guide](#) contained on the CFS Intranet ([CFS/Manuals/Autotext](#)).

Child Removed

To recommend:

A child be placed into protective custody, use autotext recommendation **DET2**.

A child be detained from one custodial parent, use autotext recommendation **DET6**.

A non-detained detention (child remains in the care of a parent with protective orders), use autotext recommendation **DET3**.

Note: Pursuant to WIC § 213.5 protective orders may include a temporary restraining order, exclusion of a person from the residence of the parent/guardian with whom the child resides, visitation orders, etc

Release of a child under a CRISP Agreement, use autotext recommendation **DET1**.

Child Not Removed

To recommend:

A child be detained and/or placed into protective custody at the time of the Detention hearing, use autotext recommendation **DET2** or **DET5**.

A child remain in the care of one or both parents, use autotext recommendation **DET4**.

CHILDREN'S WHEREABOUTS

Indicate current placement (include date of placement).

- A. If placed with a licensed/certified foster home or Emergency Shelter Home (ESH), document foster parent's first name and phone number.*
- B. If placed with a parent/legal guardian, relative or NREFM, document full name, relationship to child, address, and phone number.*
- C. If placed in group home or temporary/transitional shelter home (TSH) facility, document name of facility, address, and phone number.*

For **confidential placements**, indicate "Confidential Placement" in this section and on the petition. Notify Court Officer no later than date of hearing, of child's whereabouts.

CHILD(REN)'S ATTENDANCE AT COURT

Use autotext code **CAC** to insert "Child's Attendance At Court" heading. Address the following for each child:

Regarding the child: (Full Name)

On (Date), the child was advised of (his/her) right to attend the scheduled (Name of Hearing), by Senior Social Worker (Full Name). The child expressed the following: *Note child's desire to attend hearing and statements the child made in regards to his/her attendance at Court.*

Include the following statement as applicable, unless revealing this information would pose a risk to the safety of the child or the person transporting the child.

The child will be transported to the Juvenile Court by (Name/Relationship) and will await (his/her) court appearance at the following location: (Specify Location)

OR

The child was not advised of (his/her) right to attend the scheduled (Name of Hearing), due to the following: *Specify reason(s) advisement not provided (e.g., child too young or otherwise unable to understand their right to attend the scheduled hearing, AWOL and whereabouts remain unknown, etc.).*

Failed FM Case: Obtain information from the assigned continuing social worker regarding the child's desires to attend the Detention hearing and transportation arrangements.

Refer to the "Advisement of Child's Rights At Court" Policy section in CFS P&P [Dependency Intake \(A0502\)](#) for further guidelines regarding child advisements.

BIRTH CERTIFICATES

Use autotext code **BC** to insert the "Birth Certificates" heading. As applicable, indicate if parent/legal guardian:

- *Has already provided child's birth certificate*
- *Was advised to bring child's birth certificate to Detention hearing (specify date/method of advisement)*
- *Does not have the child's birth certificate (specify reason)*

PARENTS/LEGAL GUARDIANS

Available information will pre-populate regarding mother and alleged fathers. Check for accuracy and verify "alleged/presumed" fathers are listed correctly.

For incarcerated parents, include address of correctional facility and booking/CDC number. If incarcerated in Orange County, indicate date Transportation Order Request (F063-25-460) was completed.

**Name/
Birthdate**

**Address/
Phone**

**Relationship/
To Whom**

If parent's whereabouts are unknown, list last known address.

Example:

Last Known Address:
301 The City Drive South
Orange, Ca. 92868

If Court has ordered a parent/legal guardian's contact information "**confidential**" or the parent/legal guardian is requesting their address be kept confidential, do not include it in the report or the petition. Indicate the address and telephone number will be made available to the Court upon request. Notify Court Officer no later than date of hearing, of parent/legal guardian's address/phone number.

INTERPRETER *(Delete section if no interpreter is required)*

If interpreter is required indicate person(s) requiring an interpreter and the language for which interpretation is needed.

| <u>Interpreter Required</u> | <u>Language</u> | <u>For Whom</u> |
|------------------------------------|------------------------|------------------------|
|------------------------------------|------------------------|------------------------|

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

INDIAN CHILD WELFARE ACT STATUS

- A. Indicate whether ICWA applies (use autotext code **ICWA1** or **ICWA2**, as applicable). If ICWA does or may apply, identify the person affiliated with the tribe and the name of the tribe (if known).*
- B. Include statements from each person interviewed regarding ICWA.*
- C. Detail prior ICWA findings (include date). Include ICWA findings from prior dependency, if applicable.*

Check appropriate Court Minute Order to confirm referenced ICWA findings.

