

Dual Status

(Revised 06/22/18)

[Forms](#)

[Additional Information](#)

[When a Youth is Declared Dual Status](#)

[Cases with Siblings](#)

[Dual Status Adoption Cases](#)

[Dual Status Indian Specialty Unit \(ISU\) Cases](#)

[MDT Meetings](#)

[Preparing for the MDT](#)

[During the MDT Meeting](#)

[Following the MDT Meeting](#)

[Progress Reviews](#)

[Special Project Codes](#)

[Monthly Compliance Visits](#)

[Court Reports, Special Hearings, and Ex-Parte Requests](#)

[Communication](#)

[Dual Status Is Terminated](#)

[Alignment with SET](#)

Forms

The following forms are referenced in this file:

- 04-381 CYPM MDT/Progress Review Meeting Structure
- 04-382 CYPM MDT/Progress Review Case Planning Tool

Additional information

Refer to the following for additional information:

- WIC 329 Referrals
- Dual Jurisdiction
- CYPM-Dual Status Protocol.

When a youth is declared Dual Status

When a youth is ordered a dual status, their case will be transferred to the Dual Status Unit, in the Extended Foster Care (EFC) program, for supervision and case management. The SWs in the Dual Status Unit will coordinate case planning, service delivery, and case management with the assigned Probation Officer (PO). The SW and PO will work as a team to assist the youth in reaching their full potential and completing the terms of their probation.

Cases will not transfer to the Dual Status Unit until after the case has been declared dual, which is typically during the 241.1 hearing. A lead agency may be determined at this time. Once the order for dual status has been made, the case will be transferred to the Dual Status Unit, if there are no court dates pending within 60 days. The case may be transferred when a court date is scheduled within this 60 day time frame if the court report has been completed, and if the sending PSS and the Dual Status Unit PSS both agree to the transfer.

Cases with siblings

When a case is ordered dual status, it will be heard in Dept.1 at Meadowlark, and the siblings cases will remain in the assigned region and their home department. Splitting the family between two courts can be challenging, so the SW will make and document all efforts to allow sibling visitation to occur if it is in the best interest of the children. The SW for the dual status youth must initiate monthly contact with the SW for the siblings of the dual status youth to provide mutual updates that may impact the family unit and sibling relationships. The Dual Status Unit PSS is responsible for ensuring this contact occurs.

Dual Status adoptions cases

Cases within the Adoptions program that are ordered dual status will remain in the Adoptions program, and will not be transferred to the Dual Status Unit. The Dual Status Unit PSS is available to assist with issues that arise regarding dual status services, Probation, and 241.1 hearings.

Dual Status Indian Specialty Unit (ISU) cases

ISU cases that become dual status will be transferred to the dual status unit on a case-by-case basis, taking into consideration the youth's connection with their tribe. If the case remains in the ISU, the Dual Status Unit PSS is available to assist with issues that arise regarding dual status services, Probation, and 241.1 hearings.

Multidisciplinary Team (MDT) Meetings

Delinquency has two hearings after the detention hearing: an adjudication hearing and a disposition hearing. At the adjudication hearing, it is decided whether or not the case is going to be:

- Dependency
- Delinquency
- Dual status (both delinquency and dependency at the same time).

At the disposition hearing, the court decides on a dual status case which agency will be the lead agency. In general, placement dictates which agency will be the lead.

Post adjudication and pre-disposition is the time that probation creates their case plan and this time period is when the MDT will be held.

The MDT will determine how the youth will go about fulfilling their case plan while connecting with all the key players. The key players will provide support and accountability to the youth.

| If the youth is... | Then the post adjudication MDT will take place at |
|------------------------------|--|
| in custody at Juvenile Hall, | Juvenile Hall, located at 2801 Meadowlark Dr., San Diego, CA 92123 |
| out of custody, | Juvenile Probation Center (JPC), unless otherwise stated, located at 2901 Meadowlark Dr. San Diego, CA 92123 |

**Multidisciplinary
Team (MDT)
Meetings (cont.)**

The post adjudication MDT will include as many as the key participants as possible such as:

- PO
- SW
- Youth
- Family
- School Success Educational Liaison (who will contact the district educational liaison)
- BHS representative
- Service Provider
- PHN Public Health Nurse
- Foster parents
- Teachers
- Public Health Nurse
- Court Appoint Special Advocates
- Other stakeholders, e.g., CSG, SAY, etc.

