

# Court Reports Overview and Distribution

(Revised 02/24/23)

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## Forms

The following forms are referenced in this policy:

- 04-24scp Authorization for Release of Information – Caregiver/Prospective Caregiver
- 04-31 Notice of Hearing worksheet (PPS)
- 04-43 How to Get a Copy of Your Report
- 04-137 Court Report Copy and Distribution Instructions
- 04-236 Psychological/Psychiatric Report Cover Sheet
- 04-445 Child and Family Team Action Plan
- [JV-535](#) Order Designating Education Rights Holder
- [JV 535A](#) Attachment to Order Designating Educational Rights Holder

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**Policy**

The Welfare Institution Code (WIC), State regulations, local court rules, and Child Welfare Services (CWS) policy require specified information to be included in each type of court report. Most cases going through the court process will have several different types of hearings before jurisdiction is terminated. Because goals and statutory findings are different for each hearing, there are several court report templates used to provide information to the court. Each court report has mandatory headings depending on the particular type of hearing and is organized to meet the requirements of that hearing. Additionally, the law mandates that court reports be submitted to the court and distributed to [parties](#) according to the specific hearing deadlines.

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**Purpose**

Court reports serve multiple functions including, but not limited to, providing:

- Evidence to support CWS’s recommendations
  - Providing the court with the appropriate [Recommendation Sets](#)
  - Evidence that CWS has provided services to resolve the safety issue
  - Placement recommendations for children/youth in out of home care
  - Evidence/documentation that CWS has complied with federal guidelines so the court can make the required findings related to funding
  - Evidence/documentation that CWS has complied with state and local rules, regulations, and policy related to the matters being heard
  - Documentation of ICWA inquiry and notice (see Protocol for Working with Indian Families, Children and Tribes and ICWA Inquiry and Noticing Manual)
  - An objective and specific description of the parent’s progress in ameliorating the risk to the child(ren)
  - A description of the child/youth’s and family’s:
    - strengths and needs.
    - cultural background, e.g., values, beliefs, lifestyle, traditions, historical trauma, race, ethnicity, language, tribal affiliation, etc.
    - religious or spirituality beliefs.
    - support system including relative and non-related extended family members.
    - health, emotional, and educational information.
  - Assessment of, and recommendation for, child’s permanent plan.
  - Documentation and evidence of parent and relative searches (see Parent Searches/Relative Searches).
  - Documentation of proper notice of the hearing.  
For Noticing policy, refer to the following policies:
    - Notice for Detention, Jurisdictional, Dispositional, Special Hearings, Contested Hearings, PSCs and SCOs
    - Notice – Review Hearings, PP Hearings, and NMD Hearings
    - Notice - Non-Citizens, Hague Convention
    - Notice - 366.26 Hearings
    - ICWA Inquiry and Noticing Manual
    - Children's Attendance at Court
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**Guidelines and Content**

The court report must be objective, factual and free of the Social Worker's (SWs) opinions. Opinions are reserved for the "Assessment/Evaluation" section and are to be worded professionally, using a trauma informed lens and behavior-based language.

SWs will not cut and paste information from CWS/CMS (i.e. contacts or service provider reports) directly into the court report. Instead, SWs will paraphrase the information unless it is a direct quote from the client. All reports submitted to court must be saved in CWS/CMS.

SWs will not request funding from the court for services.

SWs will refer to Structured Decision Making (SDM) tools and complete the required assessments based on the facts of the case and prior to a court hearing.

SWs will meet with the family and discuss the report with them. If there are questions or concerns about the content in the report and it cannot be resolved between the client and SW, the client should be referred to their attorney.

CWS/CMS generates court report templates for each type of hearing. Refer to the following policies for required content to include in the court report as it pertains to the hearing being held:

- Types of Hearings - Detention/Initial
- Types of Hearings - Jurisdiction and SCO
- Types of Hearings - Disposition
- Types of Hearings - Pre-Trial Settlement Conferences (PSCs)
- Types of Hearings - Review
- Types of Hearings - WIC 366.26 (".26")
- Types of Hearings - Special
- Types of Hearings - Contested
- Types of Hearings - 15-Day Review
- Types of Hearings - Contempt

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**Parties Entitled to Court Reports**

entitled to and must receive a copy of the court report include:

- Juvenile Court
- Parent/legal guardian\*
- Non Minor Dependent (NMD) (if applicable)
- Child/youth's counsel
- Parent's counsel
- Court Appointed Special Advocate (CASA) (if applicable)
- Tribe or designated ICWA representatives (if applicable)
- County Counsel
- Court Unit

Children's Legal Services (CLS) will decide if and when to provide a copy of the report to children/youth.