NOTICES

Note recipients, method of giving notice, and date notice was provided. Include a statement which indicates the hearing date each recipient was noticed of.

| <u>Name</u> | <u>Relationship</u> | <u>Method</u> | <u>Notice Date</u> |
|--------------------|----------------------------|----------------------|---------------------------|
|--------------------|----------------------------|----------------------|---------------------------|

REASON FOR HEARING

*Use autotext codes **DHR1** through **DHR7** (as applicable) to:*

- A. Specify date on which each child was placed into protective custody or was left in the home of a parent, and an Application for Petition (F063-28-43) was submitted to commence dependency proceedings.*
- B. As applicable, indicate the full name and title of person who placed the child into protective custody.*
- C. State factually, the abuse the child suffered and/or specific circumstances/factors that place child at imminent risk of harm.*

LEGAL HISTORY

300 WIC Subsection(s) *List subdivisions of WIC § 300 included in petition, using autotext codes (a) to (j).*

Document date of protective custody for each child and dates of prior court hearings for children who are already dependents.

Initial Removal

Initial Detention Order

Initial Jurisdiction Finding

Initial Disposition Order

Initial 364 FM Review

Second 364 FM Review

Initial 366.21(e) – 6 Month FR Review

Initial 366.21(f) – 12 Month FR Review

Initial 366.22 – 18 Month FR Review

FR Services Terminated

Non-Reunification Ordered

Initial Permanent Plan: Type/ Date Ordered

Current Permanent Plan: Type/ Date Ordered

Additional Legal History

A. *Document date on which petition will be filed, using autotext code **LH1**.*

B. *Document prior legal history for child for whom petition is being filed and any sibling who has prior dependency cases, using autotext codes **LH2** and/or **LH3**. Include:*

- *Date of Detention hearing*
- *Date on which child was declared a dependent (i.e., Jurisdictional hearing)*
- *Date of Dispositional hearing*
- *Subdivisions of WIC § 300 under which child was declared*
- *All sustained counts of Original Petition*
- *Date family reunification services were terminated and/or child was returned to parent on a Family Maintenance case plan*
- *Date Permanent Plan (specify type) ordered*
- *If child was adopted, indicate date parental rights were terminated*

*If there are no known prior dependency cases, use autotext code **LH4**.*

C. *Use autotext code **ALH6** to document other Court involvement, including Family Law, Criminal, or Probate. Include the case number and specific information about the case. If there is an outstanding warrant for the parent(s), indicate the case number and the Court that issued the warrant.*

PATERNITY/LEGAL RELATIONSHIPS

*Use autotext codes **DAD1** through **DAD7** (as applicable). Document factual information regarding paternity of each child. Do not include opinions/assumptions.*

A. *Document statements made regarding paternity. Note who made the statement, the date on which statement was made, and what exactly was stated.*

B. *Provide a chronological summary of the dates of the mother's marriage(s) and divorce(s). Indicate if mother was never married.*

C. Detail prior Court rulings (include date) regarding paternity (include alleged/presumed fathers).

Include the names of all parents of record, regardless of whether the Court has designated alleged/presumed status or the parent has ever appeared at a hearing on behalf of the child.

PRIOR CHILD WELFARE HISTORY

If this is family's first contact with Orange County, use autotext code **CWS1**.

If family previously had contact with, or received child welfare services from, Orange County or another county, use autotext codes **CWS2** through **CWS6**, as applicable.

In paragraph form, concisely summarize prior child abuse reports starting with most recent report. Include the date of the allegation, County or State, nature of allegation, the name of the alleged victim and perpetrator, and findings. If applicable, indicate known services or interventions resulting from the investigation, including safety plans. Redact information which may be used to identify the Reporting Party.

Include Information Only (IO) reports.