Non-HHSA staff, e.g., medical experts, therapists and others will present their information at the beginning of the MDT and will then be excused.

**Preparing for the
MDT**

In preparing for the MDT, there are guiding topic areas to consider and during the meeting, there will be specific areas explored. The guiding topic areas are:

- History of placements/Placement options
- Mental health history/Emotional and behavioral issues
- Substance abuse
- Current arrest/Arrest history
- Dependency history
- School performance (attendance, grades, truancy, IEP's)
- Employment history
- Did the parents take steps to correct problems?
- Youth's strengths and interests
- Safety and support network.

During the meeting the following areas will be explored:

- What is working well with the family?
- What are the worries with the family?
- What are the goals and objectives with the family?
- Who will be the lead agency?
- What do we need to do to close the case successfully-both Probation and CWS?
- What are the placement options?
- What are the case plan activities?
- Which agency will provide which services?
- SDM risk and safety assessment(dependency)
- Probation's risk assessment.

SWs will search for absent parents and relatives as part of the MDT process with the goal of working towards permanence for the youth.

NOTE: A meeting structure (04-381) guideline should be used for this meeting.

During the MDT Meeting

During the MDT, risk assessment factors will be used as a tool to assist in the decision making process. Probation and CWS will bring their assessments to the MDT meeting.

The main purpose of the meeting is to create a case plan that best serves the youth's needs. The case plan will include but not be limited to:

- What services will be provided to address each need identified?
- A description of the behavior and needs, including mental health needs that the child must address to be successful without the supervision of the juvenile court
- What person and/or agency will provide these services?
- When will those services be provided?
- Are there any obstacles that would prevent the timely provision of services?
- Does the child have special education needs? Are they being addressed?
- Medical care
- Dental care
- Visitation between the child and family
- ILP Planning
- Community services
- Collection of restitution and fines
- Conditions of probation and dependency orders.

Before everyone leaves, each team member will know what activity they are responsible for supporting and the target completion date.

If there is reason for any further evaluation or testing, this should be extracted by the MDT, and decided who will take the lead on paying for, administering and reporting the results of the evaluation.

During the MDT meeting, a decision will be made about who is going to be recommended as the lead agency. There are two possible recommendations for legal status the SW can make:

- Dual status with HHS/CWS as the lead agency
- Dual status with Probation as the lead agency.

Following the MDT meeting

Probation will submit a court report and a case plan to the court for the disposition hearing. Probation will provide the SW with a copy of the case plan submitted to court.

The report will include:

- The nature of the referral and the child's age.
 - Current juvenile court status.
 - The child's prior behavioral problems and/or delinquent activities.
 - The number of prior referrals to HHS/CWS and Probation.
 - The number of admissions to mental health facilities.
 - The parents' cooperation with the child's school and HHS/CWS and/or Probation.
 - The child is functioning at school.
 - The nature of the child's environment.
 - The records of other agencies, which have been involved with the child and the family.
 - A description of the appropriate services, interventions and placement for child.
 - Whether HHS/CWS or Probation should be the lead agency.
 - Any other relevant information.
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Progress reviews

Once the case has been determined by the court to be a dual status case, jurisdiction is maintained by both CWS and Probation. The case will be heard by one judge.

The purpose of coordinated case supervision is for the SW and PO to provide:

- A united support system
- To reduce the likelihood of reoffending and
- Improve the overall well-being of crossover youth.

There will be an in-person meeting progress review with conference call capability available. The progress review will occur 30 days prior to the youth's court hearing.