\*If parental rights have been terminated, the parent does not receive a copy of the court report.

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**Supervisor Approval**

Reports are to be prepared to allow adequate time for supervisory review. Protective Services Supervisor (PSS) will ensure that all reports clearly represent the facts of the case, adequately address the issues the court must consider, are reviewed for non-bias language and ensure that the child/families cultural values important to the family are included. The final report must logically and factually support the conclusions and recommendations.

Court reports must be signed by the preparer of the report, **and** by either the PSS, or a person authorized by the PSS to sign court reports. Under no circumstances will the preparer of the report also approve (sign) their own court report. If a PSS prepares the report, another PSS or manager will review and sign the court report.

**NOTE:** the person signing on the supervisor signature line should have some knowledge of the case.

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**Attaching Psychological Evaluations**

A Psychological/Psychiatric Report cover sheet (04-236) must be placed on top of all evaluations when attaching them to the court report. Psychological Evaluations are **not** attached to parent or child/youth copies of the reports. Psychological/Psychiatric Evaluations can be uploaded in Justice Electronic Library System (JELS) and electronically distributed to all counsel. Parent's counsel cannot share the Psychological Evaluation with the parent except upon order of the court based on a showing of good cause.

See Mental Health Evaluations for more information.

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**Attaching Mental Health Treatment Reports**

If a parent or child/youth is attending individual, conjoint or group therapy with a TERM or Non-TERM provider, initial treatment plans and progress reports **must** be attached to court reports. Mental health treatment plans and progress reports can be uploaded in JELS and distributed to all parties, including parents.

The following are some examples of mental health treatment reports (not an exhaustive list):

- Initial Individual/Conjoint/Group Therapy Treatment Plan
- Individual/Conjoint Therapy Treatment Plan Progress Reports
- Child Abuse Group Progress Reports
- Domestic Violence Group Progress Reports
- Sexual Abuse Group Progress Reports

If a treatment progress report is not available, SWs may ask the provider for updates and recommendations between written reports but must obtain the provider's permission when quoting or summarizing in the court report. For more information on documenting progress in treatment by providers, see Mental Health Treatment and Services.

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**Attaching the CANS (Child and Adolescent Needs and Strengths)**

The CANS is a multi-purpose assessment tool developed to assess well-being, identify social and behavioral needs, and support collaborative decision making. Only CANS completed by SWs can be attached to court reports.

See CANS (Child and Adolescent Needs and Strengths) for more information on documenting CANS in the court report.

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**Attaching the Child and Family Team (CFT) Summary and Action Plan**

Assembly Bill 1068 mandates the occurrence of the CFT meeting be documented within the court report. The CFT Meeting Summary and Action Plan (04-445) may be submitted to court or attached to court reports, after redacting any information not relevant to the court report. If CWS is not following the team's recommendations, the reason they are not being followed must be documented in the court report/case plan.

See Child and Family Team Meetings for more information on requirements for documenting CFT meetings and outcomes.

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**Translating Court Documents**

If foreign-language documents (such as Sistema para el Desarrollo Integral de la Familia (DIF) home evaluations) are submitted to court, English translations must be included. The SW will consult with their supervisor as to whether or not a complete translation is necessary, or a summary of the document is sufficient. The full or summary of translation must include the name and title of the person who translated it. SWs needing translation services will email a completed 04-333A, along with the documents needing translation to CWS Fiscal Unit. Manager's or designee's approval is required in Section 2 of the completed 04-333A. All families have the right to language-appropriate contact and written material explained to them in primary language. In addition, youth are entitled to receive a copy of their court report, case plan, transition to independent living plan (TILP), or Foster Youth Bill of Rights, in the youth's primary language, if English is not their primary language. For additional guidance, refer to Language Appropriate Services policy.

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**Confidential Attachments**

Court reports are confidential and are not to be provided to anyone who is not a party to the case (except for specified service providers, in accordance with CWS policy).

