

PROTOCOL

County-Wide CWS/CMS Petition Instructions

OVERVIEW

This protocol covers the necessary steps taken in order to enter an initial, subsequent, supplemental and amended petition into the Child Welfare Services Case Management System (CWS/CMS). Each district is responsible for its proper implementation.

For any questions related to this protocol, please contact the program analyst over the front-end policies and protocols.

DEFINITIONS

300 Initial Petition

The 300 petition initiates dependency court hearings, identifies the child(ren) and parent(s) involved with the case, and describes the allegations of abuse or neglect against the child(ren). The court clerk files the petition and assigns the case to a courtroom for an initial hearing. If the petition is not filed within the requisite time, the child must be released back to the parent or guardian.

[Welfare and Institutions Code § 300](#)

Amended Petition

Amended petitions allege new instances or types of abuse or neglect, which were not included in the original petition prior to the original petition being adjudicated (sustained). Amended petitions may be filed on new 300 petitions or any supplemental petition, but they can only be filed before the adjudication of the 300, supplemental (387) or subsequent (342) petition.

387 Supplemental Petition

The social worker can file a "supplemental petition" in an on-going case to request removal of the child from the custody of parent, relative, or friend or to request authorization to move the child to a higher level of care such as a relative to foster home or foster home to group home. A § 387 petition follows the same timelines and procedures as an initial petition.

[Welfare and Institutions Code § 387](#)

342 Subsequent Petition

The social worker can file a "subsequent petition" in an on-going case to allege additional grounds for jurisdiction. A § 342 subsequent petition follows the same timelines and procedures as an initial § 300 petition.

[Welfare and Institutions Code § 342](#)

CWS/CMS (Child Welfare Services/Case Management System)

California's statewide computer system to automate the case management, services planning, and information gathering functions of child welfare services.

NOTE: ALL petitions have their own hearing date for each child in a sibling group. Do not group them together on one hearing date.

PROCEDURE

§300 Initial Petition

STEP 1 Before creating a Petition please verify the following:



- Open the case in **CWS/CMS**.
- Click on **Client Management Section** (blue button).
- Open **Existing Client notebook** (People icon).
 - Select child's name and click OK-for each child
 - Verify accuracy of information on all Client Notebook pages
 - Select **ID** tab
 - If child has been detained, check the **Confidentiality In Effect** box: under the Confidentiality Section and enter date in effect (detained date listed on petition; if child not detained, use date petition is filed).
 - Select **Address** tab-be sure former addresses have an end date at the bottom of the screen to ensure that the most current address defaults onto petition (the most current address should not contain an end date),
 - Select **Related Clients** tab - Verify accuracy of each **Client Relationship**
 - If child is detained, **UNCHECK Live at the Same Location** for each applicable highlighted bar. If parents' whereabouts are unknown, check **Parent's Whereabouts Unknown**.
 - **Select Juv. Cr. # tab**
 - Click on+ to enter **Court Case Number** (i.e. J00-00000)
 - Enter Court Case Number Issued Date (date petition filed)
 - **Open Existing Client Notebook (People icon)** for parents and check addresses for accuracy. If parent does not have a client notebook, search first to be sure a notebook does not already exist (if it does, you will need to attach the client - see lead/supervisor/ ATM). If client does not have an existing notebook, create new notebook for parent - if unclear, see lead/supervisor/ATM (fill in ID, Address, Names (if applicable for AKA's, etc.) and **Related Clients** tabs.

STEP 2 Ready to Create Petition:



- Click on **Court Management Section** (pink button).

NOTE: When generating an Original Petition in ER, the case will be in Referral Status and the petitions are generated from Mother's referral. You will have to use the+ sign to generate each child's petition (you will have to remove the additional child(ren) listed from the minors page).

- **Open New Hearing Notebook** (+ box below Gavel icon). This is the only time to use the + sign to create a hearing. All subsequent hearings must be created through the **Action Menu** to associate the hearings to the petition
 - Select ID tab
 - Hearing Date - Enter date petition filed
 - Court Information - Enter Court and Department Number (both fields must be completed)
 - Select Minors tab
 - Hearing Type - Select **Initial Petition**
 - Subtype - Select **300**
 - Return to **ID** tab and select **Create New Petition Notebook** (+ box) at bottom of screen

