

PROTOCOL: Juvenile Court Virtual Detention Hearings

Effective Monday May 4th 2020 until further notice. This process is subject to change.

Note-Interim Detention Process Memo dated March 18th is no longer valid and is now replaced with the Juvenile Court Virtual Detention Hearing Protocol provided here.

In order for CFS to ensure the virtual detention hearing occurs as intended, please follow all instructions below:

VIRTUAL HEARING TIMELINE-Juvenile Court has provided an additional court day (24hrs) from the date of filing petition to hold the detention hearing. This will provide CFS and CCJA a full business day to coordinate with the parent(s)/guardian(s) and any child(ren) over the age of 10 their participation in the virtual hearing.

Please note: Petition filing and report timelines remain the same, the additional day prior to the hearing is to coordinate the virtual matter with all parties. Juvenile Court will use the Matrix Court Calendar provided [here](#) for the scheduling of detentions. A Memo will go out monthly with the schedule as done prior to pandemic.

VIRTUAL HEARING ETIQUETTE- Just as live hearing requires professional attire and behavior so does the virtual matter. The Court expects the same attire, behavior and etiquette as required in a live matter for all virtual matters. Please ensure parent(s)/guardian(s) and child(ren) planning to appear are made aware of the court's expectations.

PROCEDURES-

EMERGENCY RESPONSE SW:

A. **At time of signed DC23 exigent circumstances for protective custody removal**, provide parent(s)/guardian(s) notification of detention hearing being virtual and their participation being telephonic through their assigned attorney. Then;

1. Notify parent(s)/guardian(s) an attorney will be in touch to review the detention process and to go over respective paperwork as well as any questions they may have. Explain to the parent/guardian the option to provide electronic service for notification as well as delivery of CFS and court documents;

- If parent consents to electronic service; Provide each parent/guardian a ***JV141, Electronic Service: Consent, Withdrawal of Consent, Address Change (Juvenile)***. (See attached or link [here](#) for the form).

Please have the parent/guardian complete the form. Notify parent/guardian the form will be sent to court and they will receive a stamped copy after the hearing. Please ensure the court section and case number (temp J#) is completed by SW;

- If the parent/guardian either does not consent to electronic service or does not have an email address to provide for electronic service please document the information and inform the parent a CFS Court Worker will be in touch to coordinate delivery of the report.
- Confirm with each parent(s)/guardian(s) the best method of contact; cell phone, landline, email, etc...

-If the parent(s)/guardian(s) does not have a working number and do not have any other means to be contacted (friend, relative) then consult with direct supervisor (or, SOD if supervisor is not available) to determine next steps to ensure client can receive report/petition/documents and noticing of hearing.

NOTE-Social Work Supervisor, if needed please contact Division Manager to review options at the district level to assure delivery of report/petition and other hearing documents.

2. For child(ren)/youth 10 years of age and older, confirm if they would like to participate in the virtual matter either live or via telephone;
3. Document all reasonable efforts/services provided from above as well as parent(s)/guardian(s) contact information in Delivered Service Log, client notebook and ER2 (face sheet).

B. If filing, contact parent(s)/guardian(s) to notice them of the detention hearing date and time via email (if JV141 is completed/signed) or via telephone (if not or preferred) –refer to A1 if neither is available.

1. The day of hearing is 48hrs from date of filing the petition. Time of hearing is subject to number of hearings and case-by-case as it is for live detention matters. The parent(s)/guardian(s) should be prepared and ready by 8:30am to receive a call from their attorney to review the process before the virtual hearing starts. The parent should set aside the entire morning to be ready for the hearing as they would if it were live.

Note- Attorney should be in touch with them through provided contact number an hour before the hearing to review the process,

all necessary paperwork for completion (ICWA 020, JV 140, DC5A/B) and answer any of their questions.

2. Remind the parent(s)/guardian(s) of the matter being virtual and to have their telephones charged and ready to receive the call from their attorney to hear the matter telephonically.

C. Complete normal detention packet process keeping to filing timelines ensuring the completed packet gets to clerical for upload to OCR;

Note: IMPORTANT- ensure any contact information for the parent(s)/guardian(s) is included in the detention packet; (attach JV141 for email and if parent(s) also have phone numbers please add the phone number to the packet using CFS letterhead. This is vital as it triggers CCJA to ensure the assigned attorney can make contact and coordinate all the paperwork and review the virtual hearing process with the parent/guardian.

D. Once Report and Petition is completed it will need to be sent by email to the scheduled judge per the [Matrix](#) ASAP (no later than 4pm the day before the hearing).

1. The subject title of email should be- 'Detention Packer on (enter temporary J number) for needed detention 00/00/00 (date of hearing).
2. Body of email should state, 'Dear Honorable (name of judge), Pleased find the attached detention packet regarding (enter temporary J number) for the requested detention hearing on 00/00/00 (date of hearing)

COURT SW:

A. Email Report/Petition and court documents to Parent(s)/Guardian(s);

1. If JV141 is signed (or, consent was provided verbally) send via secure email;
 - Report/Petition/ blank [ICWA 020](#), [JV 140](#), DC5A/B to each parent/guardian by end of business day on the day of filing;
 - Let them know the forms need to be completed and ready for their attorney to review the day before the hearing. Feel free to review the forms and assist in completion with them telephonically or via email. Their attorney from CCJA (or private) will provide to the court after reviewing with them.
 - Court will provide signed copies either via email to county counsel or through CFS Inbox in the courtroom.

