

**DECLARATION IN SUPPORT OF ACCESS TO AND
COPIES OF JUVENILE RECORDS
INSTRUCTION SHEET**



Dear Applicant:

Records related to the abuse or neglect of minors generated by the Department of Children and Family Services (DCFS) and/or the Juvenile Court are confidential and may only be accessed by a specific class of persons and/or entities (*WIC* §827(a)(1)). Juvenile records may not be obtained via a subpoena duces tecum (*Lorenza P. v. Superior Court* (1988) 197 Cal. App. 3d 607; Rule of Court 5.552 & Local Rule of Court 7.2) or through a Public Records Act request. The Juvenile Court has exclusive jurisdiction in these matters and determines the extent to which juvenile files will be released (*Wescott v. County of Yuba* (1980) 104 Cal.App.3d 103, 110).

To access juvenile records, you must be eligible under one of the categories in Section A on the attached ***Declaration in Support of Access to and Copies of Juvenile Records (Declaration)*** form. If you are eligible, please complete the Declaration in its entirety. Be sure to include your legal name and mailing address (P.O. Boxes are not permitted), the name of your agency or department, if applicable, the minor(s) name(s) and date(s) of birth, and the mother's name and date of birth. Completed Declarations may be mailed or faxed to:

Office of the County Counsel – Confidentiality Unit
201 Centre Plaza Drive, Suite 1
Monterey Park, CA 91754
Fax: (323) 881-3791

Be advised that you may not be entitled to certain information in the file which otherwise may be confidential (e.g. the name of the person who reported the allegation of abuse or neglect, psychiatric or medical reports of persons other than you, your biological or adopted child, your client, or the person about whom your investigation pertains, police reports involving other unrelated minors, etc.)

If you are **NOT** eligible under one of the categories in Section A of the Declaration and you want to obtain copies of confidential juvenile records, you must complete and file a ***Request for Disclosure of Juvenile Case File*** (JV-570) petition with the Juvenile Court's Presiding Judge's Office. The petition may be submitted to:

Juvenile Dependency Court
Office of the Presiding Judge, Department 400
201 Centre Plaza Drive
Monterey Park, CA 91754
Tel.# (323) 307-8096

If you seek to have a DCFS social worker personally appear at a court proceeding to testify to the records or to an investigation, please issue a ***Civil Subpoena for Personal Appearance at Trial or Hearing*** (SUBP-001) and serve it on the County Counsel's Office at the above address. Due to the confidential nature of juvenile records, social workers cannot and will not bring juvenile records to court. Pursuant to Government Code §68096.1, subpoenas for appearance in non-criminal, civil or family court proceedings must be accompanied by a check in the amount of \$275 made payable to the Office of the County Counsel. To allow us ample time to contact the social worker to appear in court, subpoenas served less than five (5) business days prior to the court proceeding may not be accepted.

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CONTACT INFORMATION:

All applicants must complete this section in its entirety even if **NOT** represented by an attorney. Be sure to include your name, complete mailing address (NO postal boxes), including apartment or suite number, and telephone number. In the box opposite your mailing address, write the name of the mother of the child for whom records are requested and her date of birth, if known. If you know the Dependency or Delinquency court case number, please include it in the designated section. If you are an attorney completing this Declaration on behalf of your client, you must also complete Section B.

ATTORNEY, ATTORNEY DESIGNEE, OR PARTY WITHOUT ATTORNEY (name and address): John A. Smith, 1234 Main Street, Los Angeles, CA 90210 Attorney Or Attorney Designee for (Client's Name): Telephone No.: (323) 555-5555 Fax No.:	Mother's Name: Jane B. Smith Mother's Date of Birth: 2/2/1982
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES Juvenile Division 201 Centre plaza Drive Monterey Park, CA 91754	
CHILD'S NAME: John A. Smith, Jr.	DOB: 1/1/2001
DECLARATION IN SUPPORT OF ACCESS TO AND COPIES OF JUVENILE RECORDS (WIC §827, CRC Rule 5.552; Local Rules)	
Case Number: _____ Dependency CK12345 Delinquency _____	

A. ELIGIBLE PARTIES:

Please check one box that best describes your relationship to the minor for whom records are requested.