- **New Petition Notebook**
 - Select **ID** tab
 - **WIC Section** - select **300 Original**
 - **Petition Status** - select **Pending**
 - **Filed Date** - Record date only; **do not** enter time
 - **Court** - Select appropriate Court Department Number
 - **Staff Person** - Select applicable social worker - if not on list, click on Binoculars and search for the social worker then click on drop down menu again and the applicable social worker will now be available
 - Select **Minors** tab
 - **300 WIC Subdivisions** - Click on + to select all applicable Subdivision(s) and click **OK**
 - Return to **ID** tab
 - Bottom of **ID** tab click + to **Create New Petition Document**
 - When first dialog box appears, choose **Juvenile Petitions W&IC 300, 342, 387** and click **OK**
 - When second dialog box appears, click **OK** - default is *CWS Agency/Dept*
 - When third dialog box appears, select name(s) (If Applicable) from the drop down arrows in the Other Relatives and Guardians box and click **OK**

STEP 3

Petition document should populate

- Select **View**
- Select **Page Layout**
- Scroll through to make any corrections or additions as necessary:
- **Headers**
 - On first page, “ATTORNEY OR PARTY WITHOUT ATTORNEY” list as follows:
Social Worker’s name, Social Worker’s PCN
Social Work Supervisor Name,
Kathy Marsh, Director, Children & Family Services
Address (Enter district in which petitioner is residing)
 - Enter fax number for the district petition is emanating from
 - Per County Counsel, court Address must be:
640 Ygnacio Valley Road
Walnut Creek, California 94596

Branch name should be blank and delete the **Room** number

- Bold **Child's name** and **Juvenile Court Number (J#)**; changing font to **Times New Roman, 12pt**
- In the Related Cases box, type J#' s of any siblings - **do not bold**
- **Footers** - check all footers for accuracy
- **Body of the Petition**
 - (1c) Spell out Years and/or Months
 - (1f/g) Verify parents' name and address information. If mother or father are UNKNOWN, change to lower case (i.e., Unknown). Type **X** in appropriate description box (legal, biological, presumed or alleged).
 - (1j) In the Prior to intervention box, type X in the appropriate box(es) and type the name(s) of the person(s) the child resided with.
 - (1k) Type **X** in the correct box according to whether the child is **Detained** or **Not Detained**. If detained, type the date the child was detained (Do not enter time of detention - if time auto-populates, delete it), enter Children & Family Services address of district the petition is emanating from and type **X** in appropriate box of whom the child is placed with (Relative, Shelter/Foster Care or Other)
- Type date petition to be filed (i.e., 02/10/2009)
- Enter social worker's name on signature line, centered and bolded.
- **Counts** On each Subdivision Section page, check all applicable boxes, change font to **Times New Roman, 12 pt.** and type facts/counts (i.e., b-1, g-1, g-2, etc.). Each count is Single spaced, but double spaced between each count
- Run **Spell Check**.
- Select **File** and **Save**.
- Select **File** then **Print**, and then proofread petition.
- **File** and **Exit**.
- **File** and **Save to Database**.

PROCEDURE

Amended Petition



STEP 1 Click on **Court Management Section (pink button)**.

- Open **Existing Petition Notebook (Paper with Pen icon)**, select **Initial Petition** and click **OK**
 - If existing original petition is not showing, open **Existing Hearing Notebook (Gavel icon)** and click **History**, then choose **All**. Then go back to **Existing Petition Notebook (Paper with Pen icon)** and select **Initial Petition**.

STEP 2 Go to the **Action** drop down menu and select **Create Amended Petition**

- **New Petition Notebook** window will appear
- Select **ID** tab, then within
 - **WIC Section** - select **300 Original**
 - **Petition Status** - select **Pending**
 - **Filed Date** - Record date only; **Do not** enter time
 - **Court** - select appropriate Courtroom Department Number (refers to the courtroom the petition was or will be filed in)
 - **Staff Person** - Select applicable social worker - if not on list, click on Binoculars and search for the social worker then click on dropdown menu again and the applicable social worker will now be available
- Select **Minors** tab, then within
 - **300 WIC Subdivisions** - select any additional subdivision(s) or remove any subdivision(s) if applicable and click **OK (+ box)**
 - Return to **ID** tab
 - Bottom of ID tab click; **Create New Petition Document (+ box)**
- When first dialog box appears, choose **Juvenile Petitions W&IC 300, 342, 387** and click **OK**
- When second dialog box appears, click **OK**- default is *CWSAgency/Dept*
- When third dialog box appears, click **OK**

