



WIC 241.1 Committee Single Status Protocol



September 2019

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WIC 241.1 Committee Single Status Protocol

I - Introduction

Background

Under WIC 241.1, whenever a youth appears to come within the description of Section 300 and Section 601 or 602, the county probation department and the child protective services department shall initially determine, pursuant to a jointly developed written protocol, which status will serve the best interest of the youth and the protection of society.

In accordance with 241.1 mandates, the San Bernardino County Children and Family Services (CFS), the San Bernardino County Probation Department, the Juvenile Court, in collaboration with the Department of Behavioral Health (DBH), the Public Defender's office/Private Counsel, the District Attorney's office, and County Counsel, have developed the following protocol for the establishment of a joint 241.1 Committee.

The protocol, in addition to establishing the composition of the 241.1 Committee, also sets forth how and which cases are to be referred to the 241.1 Committee, what information is to be provided to the 241.1 Committee for assessment, and how decisions are to be reached and presented to the juvenile court. The 241.1 Committee will meet on a weekly basis, but a meeting may be canceled if there are no cases referred for the agenda.

Continued on next page

I - Introduction, Continued

Mission statement

As of April 30, 2019, San Bernardino is a single status county. This means that a youth may not be both a ward and a dependent simultaneously.

Either CFS or Probation may refer cases to the 241.1 Committee. The 241.1 Committee is to determine by consensus an optimal recommendation that will serve both the best interest of the youth and the protection of society.

At the Committee meetings, participants will discuss the nature of the referral, the age of the youth, the prior record of the youth's parents for child abuse, the prior record of the youth for out of control or delinquent behavior, the parent's cooperation with the youth's school, the youth's functioning at school, the nature of the youth's home environment and the records of other agencies that have been involved with the youth and his/her family [WIC 241.1 (b) (2)].

Purpose

The purpose of the 241.1 Committee protocol is to establish guidelines for a coordinated and collaborative approach for:

- Facilitating the exchange of relevant information,
 - Resolving youth and family issues,
 - Providing appropriate services in the best interest of the youth, and
 - Making recommendations as to which Jurisdiction is best suited to address the needs of the youth and the community.
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241.1 committee database

By agreement, the 241.1 Committee database is maintained by the Probation Department. The database includes prior referrals and recommendations by the Committee. Prior referrals and recommendations will be included in the agenda when a youth is re-referred to the Committee.

II – Composition of 241.1 Committee

241.1 Committee

The Presiding Judge of the Juvenile Court will select an individual to act as the chair of the 241.1 Committee. The 241.1 Committee is comprised of the following eight standing members who decide on the recommendation regarding jurisdiction and/or services:

- Four (4) Children and Family Services (CFS) regional liaisons (Supervising Social Services Practitioner (SSSP) or designee.
- Four (4) Probation Department employees (Supervising Probation Officer or designee.

Others who may attend and/or participate in the 241.1 Committee meeting but are not deciding members:

- CFS assigned case Social Worker and/or SSSP
 - Assigned Case Probation Officer
 - DBH representative
 - District Attorney
 - Public Defender
 - County Counsel
 - Youth's Attorney or representative
 - Court Appointed Special Advocate (CASA)
 - Specified Dependency/Delinquency Court personnel
 - 241.1 Committee secretary
 - Inland Regional Center (IRC) representative
 - Indian Tribal representatives
 - Out-of-county CFS, Probation or CASA representatives
 - Other relevant persons cleared through CFS or Probation Management
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III – Types of Cases

**Pre-filing
Consideration**

The parties are encouraged to discuss the youth's case prior to the filing of a petition or before filing a petition, which may change the youth's status. The District Attorney and/ or Probation may use the 241.1 Committee e-mail notification to seek this information from both CFS and Probation to provide to the 602 court to determine whether a petition may be filed.

If a San Bernardino County 300 dependent is arrested in another county CFS or Probation, if aware, should notify the 241.1 e-mail liaison that the youth has been detained and the referral to the 241.1 Committee should be made. The youth should then be added to the 241.1 Committee referral agenda for discussion.