Note-If JV141 is not signed by a parent/guardian (or, no verbal consent to email) and there is no ability to provide reports/documents by electronically please arrange for delivery with your direct supervisor and Division Manager. Please be mindful of the timing of the delivery as their attorney will be contacting them the day before the hearing at some point to review they have received the report/petition and documents.

B. Be ready to participate in the virtual matter the day of the hearing.

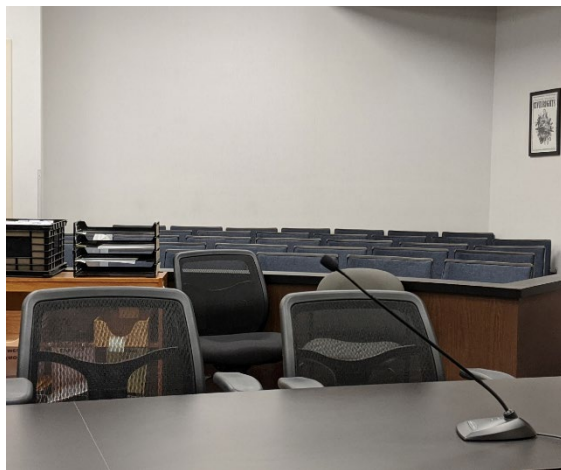
This includes, ensuring computer is equipped, charged, in working order to participate in a virtual (zoom) hearing.

If you need assistance preparing your computer, please contact your direct supervisor or DOIT (925) 521-7200.

Note-Please remember to dress professionally as you would if the matter was live.



Also, please ensure your background in which you are zooming is appropriate. You can also add a recommended court background provided by Juvenile Court. See images below.



TO ADD AN IMAGE TO YOUR COMPUTER; RIGHT CLICK ONE OF THE IMAGES AND SELECT > **'Save As Picture'** THEN, FROM THE POPULATED WINDOW SAVE THE IMAGE TO YOUR COMPUTER BY SELECTING WHERE YOU WOULD LIKE TO SAVE IT. THEN FOLLOW THE LINK BELOW TO ADD TO ZOOM.

Please follow these instructions [here](#) to add a background.

- C. **Check in Outlook for the invite to the virtual hearing (it will be forwarded to you by your supervisor or the SOD.** Once the invite appears in your email, click on the link to be directed to the zoom virtual matter-see screenshot below. If you have not received the invite please contact your direct supervisor or the SOD.



Screenshot of Zoom Virtual Hearing Invite.

marniej@pacbell.net; Todd Lenz
 Cc: EHSD CFS Court Virtual Matters
 Subject: J19-00153/154 Williams D38
 When: Monday, May 04, 2020 9:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).
 Where: <https://cc-courts.zoom.us/j/93826287773?pwd=b0dpQXdtNWxld1R0Q3R6aEkyc0ZMdz09>

Karen Cardinale on behalf of Barbara Hinton is inviting you to a scheduled Zoom meeting.

Please note that General email accounts are used for CASA, CFS and County Counsel, please for appropriate.

Topic: J19-00153/154 Williams D38 Click here and you will be directed to the zoom virtual

Time: May 4, 2020 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

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Meeting ID: 938 2628 7773

Password: 803406

D. Once the zoom app opens to the matter, you will be put in the waiting area until the Judge has decided to start the matter. Please follow the prompts to test your audio and approve use of your camera.

Note-If you have any technical difficulties contact the Court Officer appearing for matter either by email or text to their work cell phone.

COURT OFFICER:

A. Track hearing date using timeline and [Matrix detention schedule](#) and Check CFS Court Virtual Matters Inbox in your Outlook for invite for the detention matter. The invite will have the J#, child’s last name, Dept # on the subject line. Inside the invite is the link for the matter. See screenshot below.

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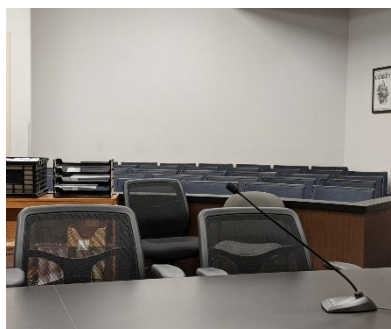
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- C. **Have work cell phone charged and ready to conduct text communication with County Counsel during the virtual matter if needed.** Ensure Co. Counsel cell phone contact info. is correct.
- D. **During the matter, please complete the Court Representative Hearing Information form (CR1B).**
- E. **Once the matter is complete; send CR1B to clerical, track return of orders in the EHSD CFS Virtual Matters inbox.** Coordinate with Court Officer Laura Carnagey on any issues with orders/documents not coming back to the inbox.

CLERICAL

- A. **Contact Clerical Supervisor Sabrina Young YOUNGSF@ehsd.cccounty.us** to procure Temporary J number. District clerk will create case in CWS and enter the temporary J number into CWS as they would normally. – need to confirm this with court.
- B. **Prepare the original petition/report and detention orders for courier pick up using the interim courier schedule (located on CFS Staff Portal) for your district.**
- C. **Follow normal detention process of uploading packet to OCR ASAP before hearing (by 4pm the day of petition filing). Additionally, please ensure the completed JV141 (check with worker if not included), JV410, JV400 are included in the packet as well.**