

CHILDREN'S SERVICES
HANDBOOK



REPLACES:

SECTION: 31-604
PAGE NO.:1
ISSUED/REVISED: 01-03-11

APPLICATION FOR
PSYCHOTROPIC MEDICATIONS
FOR DEPENDENT CHILDREN

SECTION: 31-604
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I. BACKGROUND

California legislation provides that when a child is adjudged a dependent child, and removed from the physical custody of their parents, only a Juvenile Court Judge shall have the authority to order the administration of psychotropic medications for that child. The court also retains the power to delegate this authority to the parent upon finding that the parent is capable of administering psychotropic medication to the child. All applications for psychotropic medications for children must be based upon a request from the child's attending physician.

II. POLICY

Any dependent child who is placed in out of home care and taking psychotropic medications must first have that medication approved by the Juvenile Court unless an emergency situation, as defined below, exists. This policy applies *only* to dependent children whose cases are in post-disposition status.

When a qualified child psychiatrist or physician prescribes medication for a dependent child:

- The Prescribing Physician will complete the JV-220(A).
- The Contra Costa Mental Health Designated Psychiatrist-Consultant will complete the Consulting Psychiatrist Review.
- The case-carrying Social Worker is responsible for completing the JV-220 and JV-221 and submitting all completed and signed JV forms to the Juvenile Court for approval.

The Juvenile Court must approve the following forms: JV-220, JV-220(A), JV-220(B), Consulting Psychiatrist Review, JV-221, JV-222, and JV-223 for each dependent child, every **180 days** (6 months), as long as the child is a dependent child.

In addition, the California Department of Social Services (CDSS) requires counties to input psychotropic medication information into CWS/CMS for all foster children.

III. PROCEDURES

SW may also refer to CFS 604, Psychotropic Medication Authorization Desk Guide, available in Formstar for Procedures and their responsibilities.

A. Pre-Disposition Cases:

1. Cases in pre-Disposition status do not require Court authorization for medication. A child is not a dependent of the Juvenile Court until after disposition has occurred.

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2. The child's parent(s) may approve all requests for psychotropic medications occurring prior to Disposition. The Application for Psychotropic Medication protocol does *not routinely apply in pre-disposition cases*.
3. If a parent is unavailable to sign the consent for psychotropic medication prior to Disposition, or is opposed to the use of medication that is deemed critical, the Social Worker or any party may petition the Court to intervene for authorization for medication. In this event, the Social Worker shall notify the Court that the case is Pre-Disposition and that they are seeking court authorization for the medications. The Social Worker should follow the format and process described in this protocol when submitting the Application.

B. Post-Disposition Cases:

At the disposition hearing, the JV 220 process becomes effective and the SW must immediately start the process, prior to transferring the case to continuing services unit.

1. Court orders for psychotropic medication are required for post-disposition Family Reunification cases where the child is placed out of the home.
2. Post-Disposition Family Maintenance (FM) cases where the child remains in parent(s) home cases do not require a court order for medication. For FM cases, the parent(s) authorize the medication.
3. Children & Family Services (CFS) may ask the Juvenile Court to delegate the authority to a parent to authorize psychotropic medication for a dependent child who is placed out of the home. The Court must first assess that parent's ability to authorize the medication, and determine that such an authorization will not pose a risk to the child.
4. In any instance where a dependent child *not living in the family home under a Family Maintenance plan* has been prescribed psychotropic medication, and the parent(s) have not been authorized to approve psychotropic medications, CFS shall submit the required Judicial Council/JV forms to the Juvenile Court for the Court's approval.

NOTE: 18 year old juvenile dependents/Nonminor Dependents (NMD) must sign their own consents unless they are developmentally delayed in which case their Conservator would sign the consent.

C. Emergency Psychotropic Medication Request Procedure:

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1. In emergency situations, psychotropic medication may be administered to a dependent child without prior court authorization. *An emergency is defined as a situation in which the child is diagnosed as suffering from a mental disorder, and, in the opinion of the Prescribing Physician, the administration of the medication is necessary to protect the life of the child or others, or to prevent serious harm or suffering by the child or others.* Nevertheless, because the Court must approve all medications for dependent children, in these circumstances, the case-carrying Social Worker must ensure completion of the required Judicial Council/JV forms within 2 judicial days and secure the Court's approval for this medication.
2. In such a situation, the Social Worker must ask the Prescribing Physician to complete the Prescribing Physician's Statement - Attachment, form JV-220(A) and submit it with the JV 220 and JV 221 **at the time treatment is initiated**. The Application should indicate that this is an emergency request, and in addition to routine information, it should contain information to justify emergency use of psychotropic medication (see #3 on the JV-220(A)).