**Cases to
refer**

The following are general types of cases that may fall within the scope of the 241.1 Committee.

- When a 300 youth is alleged to have committed a 602 offense.
 - When a 300 petition is filed and it is discovered that the youth is an adjudicated 600 ward.
 - Probation may refer a youth eligible for transition jurisdiction under EFC following the process as outlined in Section IV, Referral and Evaluation Process section on page 6.
 - Probation may refer a ward who was a prior San Bernardino County 300 dependent who is transitioning out of probation placement when reunification with the parent or legal guardian is not feasible.
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**Cases that
should not
be referred**

The following are examples of cases that should NOT be referred to the 241.1 Committee because they do not meet 241.1 requirements or the youth's placement needs can be met through other avenues:

- Cases with suspended 602 proceedings.
 - When a 602 petition is filed and there is no prior 300 petition but there are allegations of abuse or neglect in the home. In this instance, Probation will make a referral to the Child and Adult Abuse Hotline (CAAHL).
 - Probation youth that have been declared a ward but are considered difficult to place.
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III – Types of Cases, Continued

Competency determination

The 241.1 Committee shall not make a recommendation when the youth is pending a competency determination. Once competency is determined and if the youth is declared to be competent by the Court, a referral should be made to the 241.1 Committee for a recommendation as in any other case where this protocol applies. If there is a protection issue identified, while competency is being determined, a referral should be made to the Child Abuse and Adult Hotline (CAAHL)

IV – Referral and Evaluation Process

How agenda for 241.1 is created

- As soon as an agency discovers that a youth falls within the scope of the Welfare and Institutions Code 241.1, the referring agency (Court, CFS, and/or Probation) must immediately notify the liaison of the other agencies in the appropriate region.
 - At the request of CFS, Probation, the attorneys, or the Court, a youth may be referred to the 241.1 committee in accordance with this protocol.
 - All referrals must be submitted to the secretary of the 241.1 Committee from Monday through Thursday by 3:30 PM, to be heard Tuesday of the following week. Otherwise, the case will be heard the subsequent week.
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Referral information

The following information is needed to refer a case to the 241.1 Committee:

- Youth's name.
 - Youth's date of birth.
 - Location/Region (Rancho, San Bernardino, Victorville, etc.).
 - Social Worker's name.
 - Probation Liaison.
 - CFS Liaison.
 - Charges, if available.
 - Attorneys for the youth.
 - Details of the allegation(s) of abuse or neglect.
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Meeting day and location

The 241.1 Committee meetings are scheduled weekly as determined by the Juvenile Court. The meeting location is at:

San Bernardino County
Juvenile Dependency Court
Conference Room
860 E. Gilbert Street
San Bernardino, CA 92415

Meeting calendar, minutes, and agenda

The Probation Department will provide the 241.1 Committee meeting calendar, meeting minutes, and agenda. The meeting minutes are recorded by the Probation secretary of the 241.1 Committee. The written agenda for the next meeting will be forwarded by the end of the week to those on the 241.1 distribution list as maintained by the 241.1 secretary.

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IV – Referral and Evaluation Process, Continued

