

## INTER-COUNTY COURTESY SUPERVISION (JUVENILE)

<b>AUTHORITY:</b>	Rules of Court 5.614 Welfare and Institutions Code (WIC) 755
<b>RESCINDS:</b>	Procedure Manual Item 2-6-019, dated 11/20/19
<b>FORMS:</b>	Juvenile Risk/Needs Termination Chrono (Automated) Application for Petition/Intake and Transmittal Sheet (F057-4024)
<b>PURPOSE:</b>	To outline the procedure for the transfer of inter-county courtesy supervision cases out of Orange County, the reassignment of the case to the Juvenile Administrative Unit, and the acceptance of courtesy supervision of juvenile probation cases from out of county.

### I. GENERAL INFORMATION

#### A. Courtesy Supervision

1. Applies to WIC 602, 790, 725, **and** 654 probationers who reside in other counties within California.
2. Used when jurisdictional transfer is not possible.
3. Should be requested from another California county only in limited situations.
  - a. Request courtesy supervision from another California county only when the court has stated for the record that the probationer would derive greater benefit from Orange County maintaining jurisdiction, despite the probationer residing in another California county, or
  - b. When the person who legally would be entitled to custody of such a youth resides in another California county.
  - c. Otherwise, petition for jurisdictional transfer to the appropriate California County (even when the probationer is over 18 years of age, if case dynamics warrant). (**Refer to PMI 2-5-005 [Inter-County Transfers of Wardship Jurisdiction]**).
4. Jurisdiction will remain with the county declaring wardship and imposing disposition.
5. The law does not require providing courtesy supervision for other counties.
  - a. Since the law does not require providing courtesy supervision for other counties, a number of counties are unwilling to provide courtesy supervision or will provide only limited service.

b. For up-to-date information, consult the juvenile supervisor in the county from which you will be requesting supervision.

6. The receiving county will determine level of supervision based on its own policies and procedures.

B. Cases Which Should Not Be Referred

1. Cases in which the court has not stated for the record that the youth would derive greater benefit from probation jurisdiction being maintained in Orange County.

2. Cases in which the youth would derive greater benefit from a jurisdictional transfer to the County the probationer, or the person who would be legally entitled to the custody of such a youth, resides.

3. Cases with unresolved probation violations, including restitution arrearages.

4. Cases with outstanding warrants.

5. Cases requesting to live with a non-approved relative, guardian, or associate/cohabitant.

6. Cases that will be completing the period of probation supervision within the next **sixty (60) to ninety (90)** days.

II. PROCEDURE

A. Courtesy Supervision - Going to Another County

The assigned field **deputy probation officer (DPO)** will:

1. Make a determination that unique circumstances exist whereby a probationer would derive greater benefit from probation jurisdiction maintained in Orange County, despite the fact that the probationer, or the person who would be legally entitled to the custody of such a youth, resides in another California county.

2. Recommend that the court state for the record that circumstances exist whereby a probationer would derive greater benefit from Orange County maintaining probation jurisdiction, despite the fact that the probationer, or the person who would be legally entitled to the custody of such a youth, resides in another California county.

3. Meet with the probationer and **their** parents/guardian to discuss the reasons for the request to move out of the county.

a. Carefully review each probationer's situation and plans to move, to ensure that **they are** not attempting to avoid supervision.

b. Document the anticipated date of the move and who will be residing within the residence.