D. Submitting the required Judicial Council/JV forms:

1. The **Social Worker** is responsible for the following:
 - a. Provide the Prescribing Physician with the Application form (JV 220 A) prior to or at the time of the child's first examination. SW needs to complete and/or provide the following for the JV 220: **court number and location, child's full name, J number, date of birth, date of removal, all relevant social and clinical information, social worker's name, fax number and assigned district office.**
 - b. Provide the Designated Psychiatrist-Consultant with any case information and the **names of all pertinent/assigned attorneys' offices, CASA office, child's identified Tribe, and all relevant fax numbers.**
 - c. Follow the instructions and reminders as listed on the bottom of the Facsimile Cover Sheet – Social Workers (see Attachment B).
 - d. Upon receipt of the JV-220 Application packet from the Designated Psychiatrist-Consultant, the Social Worker will **immediately** contact the child's parent(s) or guardian to notice them of the pending Application and complete, date and sign the Proof of Notice: Application Regarding Psychotropic Medication form JV-221 (see Attachment I).

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The Social Worker shall make a reasonable and diligent effort to contact the child's parent(s)/guardian(s) including, but not limited to; in person, telephone, voice mail or hand-delivered message. The Social Worker will document all efforts made. The Social Worker will **NOT** delay filing the Application due to lack of contact (after appropriate attempts) or response from the parent(s)/guardian(s).

- e. The Social Worker will immediately complete their portion, sign and date the form JV-220.

NOTE: the Resource Parent/Care Provider's confidential information should NOT be listed on any of the required Judicial Council/JV forms. The Resource Parent/Care Provider's name should be listed as "Foster Parent" and their address as "Confidential."

- f. The Social Worker will send via Courier, or file in person themselves, two copies of the Application to the Juvenile Court Clerk's Office, 640 Ygnacio Valley Rd, Walnut Creek, **no later than three judicial days from receipt of the Application from the Designated Psychiatrist-Consultant. Do NOT fax this application directly to the Juvenile Courtroom** unless asked to do so by the Court or the Designated Psychiatrist-Consultant.
- g. Participate in court hearings as scheduled by participating attorneys as requested/ordered/required by County Counsel.
- h. When the Court makes an order **after a hearing**, the Social Worker is responsible for notifying the Prescribing Physician and the Designated Psychiatrist-Consultant by fax. The Court will distribute copies of the minute order/Order Regarding Application for Psychotropic Medication form JV-223 to all other parties through the normal process.
- i. Upon receipt of the Court's order, form JV-223, the Social Worker will notify, and provide a copy of the JV-223 to the Resource Parent/Care Provider.
- j. **Social Workers must submit**, via Courier, or file in person themselves, a **new "request to continue" Application for psychotropic medication every 6 months (180 days)**.
- k. The Social Worker will follow the instructions and reminders, completing the boxes (if necessary) as listed on the bottom half of the Facsimile Cover Sheet – Psychotropic Medication Authorization Renewal Reminder (see Attachment II) and faxing the form back to the Designated Psychiatrist-Consultant within

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48 hours/two (2) days.

2. The CFS Analyst/clerical support is responsible for the following:

- a. The CFS Analyst and/or clerical support staff will access the JV Forms inbox to receive the JV Application Packets and immediately forward all psychotropic medication application packets and facsimile cover sheets received from the consulting psychiatrist's office, to the assigned Social Worker, their Supervisor, and/or the Supervisor of the Day. If the assigned Social Worker and Supervisor are out or unavailable, the JV packet should be forwarded to the supervisor of the day.

3. The Social Work Supervisor II is responsible for the following:

- a. Ensure the psychotropic medication policies, procedures and timelines are followed when reviewing and approving court reports, contact notes, and case transfers.
- b. Ensure the timely noticing and filing of the psychotropic medication applications for their staff who are out of the office.
- c. Ensure the timely completion and response to the Facsimile Cover Sheet – Psychotropic Medication Authorization Renewal Reminder (see Attachment C) for their staff who are out of the office.