Information needed by the 241.1 Committee	<p>In order for the 241.1 Committee to make the best possible recommendation that is in the best interest of the youth, essential information is required from the presenting agency and all agency representatives with knowledge of the youth. This should include, but not be limited to, the youth's needs, services provided, available agency services, etc. Additionally, the secretary for the 241.1 Committee will include in the agenda any prior referrals and recommendations for the youth obtained from the 241.1 database.</p> <p>The type of information presented at the meeting should include information as required by WIC 241.1. The 241.1 Discussion Guidelines are incorporated into the protocol in order to facilitate discussion. The liaisons may present the information at the meeting, but it is strongly recommended the social worker and probation officer be available in person, by video conferencing, or by telephone to provide pertinent information.</p>
Confidentiality and exchange of information	<p>Any and all information disclosed by the participants in the 241.1 Committee is confidential and may not be disclosed outside the 241.1 Committee meeting for any purpose except as part of a dependency or delinquency proceeding. Pursuant to WIC 827(a) (1) (K), the 241.1 Committee will operate as a multidisciplinary team so that participants may freely exchange information for purposes of treatment and supervision of the youth.</p>
Case presentation at 241.1 meeting	<p>When a case is referred to the 241.1 Committee for an assessment, the presence of the social worker or probation officer is strongly recommended at the meeting to present pertinent information concerning the youth. The information presented should follow the required criteria in the 241.1 Discussion Guidelines in Appendix 1.</p> <p>However, due to time constraints, the social worker or probation officer may opt to present case information via video conferencing, or may be represented by the regional liaison. In instances where the social worker or probation officer cannot be present, the liaison should be fully prepared to present the case to the Committee. Attendees may ask questions and voice opinions regarding any of the cases presented and may fully participate in the Committee discussion.</p>

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IV – Referral and Evaluation Process, Continued

Recommendation to the Court After cases are presented by CFS and/or Probation, all the meeting attendees may participate in the ensuing discussion regarding the youth's needs and services available. However, only CFS and Probation Committee members will determine the recommendation for the court as to the jurisdiction which would better serve the needs of the youth, 602 wardship or 300 dependency.

If the Committee does reach a consensus, the written recommendation, along with how the case came to the Committee and the reasons for the recommendation, are to be presented to the delinquency judicial officer. The youth then has an opportunity to contest the wardship recommendation at a Contested 602 Disposition Hearing. If wardship is declared, CFS will file a Motion to Dismiss in the 300 Court should the youth also be a dependent.

If the Committee does not reach a consensus, the CFS and Probation members will consult with their respective chain of command, who will make the decision for a joint recommendation.

If a joint recommendation cannot be reached by the agencies, both agencies will submit a report to the Court stating that a consensus could not be reached and attach the two individual recommendations. The delinquency judge will make a decision as to whether or not to declare the youth a ward. If the youth is not declared a ward, the delinquency court shall notify the dependency court, and the dependency court will handle the case as appropriate.

Out-of-county dependent

The law requires that the WIC 241.1 Committee discuss and make a recommendation regarding a youth who has an open dependency and/or delinquency in another county. If investigation reveals that the youth is an out-of-county dependent, a referral will be made to the other county's hotline; however, the receiving county may or may not follow the recommendations made by San Bernardino County.

Continued on next page

IV – Referral and Evaluation Process, Continued

241.1 report The assessment report must contain the recommendations of Probation and CFS on the jurisdiction that will serve the best interest of the child and the protection of society, or the separate recommendation of each department, if they do not agree.

Background information concerning the child is provided by the social worker to the CFS liaison, see Appendix 1, 241.1 Discussion Guidelines, who submits the assessment to the Probation Department for inclusion in the 241.1 report. The table below describes the factors which must be addressed in the 241.1 (b) report.

Factor	Description
1	Description of the nature of the referral.
2	Age of the child.
3	History of any physical, sexual, or emotional abuse of the child.
4	Prior record of the child's parent(s) for abuse of any child.
5	Prior record of the child for out-of-control or delinquent behavior.
6	Parent(s) cooperation with the child's school.
7	Child's functioning at school.
8	Nature of child's home environment.
9	History of involvement of any agencies or professionals with the child and family.
10	Any services or community agencies that are available to assist the child or family.
11	Statement by any counsel currently representing the child.
12	Statement by any Court appointed special advocate currently appointed for the child.