The following court report attachments are not to be provided to clients, and are not to be attached to client copies of court reports:

- Psychological Evaluations
  - JV-535 and JV-535A forms which contain confidential information such as a caregiver's address or school name, if it has been determined that the parent is not to be given this information.
  - Confidential placement information. See Confidential Placements for additional information.
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**Confidential Attachments (cont.)**

Specific attachments require special handling due to their confidential nature. SWs will indicate on the 04-137 Court Report Copy and Distribution Instructions form if any of the above documents are attached to the court report to ensure these are not provided to clients.

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**Information Not to Be Disclosed**

The following information will not be disclosed in any court report:

- Any information regarding consultations or conversations with County Counsel (CC) due to attorney/client privilege
- Any information from the CWS Ombudsman’s Office
- Any information where there is reason to believe that disclosure of the information would endanger (SW will consult with CC if unclear):
  - the child/youth
  - other family members
  - witnesses, or
  - any other persons involved with the case
- Medical diagnosis such as COVID-19 will be documented as “confidential medical condition. Refer to Confidentiality - General.
- HIV information on any parent or child will be documented as the person having “a chronic life-threatening condition.” Refer to AIDS/HIV - Confidentiality and Documentation.
- Refer to Contacts - SW and Child on how to document reproductive health discussions.
- Refer to Sexual Orientation, Gender Identity, and Gender Expression (SOGIE) for documentation guidance.
- Address of survivor of family violence/intimate partner violence
- Caregivers’ address, unless caregiver has consented to address being disclosed
- Reporting party’s name, address, title, phone number or any other identifying information
- Social Security numbers
- A caregiver’s/potential caregiver’s CWS or Justice System Involvement (criminal history).

**NOTE:** To disclose a caregiver’s CWS history a granted 827 - Petition for Disclosure of Juvenile Case File order is necessary. A caregiver may sign form 04-24scp, Authorization for Release of Information – Caregiver/Prospective Caregiver to release their health, financial and criminal history information.

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**Documenting Justice System Involvement (Criminal History)**

Justice System Involvement information may be summarized in a court report per Penal Code sections 11144(c) and 11105 (h) (1). The information from Justice System Involvement record transcripts “RAP” sheets **cannot** be photocopied or attached to a court report. The “RAP” sheets will **not** be copied verbatim and will only include relevant and necessary information.

The information should be listed as follows:

- Date of arrest
  - Code violation
  - Disposition (includes fines and time served).
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**Documenting  
Justice System  
Involvement  
(Criminal History)  
(cont.)**

Police reports can be attached to the court report; however, any references to a certain witness being a reporting party (RP) will be omitted/redacted. If RP information is included in any documents, it is the SWs responsibility to redact it (noting why it is being redacted), even though unaltered copies of the report may still be obtained through other channels. Additionally, Calls for Service cannot be attached.

See Calls for Service and Criminal History Information for additional information.

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**Documenting  
Child Welfare  
Services (CWS)  
History**

List each prior referral to CWS by date: oldest to recent. Provide a brief summary of the allegation (do not cut and paste the original referral), including:

- the names of the alleged perpetrator and victim
  - a summary of the investigation findings and the allegation conclusion (Substantiated, Inconclusive, Unfounded)
  - whether or not the referral was closed, or a case was opened. If opened, list the services that were provided and for how long and whether the parents successfully completed them.
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**Documenting  
Child(ren)'s  
Desire to Attend  
their Court  
Hearing**

Per WIC 349, "A minor who is the subject of a juvenile court hearing and any other person entitled to notice of the hearing under Sections 290.1 and 290.2, is entitled to be present at the hearing." The child/youth's dependent siblings/half siblings must also be noticed of hearings.

CWS must provide written notice to child(ren)/youth ten (10) years old and older, and SW's must ask if the child/youth would like to attend their upcoming court hearing. The discussion and the child/youth's response must be documented in the Notice section of every court report. If the child/youth would like to attend the hearing, the SW will assist/facilitate their attendance in court by communicating with their parent/caregiver and address any barriers to ensure the child/youth attends the hearing.

Refer to Children's Attendance at Court for more information on noticing and other court attendance information for children/youth.

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**Court Report  
Recommendation**

Court report recommendations are based on evidence and assessments. If there is a disagreement between the SW and PSS regarding the court report recommendation and a resolution cannot be reached, the SW and PSS will take the case/referral to a Formal – Cross Program consultation to help make the decision. See Case Consultation for more information.

