

Ex Parte Template for Child and Family Team (CFT) Authorization for Release of the Child's Information

This Ex Parte template is used for the purpose of requesting Court authorization for the release of the child's relevant confidential information among members of the CFT.

Create *Ex Parte Application and Order* within CWS/CMS. Use autotext code **CFTEXP** to generate the following Ex Parte template. Use autotext code **ATTORNEY** to generate the attorney signature page. Complete each section as detailed below, per the *blue italicized instructions*.

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

EX PARTE APPLICATION AND ORDER

IN THE MATTER OF

<u>Name</u>	<u>Date of Birth</u>	<u>Age</u>	<u>Sex</u>	<u>Court Number</u>
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PARENTS/LEGAL GUARDIANS

<u>Name/ Birthdate</u>	<u>Address/ Phone</u>	<u>Relationship/ To Whom</u>
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A petition was filed on (Date), under Welfare and Institutions Code (WIC) Section 300 (Subsection[s]). The child was declared a dependent of the Orange County Juvenile Court on (Date). The most recent hearing date was (Date), for a (specify hearing type). The next hearing is calendared on (Date), for a (specify hearing type).

***Note:** If pre-disposition, indicate the child has yet to be declared a dependent of the Orange County Juvenile Court (Disposition pending).*

REASON FOR APPLICATION AND RECOMMENDATION

Include the following statement:

Pursuant to California Assembly Bill (AB) 403 (2015), WIC §§ 832 and 16501, Social Services Agency (SSA) is required to convene and engage members of a Child and Family Team (CFT) for each child in out-of-home placement, which includes conducting regular CFT meetings. The CFT process is intended to promote better outcomes, enhance communication, develop plans to address the child(ren)'s and family's needs, ensure placement stability, expedite reunification and permanency, and efficiently resolve barriers.

WIC § 832 permits the sharing of confidential case-related information among CFT members as defined in WIC § 16501(a)(4). Information exchanged among the CFT members shall be received in confidence for the limited purpose of providing necessary services and supports to the child or youth and family and shall not be further disclosed except to the Juvenile Court or as otherwise required by law. Civil and criminal penalties apply to the inappropriate disclosure of information held by CFT members.

WIC § 832(b)(1) also requires SSA to secure written authorization to share confidential case-related information among CFT members. In this matter, the parents' or guardians' whereabouts are unknown, or are otherwise unavailable, or unwilling to sign authorization to permit the sharing of information among CFT members. Accordingly, SSA requests an order from this Court authorizing the sharing of confidential case-related information among the CFT members.

The assigned Senior Social Worker (SSW) has made the following efforts to locate and engage the parents and/or guardians in the CFT process:

If parental rights have not been terminated by the Court, provide information regarding efforts to secure parental consent as follows:

If Parent Not Available:

Describe efforts to locate and contact a parent, which may include, but are not limited to:

- *In-person contact*
- *Telephone*
- *E-mail correspondence*
- *Written notice to known addresses*

If Parent Unwilling to Consent:

If a parent is available, but expresses objection to consent, provide circumstances regarding parent's unwillingness to provide consent.

Note: *If parental rights have been terminated by the Court, include a statement indicating that efforts to locate and obtain parental consent have not been made as parental rights have been terminated.*

RECOMMENDATION

It is respectfully recommended:

That the Court authorize the sharing of confidential case-related information among the CFT members as defined in WIC § 16501(a)(4). Pursuant to WIC § 832(a)(2), information exchanged among CFT members shall be received in confidence for the limited purpose of providing necessary services and supports to the child or youth and family and shall not be further disclosed except to the Juvenile Court or as otherwise required by law. Civil and criminal penalties apply to the inappropriate disclosure of information held by CFT members.

Respectfully Submitted,

Orange County Social Services Agency

By

Senior Social Worker

Date

Sr. Social Services Supervisor

Date

☐ **Ordered as Recommended.**

☐ **Order of the Court:**

Judicial Officer

Date

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Signature		Date
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Law Office of County Counsel	Attorney for County	
Counsel of Record	Deputy County Counsel #	Telephone

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Signature		Date
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	Attorney for Mother	
Counsel of Record	Title	Telephone

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Signature		Date
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	Attorney for Father	
Counsel of Record	Title	Telephone

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Law Office of Harold LaFlamme	Attorney for	
Counsel of Record	Title	Telephone

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Signature		Date
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	Attorney for	
Counsel of Record	Title	Telephone