CRIMINAL HISTORY

- A. If available, include criminal history regarding mother and alleged fathers. Indicate date of arrest, charge(s), and disposition. Autotext code **ACII** may be used.
- B. Indicate consistency or discrepancy with information obtained from the County Superior Court Criminal and Traffic Case system in which the person resides (e.g., Orange County Superior Court of California Criminal and Traffic Cases [VISION]).
- C. Indicate there is no criminal history when there is no record. Autotext code **CII** may be used.
- D. Document that a record clearance is pending if clearances have not been received or if there is insufficient identifying information to complete a criminal background check. Autotext codes **CII** and **NOCII** may be used, as applicable.

Notify Court Officer of criminal record clearances on date of hearing, if clearances are received after filing the petition and accompanying Court report.

EFFORTS TO LOCATE ABSENT PARENTS (Delete section if not applicable)

Document names of parents whose whereabouts are unknown and search efforts made locate them.

THE NEED (IF ANY) FOR CONTINUED DETENTION

Select the appropriate statement(s) when generating the court report in CWS/CMS for cases involving a child detained from one or both parents:

There is a substantial danger to the physical health of the child or the child is suffering severe emotional damage, and there are no reasonable means by which the child's physical or emotional health may be protected without removing the child from the parents' or guardians' physical custody.

–OR–

There is substantial evidence that a parent, guardian, or custodian of the child is likely to flee the jurisdiction of the court.

–OR–

The child has left a placement in which he or she was placed by the juvenile court.

–OR–

The child indicates an unwillingness to return home, if the child has been physically or sexually abused by a person residing in the home.

Include the following statement for cases involving a child who remains in the care of a parent (non-custody):

The child was not detained and remains in the care of the (mother/father/parents/legal guardian).

REASONABLE EFFORTS AND/OR PRIOR INTERVENTION/SERVICES OFFERED

A. If pre-placement services were provided, include the following statement when generating the court report in CWS/CMS:

Reasonable Efforts were made to prevent or eliminate the need for the child(ren)'s removal from the home. The following Pre-Placement Preventive Services were provided but were not effective in preventing or eliminating the need for removal of the child(ren) from the home.

Document specific services provided prior to the child being placed into protective custody and/or an Application for Petition (F063-28-43) being filed on behalf of the child(ren). This may include, but is not limited to:

- Counseling
- Emergency In-Home Caretakers
- Case Management
- Parent Training
- Public Assistance Services
- Emergency Shelter Care
- Transportation
- Out of Home Respite Care
- Other Services
- Teaching and Demonstration Homemaker

Results of Previous Services:

Describe types of services offered/provided, and results of those services.

*B. If pre-placement services were not provided, use autotext code **REM-NEC** to include the following:*

Under the circumstances, reasonable efforts were made to prevent or eliminate the need for the child(ren)'s removal from the home, including an assessment of the safety and risk factors in the family, and of the child(ren)'s needs. Due to the emergent situation, it was determined that the child(ren)'s removal was necessary to ensure (his/her/their) safety and welfare.

C. If applicable, indicate parameters of the Safety Plan developed for the family, and the family's compliance with the Safety Plan.

Failed FM Case: Address Service Objectives and Client Responsibilities of Court-ordered Case Plan and family's compliance with the Case Plan.

AVAILABLE SERVICES/REFERRAL METHODS WHICH COULD PREVENT THE NEED FOR FURTHER DETENTION AND/OR FACILITATE FUTURE RETURN OF THE CHILDREN TO PARENTS/LEGAL GUARDIANS

A. The following services may be selected, as appropriate, when generating the court report in CWS/CMS:

- Counseling
- Parent Training
- Transportation
- Teaching and Demonstration Homemaker
- Emergency In-Home Caretakers
- Public Assistance Services
- Out of Home Respite Care
- Case Management
- Emergency Shelter Care
- Other Services

Additional services may be included as appropriate, including but not limited to:

- Voluntary Family Services
- Family Reunification
- Wraparound
- Family Maintenance (Court)

B. Discuss whether consideration has been given to returning the child to a parent enrolled in a certified substance abuse treatment facility that allows a dependent child to reside with the parent.

*C. Indicate if release of the child to a parent/legal guardian under a CRISP Agreement is appropriate or list the reasons why it would not be safe to release the child under a CRISP Agreement. Use autotext **CRISP1** or **CRISP2**, as applicable.*

Refer to CFS P&P [Conditional Release to Intensive Supervision Program \(CRISP\) \(M-0103\)](#) for further guidelines and procedures regarding the assessment and release of a child under a CRISP Agreement.