E. The Court Procedure:

1. A Juvenile Court Judge must review all Applications.
 - a. If there is no opposition from the Juvenile Court Judge, parent, or guardian and all noticing requirements have been met, the Judge will sign the order.
 - b. If the Judge, or a parent or guardian, objects, the Court may schedule the matter for hearing within five (5) court days of the Application.
 - c. If noticing requirements have **NOT** been met, or the prescribing physician's face-to-face clinical evaluation of the child is more than thirty (30) days prior to the submission of the Application, the Application will be **DENIED**.
2. Hearings will be conducted in accordance with California Rule of Court 5.640. The Court may grant, deny, or modify an Application, and/or the Court may set the matter for further review.

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3. If the Application requests delegation of authority to a parent or guardian, the Court can only approve such delegation if it finds a) that the parent(s) is competent and capable of administering medication to the child; and b) that such a decision will not pose a risk to the child.
4. The Court's order authorizing the administration of psychotropic medication is valid for only 180 days, or until the order is renewed, modified or terminated, whichever is earlier.
5. If the order is signed **without a hearing**, the Court will provide a faxed copy of the signed order/JV-223 and page 5 and 6 of the JV-220(A) or page 3 and 4 of the JV-220(B) to the Designated Psychiatrist-Consultant and the Social Worker. The Designated Psychiatrist-Consultant will fax the order/JV-223 to the Prescribing Physician.
6. If the Court makes an order **after a hearing**, CFS is responsible for notifying the Prescribing Physician and the Designated Psychiatrist-Consultant only by faxing the JV-223 and page 5 and 6 of the JV-220(A) or page 3 and 4 of the JV-220(B). The Court will make the order/JV-223 and page 3 of the JV-220(A) available to the remaining parties through the normal distribution process.

F. Entering Psychotropic Medication into the HEP:

1. The Social Services Program Analyst will:
 - a. Receive the court approved JV 223's from the Consulting Psychiatrist's office via the JV Forms email box, and forward them to the appropriate district HEP clerk for entry.
2. The HEP Clerk will:
 - a. Upon receipt of the signed JV 223, enter all information into the CWS/CMS HEP.

IV. PUBLIC HEALTH NURSE OVERSIGHT

- A. California legislation requires that all children, youth and non-minor dependents in foster care receive all needed health care services, which now includes Public Health Nurse (PHN) case level oversight and monitoring of those who are prescribed psychotropic medications.

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PHNs collaborate with social workers to ensure that the physical, mental, and dental health needs of the child are being met. PHNs perform administrative activities in order to oversee psychotropic medication usage but do not provide direct medical services to children.

Administrative activities include, but are not limited to, meeting regularly with the child, reviewing court authorization of psychotropic medication, consultation with the caregiver and the child around response to side effects of medication, and review of clinical documentation to assess progress in meeting treatment plan goals.

Social workers may share health information with Contra Costa County PHNs who are assigned to their cases and may also include the PHN in any CFT or case planning where there are health concerns or issues being addressed.

V. FORMS

All JV forms should be accessed via the [Judicial Council's website](#) to ensure the most current version is being used. When filing in the CFS Services Case File, they should be filed under fastener 2 (upper).

- A. JV 217-INFO, Guide to Psychotropic Medication Forms
- B. JV 218, Child's Opinion About the Medication
- C. JV 219, Statement About Medication Prescribed
- D. JV 220, Application Regarding Psychotropic Medication
- E. JV-220(A), Prescribing Physician's Statement - Attachment
- F. JV-220 (B), Physician's Request to Continue Medication – Attachment
- G. JV-221, Proof of Notice: Application Regarding Psychotropic Medication
- H. JV-222, Opposition to Application Regarding Psychotropic Medication
- I. JV-223, Order Regarding Application for Psychotropic Medication

VI. ATTACHMENTS

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- A. Consulting Psychiatrist Review, (Formerly known as *JV-220Andelman*) is used by the consulting Psychiatrist to provide an additional review of the medications prescribed.
- B. The Facsimile Cover Sheet for Social Worker/Deputy Probation Officer is used by the consulting psychiatrist's office as the cover sheet to all psychotropic medication original and renewal applications.
- C. The Facsimile Cover Sheet **Psychotropic Medication Authorization Reminder!** is used by the consulting psychiatrist's office to remind Social Workers when psychotropic medication renewal applications are due.