A. Person/Agency Entitled to Access Pursuant to Welfare & Institutions Code (WIC) §827, California Rules of Court, Rule 5.552, and Los Angeles Superior Court (LASC) Local Rules, Rule 7.2:

Check one (1) box ONLY.

- Subject child
- Subject child's parent or legal guardian
- Attorney for subject child (including appellate attorney) [continue to Section B below]
- Attorney for subject child's parent/legal guardian (including appellate attorney) [continue to Section B below]
- The county counsel, city attorney, or any other attorney representing the petitioning agency in a dependency action. [continue to Section B below]
- Attorney authorized to prosecute adult criminal or juvenile matters under California state law (district attorney, city attorney, city prosecutor) [Continue to Section B below]
- Person/agency actively participating in adult criminal or juvenile proceedings involving the minor (hearing officers, probation officers, law enforcement officers)
- State Department of Social Services staff for the purposes delineated in WIC §827(a)(1)(I)
- Member of child protective agencies per Penal Code §11165.9 (police, sheriff, county probation, county child welfare)
- Superintendent or designee of school district where child attends or is enrolled
- State Department of Social Services staff for the purposes delineated in WIC §827(a)(1)(J)
- Member of child's multi-disciplinary team
- Person/Agency currently providing supervision or treatment of child
- _____ Title & Relationship to Child _____
- Family law judicial officer, or clerk acting on behalf of judicial officer; family law case # _____
- Family law mediator or evaluator (including person performing investigation or assessment)
- Court-appointed probate guardianship investigator
- Local child support agency
- Juvenile justice commission
- Other (including pursuant to court order; please attach copy of order)

NOTE: Attorney designees (including paralegals, investigators, and social workers) must check the appropriate box in Section A as to the attorney, and must fill out the attorney information in Section B.

C. TYPE OF RECORDS:

Check only the boxes that apply to the type of records you seek. Do not check the box for Juvenile Dependency or Juvenile Delinquency court files if there was **NO** court proceeding with a judge, commissioner, or hearing officer. If there was a court proceeding, please contact the Court Clerk's Office at (323) 307-8096 to obtain copies of the records. If the alleged abuse or neglect was investigated by a social worker only, check the box for "Other" and state the time period for which records are sought.


Please check the box corresponding to the records you wish to access (check all that apply):

- Juvenile Dependency - court file only
- Juvenile Delinquency - court file only
- Other (please specify below the type of records you seek, if not listed above)
Referral #1010-2020-3030-404 (1/2/2003) & Referral #2020-3030-4040-505 (2/3/2004)

D. REASON FOR REQUEST:

Please state the reason for the request. With very few exceptions, juvenile records cannot be released or disseminated to persons not entitled to access them under WIC 827. Please note the warning below.

- Personal use
- Other (please specify below if you intend to release records to third parties)

 **WARNING:** Any records, reports or information obtained from the juvenile record(s) shall not be further released or disseminated to persons or agencies not otherwise entitled to access pursuant to WIC §827, CRC Rule 5.552, and LASC Local Rule 7.2 (i.e. agencies and individuals listed above). Further, juvenile records shall not be attached to any documents without prior approval of the Juvenile Court Presiding Judge, unless they are used in connection with a criminal investigation or juvenile court proceeding to declare a minor a dependent or ward of the Court.

SIGNATURE & DATE:

Declarations that do not contain an original signature will **NOT** be processed and will be returned to the requesting party. Electronic signatures are not acceptable. Attorney designees, including paralegals, investigators, and social workers, must sign their name.

I declare under penalty of perjury that the foregoing is true and correct and that I am aware of the above warning regarding dissemination of juvenile records.

