

1. Revise Rule 900.1

### **Rules of Practice**

All rules of practice governing Juvenile Court are contained in these Local Rules, in addition to the administrative orders, miscellaneous orders, and protocols posted on the Court's public website at [www.occourts.org](http://www.occourts.org).

*Inserted miscellaneous orders and corrected the hyperlink.*

2. Revise Rule 900.1.2 section (c)

Inasmuch as [Rule 10.613\(g\)](#) does not specify the organizations to whom Administrative Orders made by the Juvenile Court are to be distributed for comment, proposed Administrative Orders shall be distributed for comment, using the methods described in [subdivision \(g\)\(3\), of Rule 10.613](#), to the following Orange County persons, agencies and organizations: County Counsel, District Attorney, Social Services Agency, Probation Department, Public Defender, the law firms with whom the Court has contracted for the primary, secondary and tertiary and/or alternate representation of minors and parents in dependency and juvenile justice (delinquency-matters), and the attorneys comprising the Court's ~~juvenile justice (delinquency)-dependency~~ and ~~juvenile justice (delinquency) dependency~~-conflict panels. In addition to the mandatory persons and organizations to whom a proposed Administrative Order shall be distributed, to the extent that a proposed Administrative Order may be of interest to them, in the discretion of the Presiding Judge of Juvenile Court, proposed Administrative Orders may be distributed for comment, using the methods described in [subdivision \(g\)\(3\), of Rule 10.613](#), to the following Orange County persons, agencies and organizations: Health Care Agency, Department of Education, Sheriff, Children and Families Commission, CASA, Orangewood Foundation, or any other interested party.

*Updated references to juvenile justice (delinquency).*

3. Revise Rule 900.3

### **Informal Juvenile and Traffic Court**

Juvenile misdemeanors filed via citation and infractions specified in the Orange County Superior Court Juvenile Violations Filing Guidelines chart may be ~~are~~ heard in Informal Juvenile and Traffic Court by a designated Juvenile Hearing Officer as authorized under Welfare and Institutions Code section 256.

*The Informal Juvenile and Traffic Court was recently closed. The rule has been updated with language that will authorize the Juvenile Presiding Judge to reopen the courtroom should it be deemed necessary.*

4. Revise Rule 900.4

### **Notice of Pendency of Action**

After a case has been assigned to a particular judge or commissioner, the petitioning ~~prosecuting~~-agency (such as the District Attorney's Office or County Counsel) shall file a

Notice of Pendency of Action or otherwise give oral notice to the Court, within five (5) court days, that the case is related to a previously handled matter. Any other party may file a Notice of Pendency of Action or otherwise give such oral notice within five (5) court days. The judicial officer currently assigned to the case shall, if appropriate, reassign the case to the judicial officer who previously handled the related matter. The Notice of Pendency of Action or oral notice shall contain sufficient information to determine whether the cases are related, including names of parents, siblings, and prior petition numbers.

*Changed prosecuting agency to petition agency. Also corrected a minor grammatical error.*

5. Revise Rule 900.5.1

**Person Identifier Cover Sheet**

For all original, amended and subsequent juvenile justice (delinquency) petitions ~~delinquency~~ filed in the Orange County Juvenile Court, the filing agency (~~Social Services Agency, County Counsel, Probation, District Attorney~~) shall complete and file with each petition a Juvenile Court Person Identifier Cover Sheet, providing the full name, known aliases, and date of birth ~~and last four digits of the social security number~~, of each minor, and of the parent, guardian and/or caretaker of each minor. The filing agency shall expend due diligence in attempting to obtain personal identification information. The filing agency shall have a continuing responsibility to ascertain and provide personal identification information and shall file an Amended Juvenile Court Person Identifier when additional information becomes known.

*Updated reference to juvenile justice (delinquency). Removed social services agency as the information is not needed for dependency petitions. Removed requirement to provide social security information as it's not necessary for identification of persons. Corrected punctuation.*

6. Revise Rule 901.1:

**Specialty Collaborative Courts**

Upon acceptance to a specialty collaborative court, such as ~~Delinquency Drug Court, Dependency Drug Court~~ Recovery Court, Generating Resources to Abolish Child Exploitation (G.R.A.C.E.) Court, and Teen ~~Girls/Boys~~ Court, the case shall be transferred to the judicial officer presiding over the specific specialty collaborative court and Rule 900.2 applies. If the specialty collaborative court assignment is terminated, the case shall be reassigned, and Rule 900.2 shall apply.