- c. Document the reason Orange County should maintain jurisdiction.
  4. Complete a record check to confirm there are no known probation grants in other jurisdictions, warrants, new law violations, or probation violations pending.
  5. Verify school enrollment, employment, and counseling, to ensure the probationer's compliance with court orders.
  6. Conduct a residence verification, with supervisor approval.
    - a. Record the new address in the Integrated Case Management System (ICMS).
    - b. The DPO may request that the receiving county probation department confirm the residence.
    - c. The DPO may obtain current utility bills or documents to prove legal occupancy of the home.
  7. Review the case file to determine the risk and needs of the probationer and what services are in the best interest of the individual.
  8. Staff the case with the supervisor and review the probationer's potential risk to the community and treatment needs.
  9. The DPO will process a referral cover letter to the appropriate county of residence; prepare a copy of the court order, court report, probation order, any significant documentation to assist in treatment or supervision, and the status of any financial obligation(s).
- B. Instructions to the Probationer
  1. The DPO will instruct the probationer to continue to make payments on any outstanding fines and restitution to the Orange County Probation Department. (If possible, collect payment in full prior to authorizing move.)
  2. Instruct the probationer to notify Orange County Probation immediately of any change of circumstances or residence occurring prior to acceptance of supervision by receiving county.
- C. Juvenile Administrative Unit
  1. **Transfer to the Juvenile Administrative Unit upon acceptance from the receiving county.**
  2. Will accept regular progress reports from the receiving county, respond to inquiries, and enforce the treatment plan and court orders.
  3. Will prepare and submit a written report for any scheduled court appearances and may address any violations of the probationer's terms and conditions of probation.

4. May prepare and submit a probation violation as deemed appropriate and direct the probationer to submit him/herself to the Orange County Juvenile Court.
5. Will advise the court when the probationer has complied with **their** terms and conditions and make recommendation to terminate supervision or, if circumstances change, to consider a jurisdictional transfer.

D. Courtesy Supervision - Coming from Other Counties

Without Jurisdiction we cannot impose sanctions or fully supervise the youth.

When a referral comes to our department from another county, it will be routed to the appropriate regional office, based on probationer's city of residence. Follow standard unit assignment/logging procedures as with other cases.

1. The DPO assigned to that city will evaluate the following:
  - a. Copy of court order/court report, ensuring the sending county's court has stated for the record that the minor will derive greater benefit from their county maintaining probation jurisdiction.
  - b. Copy of signed probation terms
  - c. Status of all fines/restitution
2. Upon receipt of above-listed items:
  - a. Verify residence.
    - (1) Evaluate the residence in terms of suitability and to determine the degree of stability or transience of the relocation.
    - (2) Verify the residence as follows:
      - (a) Make a home call and interview at least one adult. Discuss who lives there, living arrangements and relationship between adults and youth.
      - (b) Determine type of residence (apartment, house) and stability of arrangements.
      - (c) Determine who is employed and where.
      - (d) Determine whether youth is enrolled in school and where.
      - (e) Ascertain any immediate casework needs and take appropriate action.
      - (f) Observe whether the youth is deriving greater benefit from maintenance of jurisdiction and transfer

of jurisdiction to Orange County would not have been in the probationer's best interest.

- b. Submit cover letter to originating county, indicating acceptance or non-acceptance. Or if deemed appropriate, request the originating county petition its court for transfer of probation jurisdiction to Orange County.
3. If the case is accepted:
- a. Attach completed Application for Petition to packet and submit to the unit supervisor for review.
  - b. Send approved packet to Juvenile Log for file set-up. Upon set-up, the file will be routed to the unit supervisor for case assignment and then routed to the field supervision **DPO**.
  - c. Provide supervision by the standards established for regular Orange County cases.
    - (1) Review any law violation as a new case for possible local court action.
    - (2) Advise sending agency of the disposition.
    - (3) Notify sending county of any address change.
    - (4) Advise sending county of any change in the circumstances that triggered the request for courtesy supervision in lieu of transfer of jurisdiction to Orange County.
    - (5) Provide written progress reports to sending county as requested.
4. If case not accepted:
- a. Attach completed Application for Petition to packet, submit to unit supervisor for review, and return to Juvenile Log.
  - b. Send cover letter (copy attached to packet) to county requesting courtesy supervision, indicating that the case was denied and reasons why. Or if deemed appropriate, request the originating county petition its court for transfer of jurisdiction to Orange County.

**REFERENCES:**

Procedures:	2-5-005	Inter-County Transfers of Wardship Jurisdiction
	2-5-008	Local and Out-of-Town (OTI) Inquiries
	2-6-005	Interstate Compact on Juveniles (Out-of-State Courtesy Supervision) Rules of Interstate Compact on Juveniles