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IV – Referral and Evaluation Process, Continued

**241.1
process
table**

The following table summarizes the WIC 241.1 protocol process by San Bernardino County:

Stage	Staff	Description
1	Probation Department	<ul style="list-style-type: none"> When Probation is considering or recommending termination of wardship, and return to the parent or legal guardian would place the youth at risk of physical harm, Probation is required to call in a referral to the Child Abuse and Adult Hotline (CAAHL). If possible, Probation should call in the referral at least 45 days prior to submittal of the termination recommendation and refer matter to the 241.1 Committee. For consideration of transition under WIC 450 (EFC) for eligible youth, Probation is required to call in a referral to the Child and Adult Abuse Hotline (CAAHL). If possible, Probation should call in the referral at least 45 days prior to the youth's 18th birthday. Notifies all regional CFS liaisons via e-mail or telephone, as soon as possible. If the residence of the youth (based on parent/legal guardian residence) is in another county, Probation is to contact the out-of-county hotline and/or social worker, and provide assessment/analysis, unless the Inter-County Transfer Protocol is in effect.
	CFS	<ul style="list-style-type: none"> If CFS files a 300 petition on a ward, CFS will notify the Probation Department liaison via e-mail or telephone, as soon as possible, and request a 241.1 Committee referral be made at the 300 Detention Hearing.
2	602 or 300 Judicial Officer	<ul style="list-style-type: none"> May at any stage of the proceedings, and at the request of either department, or the attorneys, order the youth referred to 241.1 Committee for assessment and recommendation to the Court.
	Probation/CFS Court Officer	<ul style="list-style-type: none"> Notifies youth's attorney(s) of record.
3	CFS Regional Liaison (SSSP)	<ul style="list-style-type: none"> Notifies assigned SW. Provides 241.1 Discussion Guidelines and provides the CFS/Probation 241.1 Report to the SW. Discusses dependency issues and any of the youth's on-going behavioral problems with SW. Submits the CFS/Probation 241.1 Report to the CFS regional liaison via e-mail. Presents information on the CFS 241.1 Report to the 241.1 Committee and to the court.

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IV – Referral and Evaluation Process, Continued

241.1 process table,(continued)

Stage	Staff	Description						
4	Probation Liaison	<ul style="list-style-type: none"> Notifies assigned probation officer. Discusses delinquency issues and any of the youth's ongoing behavioral concerns with the SW. Submits the CFS/Probation 241.1 Report to the CFS regional liaison via e-mail. Presents information on the Probation Memo to the 241.1 Committee and to the Court. 						
5	241.1 Committee	<ul style="list-style-type: none"> Discusses options and formulates a plan for the youth. Submits a joint recommendation to the delinquency court. If no final consensus is reached, each agency will consult with their respective chain of command (Refer to the Recommendation to the Court section of this protocol). 						
6	Probation Liaison or designee and CFS SW/Liaison or designee	<ul style="list-style-type: none"> Makes a written recommendation to the Court. <p>Note: If 300 or 600 case is in another county, may provide verbal or written information to the other county.</p>						
7	Judicial Officer	<ul style="list-style-type: none"> Makes findings either by packet or in court as discussed above. <table border="1"> <thead> <tr> <th>If the...</th> <th>Then the...</th> </tr> </thead> <tbody> <tr> <td>Juvenile Delinquency Court does not declare a dependent youth a 602 ward</td> <td>Court will order the youth released to CFS (when release to parent/guardian is not possible). The case will proceed as any other 300 case.</td> </tr> <tr> <td>Youth is declared a ward</td> <td>The Dependency petition will be dismissed. Delinquency Court to notify the Dependency Court. Delinquency Court will make appropriate orders under WIC 727, et. seq.</td> </tr> </tbody> </table>	If the...	Then the...	Juvenile Delinquency Court does not declare a dependent youth a 602 ward	Court will order the youth released to CFS (when release to parent/guardian is not possible). The case will proceed as any other 300 case.	Youth is declared a ward	The Dependency petition will be dismissed. Delinquency Court to notify the Dependency Court. Delinquency Court will make appropriate orders under WIC 727, et. seq.
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Youth is declared a ward	The Dependency petition will be dismissed. Delinquency Court to notify the Dependency Court. Delinquency Court will make appropriate orders under WIC 727, et. seq.							