If CWS is the lead agency, the SW will:

| Step | Who | Action |
|------|-------|---|
| 1 | SW | <ul style="list-style-type: none">• Schedule the in-person progress review meeting to be held one month prior to the court hearing.• Invite the following people:<ul style="list-style-type: none">○ Youth○ Parent○ Substitute care provider(s)○ SW○ PO○ Educational liaison (who will contact the district educational liaison)○ CASA○ BHS○ Other providers as appropriate. <p>NOTE: If the youth cannot attend, the SW will talk with the youth prior to the progress review. Every effort should be made to have the youth at the meeting.</p> |
| 2 | PO/SW | <ul style="list-style-type: none">• Complete and bring their agency's risk and safety assessment tools.• Review the CYPM MDT/Progress Review Meeting Structure (04-381) and the CYPM MDT/Progress Review Decision Grid (04-382). |
| 3 | SW | During the meeting, complete the CYPM MDT/Progress Review Decision Grid. |
| 4 | SW | Following the meeting: <ul style="list-style-type: none">• Send a copy grid to the PO.• After the SW has completed their court report and case plan, provide a copy to the PO. |

**Progress reviews
(cont.)**

Progress reviews can also happen when there is:

- Significant change in family dynamics
- Major change in youth status (school performance, increased social interaction with peers involved in illegal behaviors)
- A family member who requests a meeting.

The progress review will include discussions regarding:

- Probation goals
 - CWS goals
 - Permanency
 - Case closure
 - Concurrent planning
 - ILS.
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Special Project Codes

HHS/CWS will add a special project code of “Dual Status” to all of their dual status cases:

- “S-Dual Status”
 - A youth who is a dependent (pursuant to WIC section 300) and simultaneously a ward (pursuant to WIC sections 601/602) of the juvenile court. Use the date when jurisdiction is obtained by both entities.
- “S-Dep 300 receiving Prob SRVCS”
 - A youth who is a dependent (pursuant to WIC section 300) and simultaneously receiving services from probation (i.e. a probation officer has been assigned to provide some level of youth oversight). The start date is the date the probation officer is assigned; the end date is the date when the probation officer is no longer assigned.
- “S-Ward 601/602 receiving CWS”
 - A youth adjudicated a ward (pursuant to WIC sections 601/602) and who is simultaneously receiving services from CWS (i.e. a social worker has been assigned to provide some level of youth oversight). The start date is the date the social worker is assigned; the end date is the date the social worker is no longer assigned.

The purpose of these special project codes is to track and monitor dual status youth until the implementation of the New System. The SWs supervisor will be responsible for ensuring all dual status cases are coded properly.

**Monthly compliance
visits**

Regardless of who is the lead agency, both the PO and SW will conduct the required monthly visits together whenever feasible. This will happen at least 50% of the time during a six-month period.

NOTE: Although the SW and PO are allowed to do monthly compliance visits together, each person will focus on their role and only perform duties pertaining to their role in the case. There absolutely cannot be any duplication of services for audit and funding purposes.

Court reports, special hearings and ex parte requests

Once the youth’s case is a dual status case, the SW and the PO will share court reports and case plans with each other. The timelines will most likely not match so it is important that the information is shared with each other.

When submitting an ex-parte request or setting a special hearing, the SW must notice the PO and the PO must notice the SW.

Communication

The youth will be encouraged to contact the lead SW or PO but if the youth contacts the person who is not the lead, it is the responsibility of the SW or PO to call the other. It is important that the youth view Probation and CWS working as a team.

Dual status is terminated

If the judge hearing the dual status case decides that the child should be taken off probation and remains a dependent, the judge will dismiss/terminate the 602 petition, and exclusive jurisdiction will revert to the dependency court.

If the judge hearing the dual status case decides that the child should remain exclusively in the delinquency system, the judge will terminate jurisdiction on the 300 petition after the child has been adjudicated a ward, and exclusive jurisdiction will revert to the delinquency court.

The order terminating jurisdiction in one of the cases will normally be made at a special hearing with notice to all parties in both cases, but it can be made ex parte in an appropriate case.

When dual status is terminated, the following chart will guide the decision making on what region/program will case manage the youth once they are no longer dual status:

| If the service component is... | then... |
|---------------------------------------|---|
| Family Reunification (FR) | case management will be determined on a case by case basis with the Dual Status Unit PSS and the regional PSS |
| Family Maintenance(FM) | the case will transfer to region based on existing case assignment guidelines |
| Permanent Placement(PP) | case management will be determined on a case by case basis with the Dual Status Unit PSS and the regional PSS |
| Supportive Transition (ST) | the case will remain in the Dual Status Unit |

Alignment with SET

This policy supports SET [Value 4](#): The principles of shared responsibility with community partners and SET [Value 5](#): A strong working relationship with the legal system through collaboration to ensure the coordination of services.
