

<b>DSS Policy and Procedure Guide</b>	
Division 03: Child Welfare	Chapter 06: Court
<b>Item 010: Compliance with Court Orders</b>	
Suggested changes send to: <a href="#">DSS PSOA</a> Mailbox	Issued: <b>March 12, 2024</b>
References: Welfare and Institution Code <a href="#">387</a> , <a href="#">388</a> Code of Civil Procedures <a href="#">128</a> and <a href="#">1209</a>	<b>Revisions in Red</b>
	Replaces Issue: <b>February 15, 2007</b>

**Policy**

The Department of **Social** Services will comply with all Juvenile Court Orders. There is a legal process that must take place to change court orders. Social workers and Supervisors must adhere to the legal process to obtain court authorization to change court orders.

**Purpose**

To establish guidelines for social workers and Supervisors to review and follow court orders.

**Procedure**

**Review of Court Orders**

- When the Supervisor receives a case to be assigned, they will review all of the court orders in the case **as well as County Counsel follow-up emails, if any**. The Supervisor will note any orders that have not been complied with, i.e. referral for services, and flag the case for the new social worker. In addition, the Supervisor will look for specific orders that direct when parents can move from supervised to unsupervised visits, a child can be placed in a new placement, etc. If the court has placed restrictions on their orders for the Department, i.e.-Visits to go to unsupervised with 5-day notice to all attorneys, **no** placement change without further order of the court, these orders will be placed on the case flag. If the Supervisor notes there is a missing minute order in the case, they will advise the assigned social worker to obtain a copy of the order from the Juvenile Court Clerk’s office.
- Social workers will review all the court orders when they receive a new case. Social workers will review the case flag on court orders that is completed by the Supervisor.
- Social workers will review the court orders and case plan monthly with their **client(s)**. **SW is to ensure client has signed the initial case plan, and subsequent case plans if changed, or state reason why clients did not sign.**
- Social workers will review the court orders each time they prepare a court report.

- Supervisors will review the court orders **as well as the last County Counsel follow-up email for specific instructions** prior to reading any court report. The social worker will give the case file with all court orders to the Supervisor, with the court report, to be read together. If court orders are not provided with the court report, the court report will not be signed.
- Court orders will be reviewed by the social worker before a change of visits is made, before a placement is changed, and before services are changed/stopped. The social worker will notify their Supervisor prior to a placement change being made. **The social worker will also notify Minor's counsel and provide them with the new contact information for the minor in the event of a placement change.**
- When a social worker notes that a minute order is missing from their case, the social worker will obtain a copy of the pertinent court order from the **Fresno Superior Court's electronic case management system, Odyssey.**

### **Compliance with Court Orders**

- Social workers and Supervisors are to follow all court orders. If there is a need to change an **existing court order, based on a change in circumstances or new evidence, a JV-180 form may be filed petitioning the court for a change in court order. The JV-180 must include what the existing court order that is being requested to be changed, the changed/new circumstances, and why in minor's best interest to modify an existing court order.** The JV-180 is an application **requesting the** modification of previous court orders.
- Prior to changing a child's placement the social worker and Supervisor will review the court orders. All court orders will be followed before a child's placement is changed. **The social worker will notify Minor's counsel and provide them with the new contact information for the minor in the event of a placement change.**
- Prior to changing a child's visitation schedule, either **limiting or increasing it,** the social worker and Supervisor will review the court orders. All court orders will be followed before a child's visits are limited, or **progressed.**
- Social workers will provide written notice by e-mail to identified parties when it has been ordered by the court that prior notice be given before a visit begins or, a child is moved. Social workers will include their Supervisor on the e-mail to identified parties. The Supervisor is responsible to ensure the notice is given all required parties.

Failure to provide timely and complete an updated discovery (UDD) court order may result in the Court either refusing to allow the untimely discovery, or continue the hearing.