Date: _____ Signature: _____

ATTORNEY, ATTORNEY DESIGNEE, OR PARTY WITHOUT ATTORNEY (name and address): Attorney Or Attorney Designee for (Client's Name): Telephone No.: _____ Fax No.: _____	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES Juvenile Division 201 Centre plaza Drive Monterey Park, CA 91754	
CHILD'S NAME: _____ DOB: _____	
DECLARATION IN SUPPORT OF ACCESS TO AND COPIES OF JUVENILE RECORDS (WIC §827, CRC Rule 5.552; Local Rule 7.2)	Juvenile Case Number: _____ Dependency _____ Delinquency _____

A. Person/Agency Entitled to Access Pursuant to Welfare & Institutions Code (WIC) §827, California Rules of Court, Rule 5.552, and Los Angeles Superior Court (LASC) Local Rules, Rule 7.2:

- Subject child
- Subject child's parent or legal guardian
- Attorney for subject child (including appellate attorney) *[continue to Section B below]*
- Attorney for subject child's parent/legal guardian (including appellate attorney) *[continue to Section B below]*
- The county counsel, city attorney, or any other attorney representing the petitioning agency in a dependency action. *[Continue to Section B below]*
- Attorney authorized to prosecute adult criminal or juvenile matters under California state law (district attorney, city attorney, city prosecutor) *[Continue to Section B below]*
- Person/agency actively participating in adult criminal or juvenile proceedings involving the minor (hearing officers, probation officers, law enforcement officers)
- State Department of Social Services staff for the purposes delineated in WIC §827(a)(1)(I)
- Member of child protective agencies per Penal Code §11165.9 (police, sheriff, county probation, county child welfare)
- Superintendent or designee of school district where child attends or is enrolled
- State Department of Social Services staff for the purposes delineated in WIC §827(a)(1)(J)
- Member of child's multi-disciplinary team
- Person/Agency currently providing supervision or treatment of child
 Title & Relationship to Child _____
- Family law judicial officer, or clerk acting on behalf of judicial officer; family law case # _____
- Family law mediator or evaluator (including person performing investigation or assessment)
- Court-appointed probate guardianship investigator
- Local child support agency
- Juvenile justice commission
- Other (including pursuant to court order; please attach copy of order)

NOTE: Attorney designees (including paralegals, investigators, and social workers) must check the appropriate box in Section A as to the attorney, and must fill out the attorney information in Section B.

B. Attorney

Name: _____	State Bar #: _____	Case No: _____
Court (criminal, juvenile, etc.) _____		Client Name: _____
Client's relationship to subject of juvenile records: _____		

C. Type of Records

Please check the box corresponding to the records you wish to access (check all that apply):

- Juvenile Dependency - court file only
 - Juvenile Delinquency - court file only
 - Other (please specify below the type of records you seek, if not listed above)
-

If you are entitled and wish to access records from the Department of Child and Family Services (DCFS), please contact **Elo Ulloa or Marcy Stevenson – DCFS Records Unit/Office of County Counsel – address: 201 Centre Plaza Dr Ste. 1, Monterey Park, CA 91754 – phone number: (323) 526-6100.**

If you are entitled and wish to access records from the Probation Department, please contact the Custodian of Records, Veronica Pawlowski, at **(562) 940-2569.**

D. Reason for Request of Records

- Personal use
 - Other (please specify below if you plan to re-disclose records to third parties)
-

WARNING: Any records, reports or information obtained from the juvenile record(s) shall not be further released or disseminated to persons or agencies not otherwise entitled to access pursuant to WIC §827, CRC Rule 5.552, and LASC Local Rule 7.2 (i.e. agencies/individuals listed above). Further, juvenile records shall not be attached to any documents without prior approval of the Juvenile Court Presiding Judge, unless they are used in connection with a criminal investigation or juvenile court proceeding to declare a minor a dependent or ward of the Court.

