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David H. Yamasaki, Clerk of the Superior Court
County of Santa Clara, California
By: *J.M. Brock*
Deputy Clerk

6 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
7 JUVENILE DIVISION

8 STANDING ORDER

9 AUDIT OF DEPARTMENT OF FAMILY AND CHILDREN'S SERVICES

10 **THE COURT MAKES THE FOLLOWING FINDINGS:**

- 11 A. The Santa Clara County Board of Supervisors ("the Board of Supervisors") has directed
12 its Management Audit Division, by and through its contract auditor, Harvey M. Rose
13 Associates, LLC ("Rose Associates"), to conduct a performance audit of the Santa Clara
14 County Social Services Agency, Department of Family and Children's Services ("the
15 Department"). The Board of Supervisors has requested this audit under its power of
16 inquiry granted by Section 302(c) of the Santa Clara County Charter.
- 17 B. The objective of the management audit is to identify opportunities to improve the
18 efficiency, effectiveness and economy of the Department and simultaneously enhance the
19 quality, quantity and availability of services to County residents in need. The audit will
20 determine the Department's compliance with federal, State and County laws and
21 regulations. The audit will examine the operations of the Department's divisions,
22 functions and services, as well as the management and supporting activities provided by
23 the Social Services Agency Administration. The results of the audit will be reported to the
24 Board of Supervisors. Similar audits were conducted in 1989 and 2001, with permission
25 from the Court.
- 26 C. Attached to this order is a copy of the task plan developed by the Management Audit
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STANDING ORDER – AUDIT OF DFCS

1 Team. The audit will be conducted in accordance with the *Government Auditing*
2 *Standards, 2011 Revision (As Amended)*, issued by the Comptroller General, United States
3 Government Accountability Office.
4

5 D. In order to perform the audit in a comprehensive fashion, Rose Associates requires access
6 to confidential juvenile court hearings, dependency records and other relevant files,
7 records and other oral and documentary information maintained by or in the possession
8 and control of the Department and the Clerk of the Santa Clara County Superior Court
9 (“the Clerk”). Rose Associates will also need to interview social workers, social work
10 supervisors, social work program managers, directors, attorneys, and other officers,
11 agents, contractors and employees of the Department. In the course of those interviews, it
12 may be necessary to discuss specific case facts.
13

14 E. Rose Associates will take all necessary and proper safeguards to preserve the
15 confidentiality of all information that is collected in the course of the audit. The draft and
16 final study reports will not contain any information that will identify or suggest the
17 identity of any applicant for or recipient of social services. Rose Associates will not
18 interview current dependent children of the court, nor will it solicit interviews with former
19 dependent children of the court nor the parents of current or former dependent children of
20 the court. Rose Associates will not disclose to the public, to any member of the Board of
21 Supervisors, or to any unauthorized person, any confidential information.
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23 **BASED UPON THESE FINDINGS, PURSUANT TO WELFARE AND INSTITUTIONS**
24 **CODE SECTION 827 AND 10850, PENAL CODE SECTION 11167 AND 11167.5, AND**
25 **RULE OF COURT 5.552, AND GOOD CAUSE APPEARING, THE COURT HEREBY**
ORDERS THE FOLLOWING:

26 1. The Department and the Clerk, and their officers, agents, contractors and employees are
27 authorized to disclose to Rose Associates such confidential information in their possession
28 or control as may be necessary for the performance of a comprehensive audit of the

1 Department as directed by the Board of Supervisors. Such disclosure may include both
2 oral and documentary information. Attorneys representing the Department, children,
3 parents or any other party in juvenile dependency proceedings are authorized to discuss
4 case-specific confidential information with Rose Associates. Physical or electronic
5 documents provided to Rose Associates shall be limited to documents dated between
6 January 1, 2001 and August 6, 2013. Rose Associates is authorized to observe
7 confidential juvenile court hearings in connection with this audit, as prearranged with the
8 judicial officer.

9
10 2. Rose Associates shall use information obtained pursuant to this order solely and
11 exclusively for the following purposes: (1) to determine the Department's compliance
12 with Federal, State and County laws and regulations; (2) to evaluate the Department's
13 management controls; (3) to identify opportunities to improve the Department's
14 efficiency, effectiveness and economy; and (4) to present the results of the audit to the
15 Board of Supervisors.

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17 3. Rose Associates shall not disclose to the public, to any member of the Board, or to any
18 unauthorized person, any confidential information described by Welfare and Institutions
19 Code sections 827 or 10850, Penal Code sections 11167 or 11167.5, or California Rule of
20 Court 5.552 nor any information which would identify or suggest the identity of any
21 applicant for or recipient of public social services. Any and all electronic or physical
22 documents reflecting such information, created or reproduced in connection with this
23 audit, shall be maintained by Rose Associates in a confidential file. Rose Associates shall
24 not disseminate such documents without further order from the Court.

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26 4. The authority of those persons identified in section one above, to share confidential
27 juvenile court information pursuant to this order, and the authority of Rose Associates to
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receive such information and observe confidential juvenile court hearings, shall expire on August 6, 2013, unless extended or modified by further order of this Court.

5. Copies of this order shall be served forthwith upon Rose Associates and its officers, agents and employees who will participate in this audit.

IT IS SO ORDERED.

Date: January 25, 2013

Shawna Schwarz
THE HONORABLE SHAWNA SCHWARZ
Supervising Judge, Juvenile Dependency Court