STEP 3 Petition document should populate

- Select **View**
- Select **Page Layout**
- Scroll through to make any corrections or additions as necessary:
- **Headers**
 - On first page, “ATTORNEY OR PARTY WITHOUT ATTORNEY” list as follows:
Social Worker's name, Social Worker's PCN
Social Work Supervisor Name,
Kathy Marsh, Director, Children & Family Services
Address (Enter district in which petitioner is residing)
 - Enter fax number for the district petition is emanating from
 - Per County Counsel, court Address must be:
640 Ygnacio Valley Road
Walnut Creek, California 94596
Branch name should be blank and delete the **Room** number

- Type in **-Amended** next to **Original**
- Bold **Child's name** and **Juvenile Court Number (J#)**; changing font to **Times New Roman, 12pt**
- In the Related Cases box, type J#' s of any siblings - **do not bold**
- **Footers** - check all footers for accuracy
- **Body of the Petition**
 - (1c) Spell out Years and/or Months
 - (1f/g) Verify parents' name and address information. If mother or father are UNKNOWN, change to lower case (i.e., Unknown). Type **X** in appropriate description box (legal, biological, presumed or alleged).
 - (1h/i) Add the attorney information for Bureau, Mother, Father, and Child i.e. Attorney Representing Bureau: County Counsel, address etc.
 - (1j) In the Prior to intervention box, type X in the appropriate box(es) and type the name(s) of the person(s) the child resided with.
 - (1k) Type **X** in the correct box according to whether the child is **Detained** or **Not Detained**. If detained, type the date the child was detained (Do not enter time of detention - if time auto-populates, delete it), enter Children & Family Services address of district the petition is emanating from and type **X** in appropriate box of whom the child is placed with (Relative, Shelter/Foster Care or Other)
- Type date petition to be filed (i.e., 02/10/2009)
- Enter social worker's name on signature line, centered and bolded.
- **Counts** (check all appropriate boxes, if applicable): There is no need to include the language of "Amended to Read" or "Recommend Dismiss" any longer as long as all of the counts we want sustained are included in the amended petition. (Note: Per CC, the proper way to do an Amended Petition is to write the counts in a way that replaces the original **Initial Petition**. The Amended Petition Supersedes the Original Petition.)
 - Copy and Paste all Counts into the Amended Petition Shell.
 - Change font to **Times New Roman, 12 pt.** and type facts/counts (i.e., b-1, g-1, g-2, etc.). Each count is Single spaced, but double-spaced between each count.
- Run **Spell Check**.
- ICWA 010(A), social worker to complete and return to you. This will ensure that if any new or additional information has been made aware since the filing of the original Initial Petition.
- Select **File** and **Save**.
- Select **File** then **Print**, and then proofread petition.
- **File** and **Exit**.
- **File** and **Save to Database**.

PROCEDURE

§387 Supplemental Petition

STEP 1 Before creating a Petition please verify the following:

- Open the case in **CWS/CMS**.
- Click on **Client Management Section** (blue button).
- Open **Existing Client notebook** (People icon).
 - Select child's name and click OK - for each child
 - Verify accuracy of information on all Client Notebook pages
 - Select **ID** tab
 - If child has been detained, check the **Confidentiality In Effect** box: under the Confidentiality Section and enter date in effect (detained date listed on petition; if child not detained, use date petition is filed).
 - Select **Address** tab - be sure former addresses have an end date at the bottom of the screen to ensure that the most current address defaults onto petition (the most current address should not contain an end date),
 - Select **Related Clients** tab - Verify accuracy of each **Client Relationship**
 - If child is detained, **UNCHECK Live at the Same Location** for each applicable highlighted bar. If parents' whereabouts are unknown, check **Parent's Whereabouts Unknown**.
 - Open **Existing Client Notebook** (People icon) for parents and check addresses for accuracy. If parent does not have a client notebook, search first to be sure a notebook does not already exist (if it does, you will need to attach the client - see lead/supervisor/ ATM). If client does not have an existing notebook, create New notebook for parent - if unclear, see lead/supervisor/ATM (fill in ID, Address Names if applicable for AKA's, etc. and Related Clients' tabs.