VII. REFERENCES

California State Senate Bill (SB) 543

California State Senate Bill (SB) 238

California State Senate Bill (SB) 319

Welfare & Institution Code 369.5

Welfare & Institution Code 16501.3

Rule 5.640 of the California Rules of Court

CDSS All County Letter (ACL) 16-37: Trainings And Oversight Of Psychotropic Medication Usage For Children And Youth In Foster Care

ACL 16-48: The Role Of Foster Care Public Health Nurses In The Oversight And Monitoring Of Psychotropic Medication Usage For Children And Youth In Foster Care With The Passage Of Senate Bill 319

ACL 16-96: State General Fund Appropriation For The Monitoring And Oversight Of Psychotropic Medication By Foster Care Public Health Nurses

CWS/CMS Update #15-07, *Psychotropic Medications*

CONTACT PERSON: First line Supervisors and above may contact the CFS Program Analyst.

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ATTACHMENT B

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WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR
CYNTHIA BELON, LCSW
BEHAVIORAL HEALTH SERVICES DIRECTOR
MENTAL HEALTH DIRECTOR



CONTRA COSTA
MENTAL HEALTH
ROSS B. ANDELMAN, M.D.
MEDICAL DIRECTOR
2425 BISSO LANE, SUITE 200
CONCORD, CALIFORNIA 94520
PH: 925 521-5757 FAX: 925 646-5811
EMAIL: Ross.Andelman@hds.cccounty.us

F A C S I M I L E C O V E R S H E E T
SOCIAL WORKER / DEPUTY PROBATION OFFICER

THIS FAX CONTAINS CONFIDENTIAL INFORMATION
The individual or entity named as the recipient thereof intends such information solely for use. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of a confidential transmission is prohibited. If you have received this transmission in error, please notify us by telephone immediately so we may arrange to retrieve this transmission at no cost to you.

APPLICATION FOR ORDER FOR PSYCHOTROPIC MEDICATION

Date/Time Faxed: 3/27/2015 9:55 a.m.		Number of pages including cover sheet: 11	
FAX CHECK LIST:			
This application has been faxed ONLY to the attorneys' offices checked below. If there are additional attorneys or CASA involved in this case who need to be notified, please fax the application directly to the attorney's office or you may call Dr. Andelman's office at 925 521-5758 for assistance. <input checked="" type="checkbox"/> County Counsel/925-646-2461 <input checked="" type="checkbox"/> Legal Aid Society/925-370-6189 <input checked="" type="checkbox"/> Tamara Predes/925-520-2441 <input checked="" type="checkbox"/> Rhonda Wilson-Rice/925-427-3018		District Office- Children & Family Services	
		<input type="checkbox"/>	CRPU (Residential) - 500 Ellinwood Way #200, Pleasant Hill Fax: 925 602-6982 (x2-6982) Phone: 925 602-6940 (x2-6940)
		<input type="checkbox"/>	PTU (Permanency Transition Unit)-1875 Arnold Drive #200, Martinez Fax: 925 957-2439 (x7-2439) Phone: 925 957-2422 (x7-2400)
		<input type="checkbox"/>	CENTRAL COUNTY DISTRICT OFFICE - 500 Ellinwood Way #200, Pleasant Hill Fax: 925 602-9229 (x2-9229) Phone: 925 602-9250 (x2-9250)
		<input type="checkbox"/>	ADOPTIONS UNIT - 500 Ellinwood Way #300, Pleasant Hill Fax: 925 602-6989 (x2-6989) Phone: 925 335-6910 (x2-6910)
		<input checked="" type="checkbox"/>	EAST COUNTY DISTRICT OFFICE - 4549 Delta Fair Blvd., Antioch Fax: 925 522-7648 (x2-7648) Phone: 925 522-7550 (x2-7550)
		<input type="checkbox"/>	INDEPENDENT LIVING SKILLS- 1875 Arnold Dr. #200, Martinez Fax: 925 957-2439 (x7-2439) Phone: 925 957-2400 (x7-2400)
		<input type="checkbox"/>	WEST COUNTY DISTRICT OFFICE - 1275-A Hall Ave., Richmond Fax: 510 231-8456 (x1-8456) Phone: 510 231-8100 (x1-8100)
		<input type="checkbox"/>	PROBATION DEPARTMENT-50 Douglas Dr. Martinez Fax: 925 313-4110 (x 3-4110) Phone: 925 313-4000 (x 3-4000) 3-4134
		REMARKS:	

CFS or DPO:

IF THE CHILD IDENTIFIED IN THIS DOCUMENT IS NOT ON YOUR CASELOAD, PLEASE CALL JULI MIJARES ASAP AT (925) 521-5758 WITH THE NAME OF CURRENT SW or DPO. THANK YOU!