RELATIVE PLACEMENT INFORMATION

*Use autotext codes **PLACE1** through **PLACE8**, as applicable, to:*

- A. List the name, address, telephone number, and relationship of relatives/NREFMs to be assessed for placement.*
- B. Document the status of pending relative/NREFM assessments.*

GROUP HOME PLACEMENT FOR CHILD(REN) AGE 12 AND UNDER

(Include section if a child 0–12 years of age is placed in a group home or temporary/transitional shelter home)

*Use autotext code **GHP** to insert the “Need for Group Home Placement” heading. Indicate the reason placement in a group home or temporary/transitional shelter home (TSH) facility is necessary.*

EDUCATIONAL INFORMATION

Use autotext code **EDU** to insert the "Educational Information" heading. Address the following regarding each child, to the extent the information is available:

Regarding the child: (Full Name)

- A. (Mother/Father/Parents/Legal Guardian) hold(s) educational rights per (self-report / information provided by the child's school / court order / statement provided by: specify name and relationship to child).

OR

At this time it has not been determined who holds educational rights for the child.
Include efforts to obtain this information (e.g., attempted contacts with parent, school).

- B. At this time, the undersigned (is/is not) recommending limiting educational rights of the (Mother/Father/Parents/Legal Guardian).

If the recommendation is to limit educational rights, provide a basis of facts and history supporting the limitation of educational rights. Include information regarding efforts made to locate and secure participation of the parent/legal guardian in educational decision-making, as applicable. Use autotext code R11 in Recommendation Section and prepare a JV-535 and JV-535A for submission to Court.

- C. The child is enrolled in and attending (his/her school of origin) (Name of school).

If the child is not attending his/her school of origin, specify reason(s) as indicated in the AB490 Liaison recommendation. If the child is of school age but not enrolled in or attending school, specify reason(s).

OR

The child is too young to attend school.

If the child attends preschool, or receives Early Intervention Services (e.g., Regional Center) or Special Education Services, provide available information.

Refer to CFS P&P [Limiting Educational Rights \(I-0103\)](#) for guidelines to temporarily limit educational rights at a Detention hearing.

WITNESS STATEMENTS/SUPPORTING EVIDENCE

Use autotext code **DHR8** to replace subheadings. Address each section of populating text.

Supporting Evidence:

Include relevant information from the ER Investigation Narrative, prior court reports, CWS/CMS contact narratives, medical records, and other professional sources (e.g., service providers, school, etc.). Redact information which may be used to identify the Reporting Party.

Include the following statement when referencing the ER Investigation Narrative:

Intake Senior Social Worker (Full Name), read, reviewed and considered in its entirety, the Investigation Narrative written by Emergency Response Senior Social Worker (Full Name). The following are excerpts from the Investigation Narrative:

Include the following sections of the ER Investigation Narrative:

WARRANTS

LIST OF FAMILY MEMBERS / FAMILY COMPOSITION

COLLATERAL CONTACTS

RELATIVES / NON-RELATIVE EXTENDED FAMILY MEMBERS (NREFMs)

INVESTIGATION FACTS

MEDICAL / DENTAL INFORMATION

PUBLIC HEALTH NURSING REPORTS

SAFETY AND RISK ASSESSMENTS (SDM)

SAFETY PLAN

PROTECTIVE CUSTODY

Referral was investigated and closed by Senior Social Worker (Full Name) on (Date).

Investigation Narrative was reviewed and approved by Senior Social Services Supervisor (Full Name) on (Date).

ER Investigation Narrative Exclusions:

Do not include the following sections of the ER Investigation Narrative. This information will be addressed elsewhere in the court report:

- **ALLEGATIONS** – Address factors placing child at imminent risk of harm in “Reason for Hearing” section and in “Assessment/Evaluation” section
- **SCREENER NARRATIVE** – Do not include
- **LANGUAGE / CIVIL RIGHTS** – Address language needs in “Interpreter” section, if applicable
- **RESPONSE LEVEL** – Do not include
- **PRIOR CHILD ABUSE REFERRALS** – Address in “Prior Child Welfare History” section
- **SCHOOL INFORMATION** – Address in “Educational Information” section
- **POLICE REPORTS** – Address under “Police Report” sub-heading, if applicable
- **PLACEMENT PREVENTION EFFORTS** – Address in “Reasonable Efforts... Services” section
- **TEAM DECISION MAKING (TDM)** – Address in “Team Decision Making (TDM) Meeting” section
- **CHILD / PARENT RIGHTS** – Address notice to child(ren) in “Child(ren)’s Attendance at Court” section and notice to parent(s) in “Notices” section
- **PATERNITY STATEMENTS** – Include in “Paternity/Legal Relationships” section
- **INDIAN CHILD WELFARE ACT (ICWA) STATEMENTS** – Address in “ICWA Status” section
- **CONCLUSIONS AND RATIONALE** – Include independent conclusion/rationale that support the recommendation of the DHR in “Assessment Evaluation” section