STEP 2 Ready to Create Petition:

- Click on **Court Management Section** (pink button).
- Open New **Hearing Notebook** (+ box below Gavel icon). **If it is for only 1 child in the case (no sibling group), you will create next hearing by clicking Action - Create Next Hearing. If it is a sibling group, you will have to click on the + under the Gavel Icon.**
 - Select **ID** tab
 - **Hearing Date** - Enter date petition filed
 - **Court Information** – Enter Court and Department Number (both fields must be completed)
 - Select **Minors** tab
 - Hearing Type - Select **Initial Petition**
 - Subtype - Select **387**
 - Return to **ID** tab and select **Create New Petition Notebook** (+ box) at bottom of screen
- **New Petition Notebook**
 - Select **ID** tab
 - **WIC Section** - select **387 Supplemental**



- **Petition Status** - select **Pending**
- **Filed Date** - Record date only; do not enter time
- **Court** - Select appropriate **Court Department Number**
- **Staff Person** - Select applicable social worker - if not on list, click on Binoculars and search for the social worker then click on drop down menu again and the applicable social worker will now be available
- Bottom of **ID** tab click **+** to **Create New Petition Document**
- When first dialog box appears, choose **Juvenile Petitions W&IC 300, 342, 387** and click **OK**
- When second dialog box appears, click **OK** - default is *CWS Agency/Dept*
- When third dialog box appears, select name(s) (If Applicable) from the drop down arrows in the Other Relatives and Guardians box and click **OK**

STEP 3

Petition document should populate

- **Select View**
- **Select Page Layout**
- Scroll through to make any corrections or additions as necessary:
- **Headers**
 - On first page, "ATTORNEY OR PARTY WITHOUT ATTORNEY" list as follows:
Social Worker's name, Social Worker's PCN
Social Work Supervisor Name,
Kathy Marsh, Director, Children & Family Services
Address (Enter district in which petitioner is residing)
 - Enter fax number for the district petition is emanating from
 - Per County Counsel, court Street Address must be:
640 Ygnacio Valley Road
Walnut Creek, California 94596
Branch name should be blank and delete the **Room** number
 - Bold **Child's Name** and **Juvenile Court Number (J#)** Using **Times New Roman, 12 pt.**
 - In the Related Cases box, type J#' s of any siblings - **do not bold**
- **Footers** - Check all footers for accuracy
- **Body of the Petition**
 - Spell out Years and/or Month
 - (1c) Spell out Years and/or Months
 - (1f/g) Verify parents' name and address information. If mother or father are UNKNOWN, change to lower case (i.e., Unknown). Type **X** in appropriate description box (legal, biological, presumed or alleged).
 - (1h/i) Add the attorney information for Bureau, Mother, Father, and Child i.e. Attorney Representing Bureau: County Counsel, address etc.
 - (1j) In the Prior to intervention box, type X in the appropriate box(es) and type the name(s) of the person(s) the child resided with.
 - (1k) Type **X** in the correct box according to whether the child is **Detained** or **Not Detained**.

If detained, type the date the child was detained (Do not enter time of detention if time auto-populates, delete it), enter Children & Family Services address of district the petition is emanating from and type **X** in appropriate box of whom the child is placed with (Relative, Shelter/Foster Care or Other)

- Type date petition to be filed (i.e., 02/10/2009)
- Enter social worker's name on signature line, centered and bolded.
- On Supplemental page, check all appropriate boxes applicable, change font to **Times New Roman, 12 pt.** and type facts/counts (i.e., S-1, etc.). Each count is single spaced, but double-spaced between each count.
- Run **Spell Check**.
- Select **File** and **Save**.
- Select **File** then **Print**, and then proofread petition.
- **File** and **Exit**.
- **File** and **Save to Database**.

Please Note: The Detention Hearing needs to be created after the Petition Hearing has been created. If you have any questions, please see your Leads and/or Supervisor.

PROCEDURE

§342 Subsequent Petition

STEP 1 Before creating a Petition please verify the following:

- Open the case in **CWS/CMS**.
- Click on **Client Management Section** (blue button).
- Open **Existing Client notebook** (People icon).
 - Select child's name and click OK - for each child
 - Verify accuracy of information on all Client Notebook pages
 - Select **ID** tab
 - If child has been detained, check the **Confidentiality In Effect** box: under the Confidentiality Section and enter date in effect (detained date listed on petition; if child not detained, use date petition is filed).
 - Select **Address** tab - be sure former addresses have an end date at the bottom of the screen to ensure that the most current address defaults onto petition (the most current address should not contain an end date)
 - Select **Related Clients** tab - Verify accuracy of each **Client Relationship**
 - If child is detained, **UNCHECK Live at the Same Location** for each applicable highlighted bar. If parents' whereabouts are unknown, check Parent's Whereabouts Unknown.
- Open **Existing Client Notebook** (People icon) for parents and check addresses for accuracy. If parent does not have a client notebook, search first to be sure a notebook does not already exist (if it does, you will need to attach the client - see lead/supervisor/ATM). If client does not have an existing notebook, create New notebook for parent - if unclear, see lead/supervisor/ATM (fill in ID, Address Names if applicable for AKA's, etc. and Related Clients' tabs).