Minute order reflecting dismissal of 602 petition

When the Juvenile Court dismisses the 602 petition, the Minute Order reflecting this action and directing CFS to take action with the dependent youth will be forwarded to the SW by the CFS liaison for the region where the case is open or the 300 petition is being filed. The CFS liaison will forward the minute order to the assigned SW as soon as possible for inclusion in the informational packet or court report submitted to Dependency Court.

Continued on next page

IV – Referral and Evaluation Process, Continued

Emergency placement bed

When the SW must place a youth following the dismissal of WIC 602 petition and there is neither a relative nor a non-relative extended family member (NREFM) placement available, then the SW should utilize the CFS Central Placement Unit (CPU) and/or CAAHL to secure an emergency placement.

Suspended case

A suspended case involves a youth who was a dependent in San Bernardino Juvenile court, and then became a 602 Delinquency Ward. When the 602 delinquency period ends, if the youth is again at risk of being neglected or abused, then the 300 case is re-opened. **To re-open the original case, the SW should file a 387 Petition and use the original Juvenile Network (JNET) number. The SW should not file a 300 petition for a prior San Bernardino dependent who is returning after serving a term of probation.**

Note: A 300 petition should be filed for 602 Wards who were not dependents previously but now have no home to return to after completing probation.

Documenting a suspended case

The suspension period needs to be documented in Child Welfare Services/Case Management System (**CWS/CMS**) to preserve Title IV-E eligibility and to ensure that the case is not counted as a foster care re-entry for outcome measures.

A youth who is returned home and then removed again is considered a re-entry into foster care. A youth who was on Probation and now is released to **CFS custody** is not considered a re-entry into foster care, since the youth never returned home.

V – Single Status Determination

Introduction The Probation Department and Children and Family Services (CFS) shall work as a collaborative team and utilize the least restrictive options to ensure that the best interests of the youth and the safety of the community are preserved.

Criteria The 241.1 Committee must consider the following criteria when assessing or recommending which petition should be dismissed or resolved short of wardship/dependency:

- Dependency court timelines.
- Has jurisdiction been established if the youth is 17 1/2 or older?
- Placement history (level, type, length).
- Placement stability/placement failures.
- Escalating negative or violent behaviors.
- Youth whose negative behavior has increased to the point where CFS needs additional resources from the Probation Department.
- Significant relationship between the social worker and the youth.
- Extended Foster Care (EFC), if youth plans to remain in foster care beyond 18th birthday, or qualifies for EFC through Probation.
- A protection issue is identified.

Continued on next page

V – Single Status Determination, Continued

Legal Mandates

The following table provides a general description of the legal mandates concerning juvenile offenders in the juvenile justice system.

Legal Mandates	Description
<p>Informal Probation (WIC Section 654)</p> <p>Youth may remain a 300 dependent</p>	<p>The Probation Officer may, instead of filing a petition, or requesting a petition be filed to declare a youth a ward of the Court, delineate specific programs of supervision, not to exceed six months, and attempt thereby to adjust the situation that brings the youth within the jurisdiction of the Court or creates the probability that the youth will soon be within that jurisdiction.</p>
<p>Informal Probation (WIC 654.2)</p> <p>Youth may remain a 300 dependent</p>	<p>If a petition for wardship has been filed by the prosecuting attorney, the Court may, without adjudging the youth a ward, continue any hearing on a petition for six months and order the youth to participate in a program of supervision as set forth in Section 654.</p>
<p>Status Offenses (WIC Section 601)</p> <p>Youth may remain a 300 dependent unless declared a ward</p>	<ul style="list-style-type: none"> • Youth who have committed status offenses or infractions, such as truancy, curfew violations, etc. • The youth can be fined and placed on informal probation by the Court. • The Court can declare the youth a ward in certain circumstances.