If resolution cannot be reached in a manner the SW could support if called to testify, the PSS will write the court report. The evidence presented by the SW will be written using the third person. The PSS and CWS manager will sign the report.

SWs from different programs who are called to testify at contested hearings should consult with one another and with County Counsel (CC) before the hearing, however such a consultation is NOT to suggest that a SW should change anything they believe nor testify untruthfully.

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**Court Report Recommendation (cont.)**

If court report recommendations are different amongst CWS programs, a case consultation will be held and the CWS managers of the programs/regions should be present.

**NOTE:** Case consultation discussions are confidential and should not be documented in court reports.

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**Adding Recommendation Sets**

Recommendation Sets vary depending on the type of hearing and recommendations being made. Refer to the recommendation set indexes to determine which set to use. The Recommendation Sets are stored in the SWs computer and can be located in the following location: **This PC\Documents\RECS.**

The following table details how to add a Recommendations Set into the court report:

Step	Action
1	Review and identify the appropriate recommendation set using the indexes.
2	On the court report, insert a <b>Page Break</b> directly above the "Recommendations" Heading.
3	Place the cursor in the gray text box, under the Recommendation heading. The box will highlight.
4	In the Microsoft Word menu titles, select the <b>Insert</b> tab. Select the arrow next to <b>Object</b> and select <b>Text from File</b> on the drop-down menu.
5	Locate the appropriate Recommendation Set.
6	Select the file and click <b>Insert</b> . The Recommendation Set will populate into the court report.
7	In the Microsoft Word menu titles, select the <b>Home</b> tab, and use the <b>Find</b> function to search for all asterisks (*) in the Recommendation Set. Enter the specific information required in each recommendation having an asterisk (*), and then, delete all the asterisks (*) and carrots (< >), and all of the text between the brackets not used or needed.

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**Adding Recommendation Sets (cont.)**

After inserting the correct recommendation set, the SW will:

- Select the correct text when selections are available and ensure that all non-applicable text is deleted.
- Ensure at least one recommendation is on the signature page
- Submit to PSS for final review and approval.

**NOTE:** It is the PSS’s responsibility to review all final reports and recommendations before they are submitted to court. PSS’s will not sign court reports with missing or incorrect recommendation sets.

When editing the recommendations, the SW will keep in mind:

- The pink colored text is “hidden text,” which is designed to assist in selecting the appropriate recommendations. There is no need to delete the hidden text when you prepare your recommendations, because it will not print. If your computer either prints the hidden text or does not display it, then contact the CWS/CMS Help Desk to adjust your computer settings.
- If the on-screen spacing of the recommendations does not look right because of the hidden text, then as long as no hard returns have been added or deleted to the black text, the printed recommendations will print appropriately spaced.
- When deleting a recommendation, the number next to the recommendation will not highlight but it will disappear when the text does. When deleting a subset, the numbering of the subsequent recommendations will self-adjust after the deletion.

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**Court Report Due Dates**

Timeframes for submitting court reports vary depending on the type of hearing. To ensure reports are submitted timely, SWs must monitor their hearing dates, consider time needed for supervisor review and preparing the report for distribution (i.e. mailing reports and taking them to court).

The following table outlines timeframes of when the court report is due according to the type of hearing:

Type of Hearing	Due Date (prior to hearing date)
Detention	Day of Hearing
Jurisdiction/Disposition	Two (2) Business Days
Status Review/PP	Ten (10) Calendar Days
366.26 Hearing	10 calendar days unless the court sets the due date
STRTP Placement Hearing	Seven (7) Calendar Days

**Court Report Due Dates (cont.)**

Type of Hearing	Due Date (prior to hearing date)
Special Hearing	As soon as possible
Nonminor Dependent Re-entry	Two (2) Business Days
Nonminor Dependent Review	Ten (10) Calendar Days
15 Day Review	Two (2) Business Days
241 Hearing (Dual Jurisdiction)	Five (5) Business Days

**Distribution of Court Report**

As of April 1, 2018, all court reports must be uploaded in JELS (Justice Electronic Library System). Court reports will be electronically distributed via JELS to Children’s Legal Services (CLS), Dependency Legal Services (DLS), Court Appointed Special Advocates (CASA), CC and the Court Unit (CU).

