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SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
SITTING AS THE JUVENILE COURT
MISCELLANEOUS ORDER M-2016-3

Title: Order authorizing release of information to the National Center for Missing and Exploited Children

To: The National Center for Missing and Exploited Children (NCMEC)
Orange County Social Services Agency (SSA)

Missing and runaway foster children and nonminor dependents are at increased risk of harm and becoming victims of exploitation. In order to protect this vulnerable population the Orange County Social Services Agency (SSA) seeks to use available methods to find these children and nonminor dependents. Pursuant to Welfare and Institutions Code section 16501.35, SSA has developed a protocol to locate missing children and nonminor dependents. The California Department of Social Services (CDSS) has also directed child welfare departments to file missing person's reports for nonminor dependents that are missing from care and have: competency issues, or there is a reasonable suspicion the nonminor is a victim of harm or foul play. (CDSS ACL 16-15.) Further, California Penal Code section 11166 subdivision (j)(3) requires that when a foster youth believed to be the victim of, or is at risk of being the victim of, commercial sexual exploitation, is missing or has been abducted, the county welfare department shall immediately, or in no case later than 24 hours from receipt of the information, report the incident to the appropriate law enforcement authority for entry into the National Crime Information Center database of the Federal

1 Bureau of Investigation and to The National Center for Missing and Exploited Children
2 (NCMEC). NCMEC is a nonprofit corporation whose mission is to help find missing
3 children, reduce child sexual exploitation, and prevent child victimization. SSA seeks court
4 authorization to cooperate with NCMEC to locate and return missing foster children and
5 nonminor dependents that are missing from care.

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7 Juvenile court cases are subject to the confidentiality provisions provided by statute and the
8 constitutional right to privacy. (Cal. Const., Art. I, § 1; Welf. & Inst. Code, § 827.) Pursuant
9 to Welfare and Institutions Code section 827 and rule 5.552 of the California Rules of Court,
10 a court order is required to share information with NCMEC for the purpose of locating and
11 returning missing foster youth.

12
13 FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED that NCMEC may be granted
14 access to confidential information about missing foster children and nonminor dependents
15 subject to the following terms and conditions:

16 1. SSA may share information about missing foster children and nonminor
17 dependents with NCMEC. SSA may share the youth's full name, date of birth, the location
18 of where the youth went missing, available photographs to assist in identification of the
19 youth, and name and contact information of the investigating law enforcement agency.
20 NCMEC, or any other agency acting in cooperation with NCMEC to help locate the missing
21 youth, may publish photographs and posters of the youth in a place and manner deemed
22 most likely to achieve the youth's return. Such photographs and posters may include the
23 missing youth's name, age, and identifying information (including but not limited to height,
24 weight, ethnicity, identifying marks, and hair and eye color).

25 2. No information about the child or nonminor dependent's dependency case
26 shall be released by way of published posters, photographs or any other materials without
27 further order of this court.

28 3. This Order is not intended to replace, nullify, or conflict with any existing

1 policies of the Orange County Superior Court, Juvenile Division; SSA; or any other public or
2 private agency.

3 4. Any unauthorized disclosure of confidential information or failure to comply
4 with the terms and conditions of this Order may be punishable as contempt of court.

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7 IT IS SO ORDERED.

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9 DATED: November 23, 2016

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Hon. Maria D. Hernandez

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Juvenile Court Presiding Judge

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