Continued on next page

V – Single Status Determination, Continued

Legal Mandates, (continued)

Legal Mandates	Description
<p>Wardship (WIC Section 602)</p> <p>Should 602 wardship be declared, 300 juris would be dismissed</p>	<ul style="list-style-type: none"> • Except as provided in Section 707, any youth between 12 and 17 years of age, inclusive, when he/she violates any law or ordinance, other than curfew, is within the jurisdiction of the juvenile court and may be adjudged a ward of the court. • Any youth who is under 12 years of age when he/she is alleged to have committed any of the following offenses is within the jurisdiction of the juvenile court (1) Murder. (2) Rape by force, violence, duress, menace, or fear of immediate and unlawful bodily injury. (3) Sodomy by force, violence, duress, menace, or fear of immediate and unlawful bodily injury. (4) Oral copulation by force, violence, duress, menace, or fear of immediate and unlawful bodily injury. (5) Sexual penetration by force, violence, duress, menace, or fear of immediate and unlawful bodily injury. • Can be placed on formal probation, detained in a Juvenile Hall, and/or incarcerated after adjudication in a Department of Juvenile Justice facility. • Youths are treated differently from adults, they are not tried, but “adjudicated”, they are not convicted, but rather their petition is “sustained”, or “found true”.
<p>Informal Probation (WIC Section 725)</p> <p>Youth may remain a 300 dependent unless declared a ward</p>	<ul style="list-style-type: none"> • Youth who have committed offenses that fall under WIC 601 or WIC 602. • The Court can order probation for the youth without declaring the youth a ward. • The probation cannot exceed six months. • If the youth does not successfully complete probation the Court can declare the youth a ward.

Continued on next page

V – Single Status Determination, Continued

**Legal
Mandates,
(continued)**

Legal Mandates	Description
<p>Deferred Entry of Judgement (WIC Section 790)</p> <p>Youth may remain a 300 dependent</p>	<ul style="list-style-type: none"> • Applies to youth at least 14 years of age at the time of hearing who have committed certain felony offenses, but have not previously been declared a ward for commission of a felony offense, have not previously been committed to the custody of the Division of Juvenile Justice, have not previously had probation revoked, and who are otherwise eligible for probation. • The Court may order Deferred Entry of Judgement to allow the youth to receive education, treatment, and rehabilitation.

VI – Extended Foster Care (EFC)

Introduction WIC 366.32 and WIC 450 provides a system for providing probation youth access to the Extended Foster Care (EFC) Program. The EFC Program allows foster youth, including eligible probation wards, to continue in foster care after age 18 to receive foster care benefits (Aid to Families with Dependent Children- Foster Care (AFDC-FC) payments), and services. The young adults remain under the jurisdiction of the court, supervision of the county, and must reside in eligible licensed or approved placements to receive AFDC-FC. These young adults are referred to as Non-Minor Dependents (NMDs).

Transition jurisdiction cases WIC 450 allows for and determines how wards of the court can participate in the EFC Program as transition dependents. Eligible youth wards can transition to W&I C section 300-dependency status at the time their delinquency jurisdiction is being terminated to allow them to remain in foster care and participate in the EFC Program after reaching 18 if they meet eligibility criteria.

WIC 450 Transition jurisdiction status allows wards of the court to remain in foster care and participate in EFC. The statute states:

“The following is required to be eligible for transition jurisdiction:

Minor or nonminor within transition jurisdiction of juvenile court; criteria:

(a) A minor or non-minor who satisfies all of the following criteria is within the transition jurisdiction of the juvenile court:

(1)(A) The non-minor is a ward who is older than 17 years and 5 months of age and younger than 18 years of age and in foster care placement, or the nonminor is a ward in foster care placement who was a ward subject to an order for foster care placement on the day he or she attained 18 years of age and has not attained 21 years of age.

(B) The minor or non-minor met or would meet the criteria in subparagraph (A), but for the fact that the underlying adjudication was vacated pursuant to Section 236.14 of the Penal Code, and he or she has not attained 21 years of age.

(2) The ward meets any of the following conditions:

(A) The ward was removed from the physical custody of his or her parents or legal guardian, adjudged to be a ward of the Juvenile Court under Section 72, and ordered into foster care placement as a ward.

