

Pick-Up and Detain Orders

(Revised 07/31/20)

[Forms](#)

[Policy](#)

[Role of the Substitute Care Provider \(SCP\)](#)

[Requesting a Pick-Up and Detain Order for an AWOL Dependent Child](#)

[Following Up on the Pick-Up and Detain Order](#)

[Pick-Up and Detain Orders Outside San Diego County](#)

[When a Child is Picked Up or Returns Voluntarily](#)

[When the Child Is Located Outside California](#)

[After the Child Has Been Located](#)

[Alignment with SET](#)

Forms

The following forms are referenced in this file:

- [Consent for Voluntary Return of Out-of-State Juvenile](#)
- [Petition for Hearing on Requisition for Runaway Juvenile](#)
- [Requisition for Runaway Juvenile](#)
- 04-3 Wanted Notice and Order of Detention (*CWS/CMS County Specific Templates*)

Related policy

Related policy includes:

- Protective Custody Warrants (PCWs)
- Investigative Search Warrants (ISWs)

Policy

If a dependent child is missing, has been abducted, or is Absent With Out Leave (AWOL), the SW must request a Pick-up and Detain Order from the court within 24 hours of being notified the child is missing. The SW must also ensure a missing person's report has been filed because this ensures the information is entered in the National Crime Information Center (NCIC). The NCIC allows any jurisdiction to pick-up the child, if the child has been located.

If a child is AWOL between the Detention Hearing and the Jurisdictional/ Dispositional Hearing, the SW will request a Pick up and Detain Order within 24 hours of being notified the child is missing.

Role of the SCP

Upon receiving information that a dependent child is missing, has been abducted, or is AWOL, the SCP must immediately notify the SW and the local law enforcement agency.

The SCP must also file a missing person's report with the local law enforcement agency.

The SW will confirm that the SCP has contacted law enforcement and filed a missing person's report. If the SCP has not contacted law enforcement, then the SW will remind the SCP to do so.

Requesting a Pick-Up and Detain Order for an AWOL dependent child

The following procedure will be followed to request a Pick-up and Detain Order. Faxed copies of the 04-3 cannot be used because an original signature is needed.

Step	Who	Action
1	SW	The SW will immediately notify the child’s parents/guardians that the child is missing and that a Pick-up and Detain Order will be requested.
2	SW	Complete the 04-3 (Wanted Notice and Order of Detention). NOTE: The PSS will review and sign the 04-3 ensuring that all boxes are completed, or if the information is not known, to say so on the form.
3	SW and/or Clerical Staff	<ul style="list-style-type: none"> • Make one copy for: <ul style="list-style-type: none"> ○ each attorney ○ County Counsel ○ Sheriff’s office ○ SW ○ Juvenile Court, and ○ Extra copy for court to return to the SW after being signed. • Forward all copies to the Court Unit.
4	Court Unit	<ul style="list-style-type: none"> • Take all copies to court and distribute them to the parties. • Submit the court copy to the court for signature. • After the court signs the Order, submit the signed copy to the Sheriff’s Office for entry into their database. • Forward signed copy to the SW.
5	SW	<ul style="list-style-type: none"> • Forward copies of the signed 04-3 to any retained attorneys on the case. • Notify the child’s parents/guardians and SCP that a Pick-up and Detain Order has been issued.

Following up on the Pick-Up and Detain order

The Sheriff's Juvenile Court Office will forward all Pick-up and Detain Orders to the Sheriff's Warrant Office for entry in their warrant system.

SWs may contact the Sheriff's Office at 858-974-2110 to determine if a Pick-up and Detain Order has been entered into the warrant system.

NOTE: The Sheriff's Office refers to these orders as Juvenile Detention Orders (JDOs), and the number corresponds to the petition number.