PLEASE FOLLOW THE FOLLOWING INSTRUCTIONS FOR SUBMITTING THIS APPLICATION TO THE COURT:

- PLEASE REVIEW APPLICATION, ESPECIALLY JV220 (PG.1) & JV221 (PG. 1 & 2), FOR ACCURACY.
- PLEASE NOTE ATTORNEYS LISTED ABOVE. CALL MY SECRETARY IF THIS LIST IS INACCURATE. (NOTE: IF AN ATTORNEY REGISTERS OPPOSITION, THE COURT WILL SET THIS ISSUE FOR HEARING.)
- UPON COMPLETION, THE ENTIRE APPLICATION, INCLUDING FAX COVER SHEET, MUST BE HAND DELIVERED TO THE SUPERIOR COURT CLERK - ROOM 127, JUVENILE WINDOW, 725 COURT STREET, MARTINEZ, CA. ***NO LATER THAN 3 JUDICIAL DAYS FROM RECEIPT OF THIS FAX.**
- PLEASE FEEL FREE TO CALL JULI MIJARES AT (925) 521-5758 WITH ANY QUESTIONS. THANK YOU!!!!

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WILLIAM B. WALKER, MD
HEALTH SERVICES DIRECTOR
CYNTHIA BELON, LCSW
BEHAVIORAL HEALTH DIRECTOR
MATTHEW LUU, LCSW
DEPUTY DIRECTOR OF MENTAL HEALTH



CONTRA COSTA
MENTAL HEALTH
2425 Bisso Lane, Suite 200
Concord, California 94520
JON WHALEN, MD
MEDICAL DIRECTOR
PH: 925 521-5758 / Fax: 925 646-5811
Jon.Whalen@hsd.cccounty.us

F A C S I M I L E C O V E R S H E E T
PSYCHOTROPIC MEDICATION AUTHORIZATION RENEWAL REMINDER!

THIS FAX CONTAINS CONFIDENTIAL INFORMATION				
The individual or entity named as the recipient thereof intends such information solely for use. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of a confidential transmission is prohibited. If you have received this transmission in error, please notify us by telephone immediately so we may arrange to retrieve this transmission at no cost to you.				
TO: CFS WORKER:		DATE:		
CC: UNIT SUPERVISOR:				
<i>District Office - Children and Family Services</i>				
<input checked="" type="checkbox"/>	ADOPTIONS UNIT – 500 Ellinwood Way #300 Pleasant Hill		Fax: 925 602-6989	Phone:
<input checked="" type="checkbox"/>	PLEASE COMPLETE TABLE BELOW AND <u>FAX BACK ASAP</u> TO: 925 646-5811 (6-5811)			
<u>FOR YOUTH CONTINUING TO TAKE PSYCHOTROPIC MEDICATIONS, PLEASE CONTACT PRESCRIBING PHYSICIAN AND REQUEST THEY SUBMIT A NEW JV220.</u>				
<input checked="" type="checkbox"/>	IF CHILD IS NO LONGER ON YOUR CASELOAD:			
<u>PLEASE IDENTIFY NEW SOCIAL WORKER (PHONE AND FAX NUMBERS) AND FAX THIS FORM BACK TO US!</u> THANKS FOR HELPING US KEEP THIS PROCESS WORKING SO WELL!!!				
NEW SOCIAL WORKER: _____				
PHONE: _____		FAX: _____		
CHILD'S NAME/ J#	DATE OF LAST AUTHORIZATION	STILL TAKING MEDS? CIRCLE ONE	MED STATUS CODE* CIRCLE ONE (SEE BELOW)	
		Yes No N/A	A B C D	
		Yes No N/A	A B C D	
		Yes No N/A	A B C D	

COMMENTS:

*MED STATUS CODES:

- [A] Y: CHILD IS STILL A DEPENDENT, PLACED OUT OF HOME, & STILL TAKING PSYCHOTROPIC MEDS.
** PLEASE REMIND CURRENT PRESCRIBING DOC TO SUBMIT AN APPLICATION FOR RENEWAL**
[B] Y: CHILD IS STILL A DEPENDENT AND STILL TAKING MEDS, BUT IS NO LONGER PLACED OUT OF HOME.
[C] N: CHILD IS STILL A DEPENDENT, BUT IS NO LONGER TAKING PSYCH MEDS.
[D] NA: CHILD IS NO LONGER A COURT DEPENDENT – e.g., REUNITED W/ FAMILY OR OVER 18 YEARS OLD.

PLEASE CALL (925) 521-5758 WITH ANY QUESTIONS. THANK YOU.

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