In addition to JELS electronic distribution, SWs **must** provide paper copies to the following parties:

- Juvenile Court
  - One (1) copy of report for each child/youth
  - Two (2) sets of copies of recommendations per report
  - Original signature on oldest child/youth’s copy
  - Top hole-punches
- Parent(s), Legal Guardian(s)
- Non-minor Dependent
- Tribe and/or designated ICWA representatives (when applicable)
- Retained or Private attorneys (when applicable)

**NOTE:** Juvenile Court does not accept court reports via JELS and SWs must file a paper copy via the court business office.

**Preparing and Distributing the Court Report**

The table below outlines how to prepare the court report for distribution and staff responsibilities based on the type of report (see JELS (Justice Electronic Library System) for electronic distribution guidance):

Type of Report	Who	Action
Detention (300/387)	Legal Processing Unit	<ul style="list-style-type: none"> <li>• Upload CC approved Detention Report in JELS</li> <li>• Electronically distribute Detention Report in JELS to assigned court/parties</li> </ul>

**Preparing and Distributing the Court Report (cont.)**

Type of Report	Who	Action
Detention (300/387) (cont.)	Court Unit	<ul style="list-style-type: none"> <li>Print paper copies for Juvenile Court file</li> <li>Submit paper copies to Juvenile Court for each child/youth on date of the hearing</li> </ul>
	Regional JELS Specialist or SW	<ul style="list-style-type: none"> <li>Make paper copies of the report for all other parties needed</li> </ul> <p>Distribute report as follows:</p> <ul style="list-style-type: none"> <li>Parent: deliver via U.S. Mail or in person</li> <li>Privately Retained attorney (if applicable): deliver via U.S. Mail or as arranged</li> <li>Tribal Representative (if applicable): deliver via U.S. Mail or in person</li> <li>Youth: provided by CLS</li> </ul>
	SW	<ul style="list-style-type: none"> <li>If applicable, contact the Substance Abuse Specialist (Dependency Drug Court Program (DDCP)) to arrange and provide a copy of the Detention report</li> </ul>
Jurisdiction/ Disposition (J/D)	SW	Provide report to JELS Specialist
	Regional JELS Specialist	<ul style="list-style-type: none"> <li>Upload report in JELS and electronically distribute to appropriate parties</li> </ul>
	Regional JELS Specialist or SW	<ul style="list-style-type: none"> <li>Make paper copies of the report for court file and for any other party needed</li> </ul> <p>Distribute report as follows:</p> <ul style="list-style-type: none"> <li>Court: file report in the court business office in person or via county mail</li> <li>Parent: deliver via U.S. Mail or in person</li> <li>Retained attorney (if applicable): deliver via U.S. Mail or as arranged</li> <li>Tribal Representative (if applicable): deliver via U.S. Mail or in person</li> <li>Youth: provided by CLS</li> </ul>

**Preparing and Distributing the Court Report (cont.)**

Type of Report	Who	Action
<ul style="list-style-type: none"> <li>Status Review</li> <li>366.26 Hearing</li> </ul>	<ul style="list-style-type: none"> <li>See <a href="#">Status Review and .26 Reports</a></li> </ul>	
<ul style="list-style-type: none"> <li>PP Hearing</li> <li>Interim Hearing</li> <li>STRTP Placement Hearing</li> <li>Special Hearing</li> <li>Addendum Reports</li> </ul>	SW	Provide report to JELS Specialist
	Regional JELS Specialist	<ul style="list-style-type: none"> <li>Upload report in JELS and electronically distribute to appropriate parties.</li> </ul>
	Regional JELS Specialist or SW	<ul style="list-style-type: none"> <li>Make paper copies of the report for court file and for any other party needed</li> </ul> <p>Distribute report as follows:</p> <ul style="list-style-type: none"> <li>Court: file report in the court business office in person or via county mail</li> <li>Parent*: deliver via U.S. Mail or in person</li> <li>Retained attorney (if applicable): deliver via U.S. Mail or as arranged</li> <li>Tribal Representative (if applicable): deliver via U.S. Mail or in person</li> <li>Youth: provided by CLS</li> </ul> <p>* If the case is in PP pending an adoption or if rights were previously terminated, then the parent does not receive a copy of this report.</p>
<ul style="list-style-type: none"> <li>Nonminor Dependent Re-entry</li> <li>Nonminor Dependent Review Hearing</li> </ul>	SW	<ul style="list-style-type: none"> <li>Provide report to JELS Specialist</li> </ul>
	Regional JELS Specialist:	<ul style="list-style-type: none"> <li>Upload report in JELS and electronically distribute to appropriate parties</li> </ul>
	Regional JELS Specialist or SW	<ul style="list-style-type: none"> <li>Make paper copies of the report for court file and for any other party needed</li> </ul> <p>Distribute report as follows:</p> <ul style="list-style-type: none"> <li>Court: file in the court business office in person or via county mail</li> <li>Youth: deliver via U.S. Mail or in person</li> <li>Tribal Representative (if applicable): deliver via U.S. Mail or in person</li> </ul>