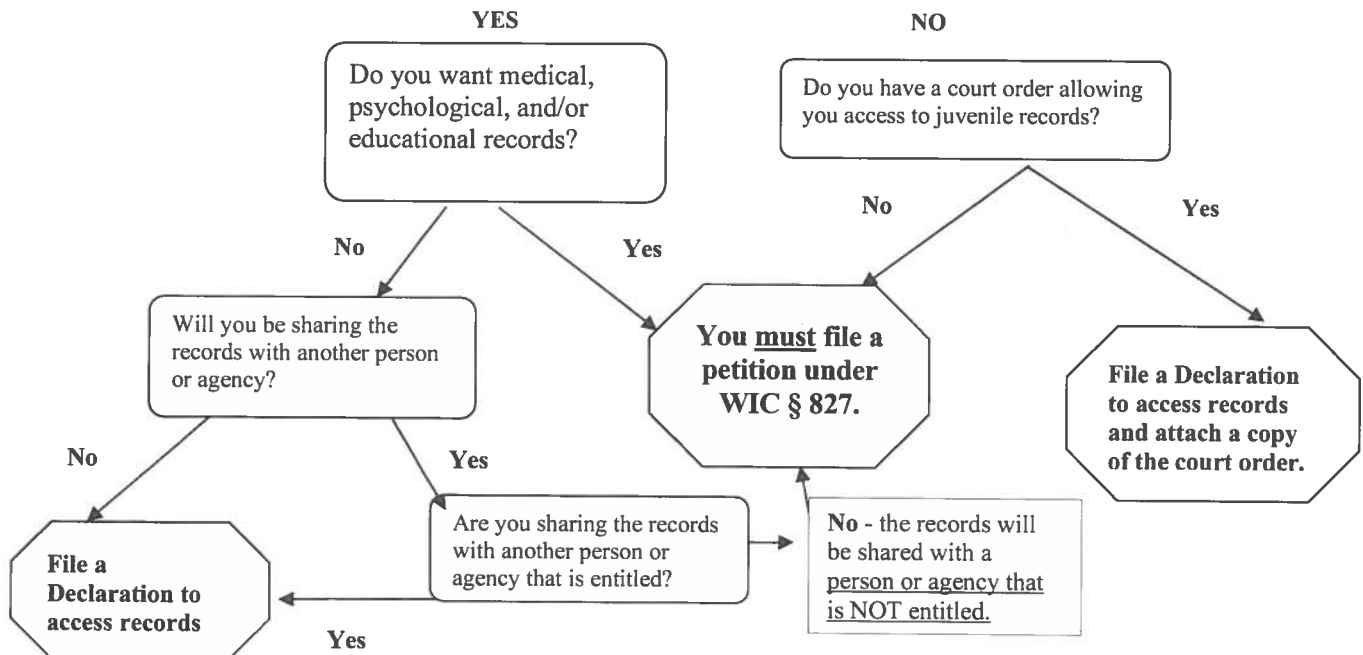
I declare under penalty of perjury that the foregoing is true and correct and that I am aware of the above warning regarding dissemination of juvenile records.

Date: _____ Signature: _____

JUV010 - Revised 2/2014

ARE YOU ENTITLED TO RECORDS?

(Are you a person/agency listed in Section A above?)



DECLARATION IN SUPPORT OF ACCESS TO AND
COPIES OF JUVENILE RECORDS
FREQUENTLY ASKED QUESTIONS (PUBLIC)



Q: A social worker with the Department of Children and Family Services (DCFS) investigated an allegation of abuse or neglect regarding my child, my sibling(s), and/or me. How do I obtain a copy of the investigation?

You must complete and file a Declaration in Support of Access to and Copies of Juvenile Records (Declaration) form with the Office of the County Counsel, 201 Centre Plaza Drive, Suite 1, Los Angeles, CA 91754. Because juvenile records are confidential by law, you are only entitled to your and/or your children's records, NOT those of your siblings.