*Updated references to juvenile collaborative courts.*

7. Revise Rule 901.2:

**~~Delinquency Drug~~ Recovery Court**

Any minor charged with a drug-related offense or an offense with a nexus to a substance abuse or alcohol problem may submit an application for the ~~Delinquency Drug~~ Recovery Court program. Any other party may object to the application. The application must be approved by a judicial officer before the minor is evaluated for acceptance into the program.

The criteria for acceptance and the ~~Delinquency Drug~~ Recovery Court program shall follow the policies and procedures set forth in the latest operations manual, a copy of which is available from the Presiding Judge of the Juvenile Court ~~and on the Orange County Superior Court website at [www.occourts.org](http://www.occourts.org)~~.

*The Delinquency Drug Court is now referred to as Recovery Court. Removed reference to the operations manual being available on the public website, as it is currently not available on the website.*

8. Repeal Rule 901.3 **Dependency Drug Court.**

*This program has been discontinued.*

9. Revise Rule 901.4

**Teen ~~Boys/Girls~~ Collaborative Court**

Any party may submit an application to have a dependent participate in the Teen Collaborative Court programs. Any other party may object to the application. The application must be approved by the presiding judicial officer of the program, and the teen court collaborative team, which makes the final decision as to acceptance.

*Updated with current collaborative court titles.*

10. Revise Rule 902.2 to correct punctuation:

**Ex Parte Communications**

Ex parte communications with the 730 evaluator are prohibited except for scheduling purposes or unless approved by the judicial officer hearing the case.

11. Revise Rule 903.1 with a minor grammatical revision as follows:

**Exchange of Confidential Information**

The exchange of information concerning current and former wards and dependents is authorized only among private or public agencies providing case planning, eligibility, and/or services delivered. This authorization includes, but is not limited to, the Orange County Probation Department, the Orange County Social Services Agency, the Orange County Health Care Agency, the Orange County Department of Education, the Regional Center of Orange County, and local schools. This authorization is contingent upon a need for information as it pertains to the conduct of official activities only. With respect to any attachments to reports, the Social Service Agency shall ensure compliance with all applicable statutes, rules or regulations regarding the confidentiality of such records and/or the information contained therein, including, but not limited to: [Penal Code sections 293, 11167, 11167.5](#), and the Health Insurance Portability Act (HIPAA). Upon request by any party, or on ~~its~~ the court's own motion, a juvenile court judicial officer may order that all or a portion of any attachments to reports be sealed, placed in a confidential envelope, or any information contained within any attachments be redacted, or dissemination of any attachments or information contained therein be restricted, pursuant to [Welfare and Institutions Code section 827](#).

12. Revise Rule 903.3 to correct punctuation:

**Non-Publication/Dissemination of Juvenile Court Hearings**

With the exception of cases involving offenses listed in [Welfare & Institutions Code section 676\(a\)](#), any member of the public admitted into a Juvenile Court hearing shall not publish or disseminate any information regarding any matter heard by the Juvenile Court, including, but not limited to: the identity of any party, attorney, probation officer, social worker, witness, therapist; the allegations made in the petition(s); the facts and circumstances of the matter; the orders and findings by the Court, unless permitted by statute, rule, or court order. The terms “publish or disseminate” means: revealing information to any person through television, radio, newspapers, magazines, email, the Internet, or any form of social media, such as Facebook, Twitter, You Tube, blogs, or any form of personal communication.

13. Revise Rule 905.1 by correcting the format:

**Actual Conflict of Interest**

*The online version has an underscore between the words **Conflict** and **of**.*

14. Revise Rule 905.2 by correcting use of capital letters:

**Conflict Panel Appointments**

An attorney’s appointment to and continuance on the conflict panel shall be at the discretion of the Presiding Judge of the Juvenile Court.

15. Revise Rule 905.3:

**Appointed Counsel in Dependency and Juvenile Justice (Delinquency) Matters**

All appointed counsel in juvenile dependency proceedings must meet the minimum standards of experience, training and education as set forth in the Welfare and Institutions Code, the California Rules of Court, rule 5.660(d), and the Administrative Order titled Appointed Attorneys Representing Parties in Juvenile Court, a copy of which is available from the Presiding Judge of the Juvenile Court and on the Orange County Superior Court website at [www.occourts.org](http://www.occourts.org).