**Preparing and Distributing the Court Report (cont.)**

Type of Report	Who	Action
15 Day Reviews	SW	<ul style="list-style-type: none"> <li>Submit report to the Court Unit via general email inbox: CWSCourtUnit.HHSA@sdcounty.ca.gov</li> </ul>
	Court Unit	<ul style="list-style-type: none"> <li>Print and submit paper copy to court</li> <li>Upload court signed report in JELS and electronically distribute to all parties.</li> <li>Mails signed paper copy to SW via interoffice mail</li> </ul>
241 Hearing (Dual Jurisdiction)	SW	<ul style="list-style-type: none"> <li>Provide report to JELS Specialist</li> </ul>
	Regional JELS Specialist	<ul style="list-style-type: none"> <li>Upload report in JELS and electronically distributes to appropriate parties and</li> <li>JELS Dual Region Drop Box</li> </ul>
	Court Unit	<ul style="list-style-type: none"> <li>Transfer report to CWS/Probation Exchange</li> </ul>
	Regional JELS Specialist or SW	<ul style="list-style-type: none"> <li>Make paper copies of the report for court file and for any other party needed</li> </ul> <p>Distribute as follows:</p> <ul style="list-style-type: none"> <li>Court: file in the court business office in person or via county mail</li> <li>Parent: deliver via U.S. Mail or in person</li> <li>Retained attorney (if applicable): deliver via U.S. Mail or as arranged</li> <li>Tribal Representative (if applicable): deliver via U.S. Mail or in person</li> <li>Youth: provided by CLS</li> </ul> <p><b>Note:</b> Public Defender, Probation Officer and District Attorney do not want paper copies and obtain report via JELS.</p>
Ex Parte Application and Order	SW	Submit Ex Parte request to the court unit email inbox: CWSCourtUnit.HHSA@sdcounty.ca.gov
	Court Unit	<ul style="list-style-type: none"> <li>Process Ex Parte Requests</li> <li>Upload court signed report to JELS and electronically distribute to parties</li> <li>Mail the signed Ex Parte paper copy to the SW via interoffice mail</li> </ul>

**Distribution of Status Review and 366.26 Reports**

For Status Review and 366.26 Hearings, the SW is responsible for ensuring that the court report is available for the parent/NMD to pick up from the CWS office at least 10 calendar days prior to the hearing.

The 04-137 Court Report Copy and Distribution Instructions form must be completed for all Status Review Hearings and 366.26 Hearings. It provides distribution instructions for the parent/NMD court report copies. Additionally, it is used to document that the parent/NMD received their court report copy.

The Legal Notice Unit informs parents on how to obtain a copy of their court report by mailing them the 04-43- "How to Get a Copy of Your Report," available in English and Spanish, with their Notice of Hearing. The 04-34 informs parents/NMDs that they can pick up a copy of their court report at the CWS office. The SW will ensure that the 04-31 Notice of Hearing worksheet is completed accurately, including the correct SW's name and worker number so the parent/NMD can be directed to the correct CWS office.

Notices for 366.26 Hearings are usually completed by personal service; therefore, the 04-43 should be given to the parent by whoever provides the service. Permanency Planning Assessment Unit (Transferring a Case to PPAU) will provide the 04-43 to clients who are noticed by mail of 366.26 hearings.

For additional information on Notices, see Notice – Review Hearings, PP Hearings, and NMD Hearings Notice - 366.26 Hearings.