Continued on next page

VI – Extended Foster Care (EFC), Continued

WIC 450,
continued

(B) The ward was removed from the custody of his or her parents or legal guardian as a dependent of the court with an order for foster care placement as a dependent in effect at the time the court adjudged him or her to be a ward of the juvenile court under Section 725.

(C) The minor or non-minor met or would meet the condition described in subparagraph (A) or (B), but for the fact that the underlying adjudication was vacated pursuant to Section 236.14 of the Penal Code, and he or she has not attained 21 years of age.

(3) The rehabilitative goals of the minor or non-minor, as set forth in the case plan, have been met, and juvenile court jurisdiction over the minor or non-minor as a ward is no longer required, or the underlying adjudication was vacated pursuant to Section 236.14 of the Penal Code.

(4)(A) IF the ward is a minor, reunification services have been terminated; the matter has not been set for a hearing for termination of parental rights pursuant to Section 727.3 or for the establishment of guardianship pursuant to Section 728; that return of the child to the physical custody of the parents or legal guardian would create a substantial risk of detriment to the child's safety, protection or substantial risk of detriment to the child's safety, protection, physical or emotional well-being; and the minor has indicated an intent to sign a mutual agreement, as described in subdivision (u) of Section 11400, with the responsible agency for placement in a supervised setting as a nonminor dependent.

(B) If the ward is a nonminor, he or she has signed a mutual agreement, as described in subdivision (u), of Section 11400, with the responsible agency for placement in a supervised setting as a nonminor dependent or has signed a voluntary reentry agreement, as described in subdivision (z) of Section 1400 for placement in a supervised setting as a nonminor dependent. A runaway and homeless youth shelter licensed by the State Department of Social Services pursuant to Section 1502.35 of the Health and Safety Code shall not be a placement option pursuant to this section.

(b) A minor who is subject to the court's transition jurisdiction shall be referred to as a transition dependent.

(c) A youth subject to the court's transition jurisdiction who is 18 years of age or older shall be referred to a non-minor dependent.

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VI – Extended Foster Care (EFC), Continued

Supervision of Transition Jurisdiction cases

The following table are examples of the process for determining who will supervise transition jurisdiction cases:

If the young adult ...	Then the ...
<ul style="list-style-type: none"> Was not a prior CFS dependent, Has achieved his/her rehabilitative goals, and Meets all the criteria for transitional jurisdiction. 	<ul style="list-style-type: none"> EFC services will be provided by Probation, and Case will NOT be referred to the 241.1 Committee.
<ul style="list-style-type: none"> Was a prior CFS dependent, Achieved his/her rehabilitative goals prior to his/her 18th birthday, and Meets all the criteria for transitional jurisdiction. 	<ul style="list-style-type: none"> Probation Officer will follow the 241.1 protocol guidelines, and Case will be referred to the 241.1 Committee for discussion of which agency would be most appropriate to provide EFC services.
<ul style="list-style-type: none"> If the young adult achieved their rehabilitative goals after his/her 18th birthday, and Meets requirements for transition jurisdiction 	EFC will be provided by Probation

Eligibility after adjudication vacated by court

Per Penal Code 236.14, if a ward or former ward of the court who has transition jurisdiction status per WIC 450 has their underlying adjudication vacated by the court because they were a victim of human trafficking, they remain eligible for EFC.

Young adults subject to adult probation supervision

When a young adult becomes subject to adult probation supervision, it does not change the non-minor's ability to participate in EFC and it does not change the agency responsible for the case management services of the young adult.

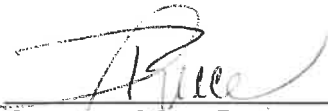
THE SIGNATURES OF THE PARTIES AFFIXED BELOW AFFIRM THEIR COMMITMENT TO THE GUIDELINES OF THE PROTOCOL FOR THE 241.1 COMMITTEE IN San Bernardino COUNTY.