STEP 2 Ready to Create Petition:

- Click on **Court Management Section** (pink button).
- Open New **Hearing Notebook** (+ box below Gavel icon). **If it is for only 1 child in the case (no sibling group), you will create next hearing by clicking Action- Create Next Hearing. If it is a sibling group, you will have to click on the + under the Gavel Icon.**
 - Select **ID** tab
 - **Hearing Date** - Enter date petition filed
 - **Court Information** – Enter Court and Department Number (both fields must be completed)
 - Select **Minors** tab
 - Hearing Type - Select **Initial Petition**
 - Subtype - Select **342**
 - Return to **ID** tab and select **Create New Petition Notebook** (+ box) at bottom of screen
- **New Petition Notebook**
 - Select **ID** tab
 - **WIC Section** - select **342 Subsequent**



- **Petition Status** - select **Pending**
- **Filed Date** - Record date only; do not enter time
- **Court** - Select appropriate **Court Department Number**
- **Staff Person** - Select applicable social worker - if not on list, click on Binoculars and search for the social worker then click on drop down menu again and the applicable social worker will now be available
- Select **Minors** Tab
 - **300 WIC Subdivisions** - Click on + to select all applicable Subdivision(s) and click **OK**
 - Return to **ID** tab
 - Bottom of **ID** tab click + to **Create New Petition Document**
- When first dialog box appears, choose **Juvenile Petitions WIC 300, 342, 387, 388** and click **OK**
- When second dialog box appears, click **OK**- default is *CWS Agency/Dept*
- When third dialog box appears, select name(s) (If Applicable) from the drop down arrows in the **Other Relatives and Guardians** box and click **OK**

STEP 3

Petition document should populate

- Select **View**
- Select **Page Layout**
- Scroll through to make any corrections or additions as necessary:
- **Headers**
 - On first page, "ATTORNEY OR PARTY WITHOUT ATTORNEY" list as follows:
Social Worker's name, Social Worker's PCN
Social Work Supervisor Name,
Kathy Marsh, Director, Children & Family Services
Address (Enter district in which petitioner is residing)
 - Enter fax number for the district petition is emanating from
 - Per County Counsel, court Street Address must be:
640 Ygnacio Valley Road
Walnut Creek, California 94596
Branch name should be blank and delete the **Room** number
 - Bold **Child's Name** and **Juvenile Court Number (J#)** Using **Times New Roman 12 pt.**
 - In the Related Cases box, type J#' s of any siblings - **do not bold**
- **Footers** - Check all footers for accuracy
- **Body of the Petition**
 - Spell out Years and/or Month
 - (1c) Spell out Years and/or Months
 - (1f/g) Verify parents' name and address information. If mother or father are UNKNOWN, change to lower case (i.e., Unknown). Type **X** in appropriate description box (legal, biological, presumed or alleged).
 - (1h/i) Add the attorney information for Bureau, Mother, Father, and Child i.e. Attorney Representing Bureau: County Counsel, address etc.
 - (1j) In the Prior to intervention box, type X in the appropriate box(es) and type the name(s) of the person(s) the child resided with.

- (1k) Type **X** in the correct box according to whether the child is **Detained** or **Not Detained**.
If detained, type the date the child was detained (Do not enter time of detention- if time auto-populates, delete it), enter Children & Family Services address of district the petition is emanating from and type **X** in appropriate box of whom the child is placed with (Relative, Shelter/Foster Care or Other)
- Type date petition to be filed (i.e., 02/10/2009)
- Enter social worker's name on signature line, centered and bolded.
- **Counts** On each Subdivision Section page, check all applicable boxes, change font to **Times New Roman, 12 pt.** and type facts/counts (i.e., b-1, g-1, g-2, etc.). Each count is Single spaced, but double spaced between each count
- Run **Spell Check**
- **File** and **Save**
- **File, Print**, and then proofread petition
- **File** and **Exit**
- **File** and **Save to Database**

Please Note: The Detention Hearing needs to be created after the Petition Hearing has been created. If you have any questions, please see your Leads and/or Supervisor.