

DSS Policy and Procedure Guide	
Division 03: Child Welfare	Chapter 06: Court
Item 023: Social Worker/Attorney Communication	
Suggested changes send to: DSS PSOA Mailbox	Issued: March 12, 2024
References: N/A	Revisions in Red
	Replaces Issue: September 22, 2016

Preamble

Child Welfare Policy and Procedure Guides (PPG) are meant to be used as tools to relay best practice and staff expectations. It is understood that specific case scenarios may not always align themselves with the stated practices and that at all times what is of paramount importance is the Safety and Well-being of the children we are charged to protect.

Policy

Social Workers (SW) will have contact with attorneys representing dependents, Non-Minor Dependents (NMD) and parents in Juvenile Court matters.

Purpose

To outline when SWs should communicate with attorneys for dependents, NMDs and their parents. For information regarding contact between DSS staff and County Counsel, please see PPG 03-06-022, *Communication with County Counsel*.

Procedure

When SWs Should Initiate Contact with Dependent’s Attorney

A child/NMD is moved to a new placement.

The frequency of visits between a child and parents change.

A child is on AWOL after running away from placement

A child reports physical or sexual abuse that was not previously reported to Child Protective Services. The SW must obtain permission from an NMD prior to reporting this information to their attorney.

A child discloses any abuse or neglect by the care provider. The SW must obtain permission from an NMD prior to reporting this information to their attorney.

A child is hospitalized. The SW must obtain permission from an NMD prior to reporting this information to their attorney.

A child/NMD dies.

A request will be made to dismiss court dependency in 30 days.

The date a child/NMD's adoption is going to be finalized.

Note: Contacts with the Dependent's attorney made by email will be cc'd to County Counsel. After any telephone contact between a SW or Social Work Supervisor (SWS) and a Dependent's attorney, the SW/SWS will send County Counsel an email informing them of the contact and the content of the conversation.

When SWs Should Contact the Parent's Attorney

A parent's whereabouts become unknown.

A parent is not attending court ordered services.

Note: Contacts with the parent's attorney made by email will be cc'd to County Counsel. **Contacts with parent's attorney should always be made by email; unless with direct approval from SWS and/or County Counsel.**

Attendance at Teaming Meetings

Occasionally, a parent or child/youth may request to have their attorney present at a meeting outside of a Court hearing. Fresno County DSS has decided that a parent and/or child/youth's attorney may be present at a staffing, Team Decision Making (TDM) meeting, **Child and Family Teaming (CFT) Meeting**, or Mediation, if County Counsel also attends the meeting.

If a request is made, the assigned SW shall contact County Counsel at **559-600-3479** to see if they can attend the meeting. If the family has an open case in Juvenile Court, first try to ask for the attorneys for that courtroom. If County Counsel is able to attend the meeting, advise them of the date, time, location, and items to be discussed.

If County Counsel is unable to attend the meeting, an exception may be made. The assigned SW is to advise their SWS of the situation, who in turn will consult with a **Division Chief (DC)** and County Counsel. If an exception is not made, the assigned SW will advise the parent/child/youth that their attorney will not be allowed in the meeting.

If an exception is made, the attorney will be advised by the assigned SW that they can only be present as a support person and they are not to participate in the discussion.