County of San Bernardino Human Services
Children and Family Services
Marlene Hagen, Director

9-25-19

Date



County of San Bernardino
Probation Department
Michelle Scray Brown, Chief Probation Officer

9-24-19

Date



Hon. Annemarie G. Pace
Presiding Judge of the Juvenile Court
San Bernardino County Superior Court

9/25/19

Date



WIC 241.1 Committee Protocol

Appendix - 241.1 Discussion Guidelines for Children and Family Services (CFS) and Probation

The following is a list of criteria that should be covered for the Welfare and Institutions Code (WIC) 241.1 report and the recommendations to the committee. Please remember to conclude with the social worker (SW) or Probation Officer's assessment and recommendation to the committee as to which agency can better serve the youth: Children and Family Services (CFS) or the Probation Department.

1. A description of the nature of the referral.

- The nature of the referral.
 - Example: Description of the offense, arrest, intake statement, allegations filed in petition.
- The date of the JD and the reasons the youth was made a dependent.
 - Example: "On 1-1-03, John Doe was found to come within section 300B of WIC because of the parent's substance abuse."

2. Interview of child/minor and current caregiver(s).

- Include the youth's current status, what youth wants to happen, what impact being in juvenile hall has had on the youth.
 - Example: "What do you think should happen? Where do think you should go from here?"
- Caregiver(s) willingness to provide care.

3. The age and gender of the youth.

4. The history of any physical, sexual, or emotional abuse of the youth.

5. The prior record of the youth for out-of-control delinquent behavior.

May include but are not limited to:

- Drug/alcohol use, gang involvement, fights, acts of defiance, stealing, lying or other delinquent acts for which the youth has not been charged.
- Juvenile Traffic Court citations
- Acting out at placement.

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WIC 241.1 Committee Protocol

Appendix - 241.1 Discussion Guidelines for Children and Family Services (CFS) and Probation, Continued,

6. The record of the youth's parents.

- Prior records of the parent's reported history of abuse/neglect for youth in question and/or other children. Include dates of substantiated and inconclusive referrals with type of abuse/neglect and basic disposition.
- Parents' criminal history, if known to Probation.
- Parents' current whereabouts and willingness to provide appropriate care.

7. The nature of the youth's home environment.

- If the youth is placed, include number of placements, stability of placement, and type of care – foster care, relative placement, guardian, or group home.
- Level of current home as well as the levels of other facilities used.
- Statement by staff/ foster parent(s) from most recent placement home, if possible.
- If youth is with a parent, describe the parent's ability to meet the youth's basic needs.
- Information on parental substance abuse, domestic violence and health/mental health issues

8. The youth's functioning at school.

Factors to include:

- Current school of attendance and grade level.
- School of origin. (Can youth return to school of origin?)
- Grades and Attendance.
- School Behavior.
- Suspensions and Expulsions.
- Individualized Education Plan (IEP) or 504 Plan.
- Parental cooperation with the youth's school, including involvement with IEP and other related functions.
- Indicate who holds educational rights for this youth.

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Appendix - 241.1 Discussion Guidelines for Children and Family Services (CFS) and Probation, Continued,

9. The history and current involvement of any agencies or professionals with the youth and the family. A brief summary of services provided.

- Counseling offered to the youth.
- Psychological/ Psychiatric evaluations or services (diagnosis and medication).
- Department of Behavioral Health/AB2726 involvement.
- Forensic Adolescent Services Team (FAST).
- Inland Regional Center (IRC) involvement
- Special medical needs.
- Independent Living Services Program (ILSP).
- Wraparound (WRAP)
- Court Appointed Special Advocate (CASA)

10. Any services or community agencies that are available to assist the youth/family

- Include therapists, mental health, regional center, special medical needs.
- If youth is diagnosed with a mental illness, include prescribed psychotropic medications and compliance.

11. A statement by any counsel currently representing the youth.

Either Private Attorney, Public Defender, Out-of-County Attorney or Attorney representing youth in Dependency court.

12. A statement by any court appointed special advocate currently appointed for the youth.

- Casa Worker, or
- Guardian Ad Litem.

Statement of your overall recommendation: Which status would better serve the youth, taking into account any community safety concerns and why is the recommendation being made.