Pick-Up and Detain Orders outside San Diego County

SWs who need to have a JDO sent to a law enforcement agency outside San Diego County will:

- call the Warrant Office at (858) 974-2210
 - inform the Warrant Office that a JDO needs to be sent to a law enforcement agency outside San Diego County, *and*
 - provide the Warrant Office with the residential address outside San Diego County where the SW believes the child may be found.
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When a child is picked up or returns voluntarily

When a child is either picked up on a Pick-up and Detain Order or voluntarily returns, the SW will immediately notify the:

- parents/guardians
- SCPs
- attorneys
- law enforcement jurisdiction originally notified
- court (via ex parte), so the court can vacate the Pick-up and Detain order.

If the child returns prior to the issuance of the Pick-up and Detain Order but after law enforcement has been contacted, the SW must call and notify law enforcement that the child has returned.

When the child is located outside California

If the child is located outside California, the child will be temporarily detained in that state. The SW must contact the Interstate Compact for Juvenile Office and speak to the Duty Officer to inform them of the state where the child is located. The Duty Officer will facilitate the process and provide the SW with the necessary documents.

Typically, a court hearing will be held in the other state the child is detained. At this hearing, the child will be asked to sign a Consent for Voluntary Return of Out-of-State Juvenile to San Diego County. If the child signs the form, the Duty Officer will contact the SW to make travel arrangements for the child.

When the child is located outside California (cont.)

If the child does not sign the consent form, the SW will:

Step	Action
1	<p>Schedule a Special Hearing in San Diego County and file the Petition for Requisition to Return a Runaway Juvenile form provided by the Duty Officer. Prior to filing the petition, the SW must:</p> <ul style="list-style-type: none">• complete three original copies of this form• have each copy notarized (see Birth Certificates).• attach two certified copies of the Disposition order that declares the child a dependent and awards custody to CWS (SWs can get certified minute orders from the court)• file one original copy of the form with the Juvenile Court• provide copies to all assigned attorneys, and file the remaining original copies in the child’s CWS case.
2	<p>Complete three copies of the Requisition for Runaway Juvenile form (also to be provided by the Duty Officer).</p>
3	<p>Attend the Special Hearing and ask the Juvenile Court to grant the Petition for Requisition to Return a Runaway Juvenile. If the petition is granted, the Juvenile Court judge must sign each copy of the Requisition for Runaway Juvenile.</p>
4	<p>Via overnight mail, send two original copies of the Requisition for Runaway Juvenile and two copies of the Petition for Requisition to Return a Runaway Juvenile.</p> <p>The Duty Officer will review the documents for completeness and accuracy. If everything is complete and accurate, the Duty Officer will send the forms to the state where the child is detained. That state’s appropriate court will hear the Requisition for Runaway Juvenile matter.</p>

When the child is located outside California (cont.)

Step	Action
5	<p>Contact the Travel Clerk and make tentative travel arrangements for the child within five days of being notified that the Requisition for Runaway Juvenile was granted. The SW (or designee) must be able to pick up the child from the airport when the child arrives.</p> <p>NOTE: Generally, the SW does not need to travel to pick up the child. The Duty Officer will arrange the supervision of the child during the travel times. If the travel arrangements include a layover, the Duty Officer is able to arrange for airport surveillance for the child.</p>
6	<p>Email/fax the Duty Officer a copy of the travel itinerary for the child at least three business days before the travel date and time. The Duty Officer will confirm the state holding the child can transport the child to the appropriate airport on the travel date and time. If that state can transport the child, the Duty Officer will inform the SW to move forward on the travel arrangements.</p>

After the child has been located

After the child has been located, the SW will:

- notify the parents and SCP that the child has been located
- complete an ex parte to:
 - notify Juvenile Court of the date and time the child returned or
 - notify the Juvenile Court of the whereabouts of the child, and
 - vacate the Pick-up and Detain Order.
- call the law enforcement agency involved and cancel the Pick-up and Detain Order.

Alignment with SET

This policy supports the following SET Values:

- [Value 3](#): **Helping Children and Youth Achieve Their Full Potential and Develop Lifelong Relationships** by keeping kids safe at home or in placement.
 - [Value 4](#): **Shared Responsibility with Community Partners** by ensuring the child's safety and well-being.
 - [Value 5](#): **A Strong Working Relationship with the Legal System** by collaborating with legal and LE partners to ensure the child's safety.
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