**Preparing and Distributing the Court Report**

The table below outlines distribution and staff responsibilities for status review/.26 hearing court reports:

Step	Who	Action						
1	SW	<ul style="list-style-type: none"> <li>• Print and complete the 04-137 form as follows:               <table border="1" data-bbox="711 1207 1458 1808" style="margin-left: 20px;"> <thead> <tr> <th colspan="2" data-bbox="711 1207 1458 1283">Are there parents/NMD on the case?</th> </tr> </thead> <tbody> <tr> <td data-bbox="711 1283 966 1514" style="text-align: center;">Yes</td> <td data-bbox="966 1283 1458 1514"> <ul style="list-style-type: none"> <li>• Fill out the hearing date and parent/NMD name</li> <li>• Correctly mark boxes A, B and C</li> <li>• Indicate if the parent/NMD will pick up their court report copy or if it needs to be mailed</li> </ul> </td> </tr> <tr> <td data-bbox="711 1514 966 1808" style="text-align: center;">No (i.e. parents are deceased, have had their parental rights terminated, were never identified, or no NMD)</td> <td data-bbox="966 1514 1458 1808">Mark "No Parents" box on 04-137</td> </tr> </tbody> </table> </li> <li>• Provide report and 04-137 form to JELS Specialist for distribution</li> </ul>	Are there parents/NMD on the case?		Yes	<ul style="list-style-type: none"> <li>• Fill out the hearing date and parent/NMD name</li> <li>• Correctly mark boxes A, B and C</li> <li>• Indicate if the parent/NMD will pick up their court report copy or if it needs to be mailed</li> </ul>	No (i.e. parents are deceased, have had their parental rights terminated, were never identified, or no NMD)	Mark "No Parents" box on 04-137
Are there parents/NMD on the case?								
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No (i.e. parents are deceased, have had their parental rights terminated, were never identified, or no NMD)	Mark "No Parents" box on 04-137							

**Distribution of Status Review and 366.26 Reports (cont.)**

Step	Who	Action
2	Regional JELS Specialist or SW	<ul style="list-style-type: none"> <li>• Review 04-137 form</li> <li>• Upload report in JELS and electronically distribute to appropriate parties.</li> <li>• Make paper copies of the report for court file and for any other party needed</li> <li>• Distribute as follows:               <ul style="list-style-type: none"> <li>○ Court: file in the court business office in person or via county mail</li> <li>○ Parent: deliver as indicated in 04-137 form.</li> <li>○ Retained attorney (if applicable): deliver via U.S. Mail or as arranged.</li> <li>○ Tribal Representative (if applicable): deliver via U.S. Mail or in person.</li> <li>○ Youth: provided by CLS</li> </ul> </li> </ul> <p><b>NOTE:</b> If mailing reports to parent/NMD</p> <ul style="list-style-type: none"> <li>• Use names and addresses on the 04-137 form and send report using first class mail.</li> <li>• On the 04-137 form, write down date mailed and print your name under “Name of staff who mailed report.”</li> </ul>
3	CWS Reception staff	<p>For parents/NMDs picking up reports from CWS office:</p> <ul style="list-style-type: none"> <li>• Request photo ID and confirm it matches parent/NMD name.</li> <li>• Have the parent/NMD sign and date the 04-137.</li> <li>• Initial the 04-137 to verify the report was provided.</li> <li>• If a parent/NMD comes to pick up a report that has already been mailed, confirm that the report was sent to the correct address. If the address is incorrect or parent/NMD is no longer at that address, write the correct address on the 04-137 and provide a copy of the report to the parent/NMD.</li> <li>• After the hearing date, return all 04-137 forms and any remaining copies of the reports to the SW.</li> </ul> <p><b>NOTE:</b> SWs can retrieve the 04-137 and copies of the court reports at any time to distribute themselves if they choose.</p>

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**Distribution of  
Status Review  
and 366.26  
Reports (cont.)**

Step	Who	Action
4	SW	<ul style="list-style-type: none"><li>• If applicable, mail or deliver any reports not picked up by parent/NMD.</li><li>• Document in a CWS/CMS contact how the parent/NMD was provided a copy of the court report</li><li>• File 04-137 in hard file in Court Report section.</li></ul> <p><b>Note:</b> The SW will send the court reports via first-class mail whenever a client:</p> <ul style="list-style-type: none"><li>• lives out-of-county, state, or country</li><li>• in a facility that restricts them from leaving</li><li>• is absent, when there is a last known address on file</li><li>• requests the report to be mailed.</li></ul>

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**Alignment with  
SET**

This policy supports the SET [Value 5](#) of a strong working relationship with the legal system by following court and policy timelines for submission of court reports.

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