All appointed counsel in juvenile justice (delinquency) proceedings must meet the minimum standards of training and education as set forth in the California Rules of Court, rule 5.664(b).

*Updated the title of the Administrative Order for dependency education requirements. Added section on delinquency education requirements as defined in the Rules of Court, effective July 1, 2016.*

16. Revise Rule 905.4 by correcting formatting error (removed the underline from the CRC):

**Retained Counsel in Dependency Matters**

All retained counsel in juvenile dependency proceedings who do not meet the minimum standards of experience, training, and education as set forth in the Welfare and Institutions Code and the California Rules of Court are directed to rule 5.660(d) of the California Rules of Court. Any such retained counsel may complete a minimum of eight hours of training and education in the area of juvenile dependency law, which training or education shall include information on the applicable case law and statutes, the rules of court, Judicial Council forms, motions, trial techniques and skills, writs and appeals, child development, child abuse and neglect, substance abuse, domestic violence, family reunification and preservation and reasonable efforts. This training may be taken on the website of the Judicial Council, California Dependency Online Guide, provided the training qualifies for MCLE credits.

17. Add Rule 905.3.1

**Complaints Concerning the Court-Appointed Representation of Minors in a Juvenile Court Proceeding**

Complaints regarding the conduct or performance of an attorney appointed to represent a minor in a juvenile court proceeding must first be made to the agency or law firm appointed to represent the minor. If the issue remains unresolved, or if there is no designated agency or law firm, the party may submit a written complaint to the Presiding Judge of the Juvenile Court. The Presiding Judge of the Juvenile Court will determine what action, if any, to take, including whether the complaint should be referred to the California State Bar.

*It is recommended juvenile court add a rule for minors to express concern over the performance of court appointed counsel like that required in family law under CRC 5.240, which requires a local rule that provides for acceptance and response to complaints about the performance of the court-appointed counsel for a child.*

18. Revise Rule 907.1 with a minor grammatical revision as follows:

**Mandatory Settlement Conferences**

In juvenile dependency matters, upon any party's request, or ~~on his/her~~ the court's own motion, a judicial officer may schedule a mandatory settlement conference before another bench officer. The scheduling of the mandatory settlement conference and the settlement conference itself shall follow the policies and procedures set forth in the operative Mandatory Settlement Conference protocol, a copy of which is available from the Presiding Judge of the Juvenile Court and on the Orange County Superior Court website at [www.occourts.org](http://www.occourts.org).

19. Revise Rule 908 with a minor punctuation correction:

**Electronic Filing in Juvenile Court Cases**

Pursuant to ~~Code of Civil Procedure section 1010.6~~Code of Civil Procedure section 1010.6, and ~~California Rules of Court, rules 5.522(b)~~California Rules of Court, rules 5.522(b) and ~~2.2522.252~~, a court may allow for the electronic filing of documents in Juvenile proceedings. Effective July 1, 2015, Juvenile Court may implement a pilot project permitting any agency identified by the Presiding Judge of the Juvenile Court to submit electronic documents relating to

Juvenile Court matters.

Electronically filed documents filed prior to midnight on a court day will be deemed filed as of that day, pursuant to ~~Code of Civil Procedure section 1010.6(d)(1)(D)~~Code of Civil Procedure section 1010.6(d)(1)(D) and ~~California Rules of Court, rule 2.253(b)(7)~~California Rules of Court, rule 2.253(b)(7), except for initiating case documents such as petitions. In order to provide time for processing initiating documents requiring a Juvenile court hearing the next day, initiating petitions shall be filed by 3:00 PM the day before the hearing. For purposes of this rule, filing occurs at the time the document is received by the court and a confirmation of receipt is created. (See ~~Cal. Rules of Court, rule 2.259(a)(1)~~Cal. Rules of Court, rule 2.259(a)(1) and ~~(c)(c)~~.) Any electronically filed document received by the Court at midnight or filed on a noncourt day will be deemed filed on the first court day after it is received. This provision concerns only the method and effective date of filing; any document that is electronically filed must satisfy all other legal filing deadlines and requirements. This Rule does not affect the timing requirements for any documents that must be filed by a set time on the due date.

20. Repeal Appendix A- **Certification of Competency**

*This form is available from the Executive Assistant to the Juvenile Presiding Judge and may change. Removing it from the Local Rules allows freedom to change as needed for contract negotiations or revised competent counsel verification processes.*