Children's Statements:

*Include statements made by the child regarding the allegations and/or placement/home environment (if applicable). Autotext codes **WS1** and **WS2** may be used, as applicable.*

Parents/Legal Guardians Statements:

Document interviews with parent/legal guardian or efforts to contact, if unable to interview.

Other Statements:

Document interviews with other witnesses and/or non-professional collateral parties. Include contact information.

Police Reports:

Include one of the following statements, as applicable:

Not Applicable, as no police reports are referenced in this court report.

–OR–

In the appendix of this court report is a PDF converted to a Word document that contains the complete text of police report DR # (Specify Docket Report Number) prepared by the (Law Enforcement Agency Name), which is incorporated by reference in this court report. Refer to Exhibit (A, B, C, etc.).

Include a summary of (or excerpt from) the police report, as it relates to the circumstances that resulted in an Application for Petition (F063-28-43) being filed on behalf of the child(ren).

Provide source report to Court Typist for inclusion as an **Appendix**. Redact:

- Identification of Reporting Party
- Identification of child witnesses
- Personally identifying information (Drivers License Number, Social Security Number, etc.)
- Confidential address (may be applicable to domestic violence cases)

TEAM DECISION MAKING (TDM) MEETING

*Use autotext code **TDM1** to insert the "Team Decision Making (TDM) Meeting" heading. Include, as available:*

- *Team Decision Making (TDM) Meeting Summary (F063-25-447), in its entirety*

–AND/OR–

- *TDM information documented in a CWS/CMS contact narrative by the TDM facilitator*

If a TDM meeting was not held, specify reason.

CONFIDENTIALITY OF PLACEMENT *(Include section only if child is placed in out-of-home care)*

*Use autotext code **CONF** and modify the following statement to document whether the child's foster parent has waived the privilege of keeping their address confidential:*

Pursuant to section 308 of the Welfare and Institutions Code, the address of any licensed or certified foster home in which the child(ren) (has/have) been placed must be kept confidential until the Dispositional Hearing, unless the foster parent has authorized the release of the address. The child(ren)'s foster parent (has/has not) waived this privilege.

ASSESSMENT/EVALUATION

Use autotext code **DHREVAL** to insert the "Assessment/Evaluation" heading. Provide professional opinion regarding the necessity and appropriateness of:

- Requesting detention or continued detention of the child(ren)
- AND/OR–**
- Leaving the child in the care of the parent(s) and initiating dependency proceedings (e.g., Court supervision under Family Maintenance)
 - Release of the child to a parent/legal guardian under a CRISP Agreement

Include factual information providing the basis for conclusions. Do not present new facts or information.

Example Lead-In Statement:

"The Court has for its consideration the safety and welfare of the child(ren), (Ful Name[s]), who (was/were) brought into protective custody on (date) due to...."

Discuss case-specific circumstances which impact the risk/safety of the child(ren). Consider incorporating Structured Decision Making (SDM) concepts/language to identify safety and risk factors (e.g., parent does not meet the child's immediate needs for supervision). Address current family circumstances and level of family functioning.

As applicable, summarize parent's degree of compliance with:

- Pre-placement preventative services
- Family Maintenance (FM) or Voluntary Family Services (VFS) Case Plan
- Court ordered visitation and/or restraining order (if any)
- Safety Plan

RECOMMENDATION

Select appropriate autotext Long Recommendations and verify consistency with Summary Recommendation. Refer to the Detention Hearing Recommendation Desk Guide contained on the CFS Intranet (CFS/Manuals/Autotext).

For placement of a child 0–12 years of age, in a group home or temporary/transitional shelter home (TSH) facility, select the appropriate autotext and indicate the reason placement is necessary.

For further information regarding group home placement, see CFS P&P [Out-of-Home Placement \(K-0208\)](#).