Q: Where do I obtain a Declaration form?

You may obtain a Declaration form from the Los Angeles Superior Court's Website at: <http://www.lacourt.org/forms/juvenile>.

Q: How do I submit my request for records to the County Counsel's Office?

Requests for records may be submitted by mail to: Office of the County Counsel, 201 Centre Plaza Drive, Suite 1, Monterey Park, CA 91754 or by fax at 323-881-3791. We do NOT accept requests submitted by email. Please note that records more than 20 years old may be lost or destroyed.

Q: Once I submit the Declaration form to the County Counsel's Office, how soon will I receive the requested records?

Because the County Counsel's Office receives a large volume of requests each week, the current process time is three (3) months.

Q: Why does it take so long to receive the requested records?

Once our office receives a request, we follow a multi-step process that ensures that the requestor is a party entitled to access the records under Welfare and Institutions Code §827 and that the records provided meet certain legal requirements.

Q: I have an approaching court date for which I need records. Can my attorney or I request that the records be rushed or expedited?

There is no process in place to rush or expedite a request for records. Due to the high volume of requests our office receives each week, requests are processed on a first come, first served basis. However, we try our best to meet court dates, but cannot guarantee that the records will be available in time.

Q: Can I obtain records directly from the investigating social worker or the DCFS office that serviced my case?

No. All requests for records are processed through the County Counsel's Office. The investigating social worker will direct you to contact County Counsel.

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FREQUENTLY ASKED QUESTIONS (PUBLIC)



Q: Can I obtain the records by issuing a subpoena duces tecum or by making a Public Records Act request?

No. Juvenile records cannot be subpoenaed (per Lorenza P. v. The Superior Court of Mateo County, et al. (1988) 197 Cal. App. 3d 607) and are not subject to the Public Records Act.

Q: Can I subpoena the investigating social worker to appear in court with the records?

You may only subpoena the social worker to appear personally in court. Juvenile records are confidential and not subject to a subpoena. To subpoena a social worker to appear at a non-criminal, civil or family court proceeding, include a check for \$275 made payable to the County Counsel's Office with your subpoena and serve it at 201 Centre Plaza Drive, Suite 1, Monterey Park, CA 91754. To allow us ample time to contact the social worker to appear in court, subpoenas served less than five (5) business days prior to a court proceeding may not be accepted.

Q: Can I pick-up a copy of my records from the County Counsel's office?

Records are stored off-site and must be retrieved and processed before they can be turned over to you. You may pick-up the requested records once you receive confirmation from our office that they are ready. You must present a valid picture ID to pick up the records.

Q: Will I receive a complete file? If not, what type of records/information will I receive?

No. You will not receive a complete file. In certain circumstances, we are required by law to withhold the identity of the party who reported the suspected abuse or neglect, privileged attorney-client communications, the Suspected Child Abuse Report (SCAR), psychological/mental health records, social security numbers, driver's license numbers, and the identity of children not a party to the case. You may receive, for example, a copy of the DCFS social workers' notes and a summary of the investigation of the abuse or neglect allegation.

Q: I need delinquency, adoption or birth records. Can I obtain them through this process?

Copies of delinquency, adoption or birth records are not available through this process. For delinquency records, contact the delinquency court or the Probation Department. For copies of adoption records, contact the Los Angeles Superior Court's Adoptions Office at (323) 307-8099. For birth records, if you were born in Los Angeles County, contact the Los Angeles County Registrar Recorder/County Clerk's Office at (562) 462-2137.

Q: Once I receive the records, can I use them in another court proceeding or to apply for a U-Visa?



Records from juvenile case files may not be disseminated or used as attachments without first obtaining an order from the juvenile court (Welfare and Institutions Code §827 (a)(4); In re Tiffany G. (1994) 29 Cal. App. 4th 443.). Records for U-Visa applications may be obtained by contacting DCFS's U-Visa Certifier, Cecilia Saco, at 323-725-4679.