

Superior Court
State of California

FILED

OCT 18 1995



Santa Clara County Superior Court Building
191 North First Street
San Jose, California 95113
(408) 299-3949

STEPHEN V. LOVE
County Clerk
Santa Clara County
BY Carol Kekaha DEPUTY

Chambers of
Leonard P. Edwards, Judge

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
JUVENILE DIVISION

ORDER

The Court finds that as of this date there are more than 3,000 domestic violence criminal cases being supervised by the Santa Clara County Adult Probation Department, with approximately 1,500 of those cases under active supervision and approximately 200 under intensive supervision. The Court further finds that there are over 300 juvenile dependency cases in which domestic violence is the presenting problem and still more where domestic violence is a part of the family dynamic.

The Court finds that there are more than 300 criminal defendants who have been convicted of child abuse who are currently being supervised by the Probation Department. The Court further finds that there are more than 3,000 abused and neglected children who are currently under the supervision of the Department of Family and Children's Services, and that many of these children's parents are under the supervision of the Probation Department because of a criminal conviction.

The Court further finds that there is a substantial number of cases in which the Department of Family and Children's Services is supervising a child and his/her family members while at the same time one or both parents or other family members are being supervised by the Probation Department.

The Court further finds that it would benefit the children who are under the supervision of the juvenile court were the social worker supervising a child under a dependency order to be able to share information about the case with the probation officer supervising some of the adults in the same family. Moreover, the Court finds that the administration of justice would be served were the probation officer and the social worker assigned to supervise members of the same family able to exchange information with each other concerning the child and family members.

The Court further finds that for certain types of information the confidentiality interest of the child and family members is outweighed by the benefits of sharing certain case information between social workers and probation officers in the cases where there are common family members under the jurisdiction of two courts.

Based upon these findings, and Good Cause Appearing, the Court hereby permits social workers investigating allegations of child abuse or neglect or supervising dependent children under the jurisdiction of the juvenile court and probation officers supervising family members who are on probation to the criminal courts to speak to one another and reveal the following information:

the names and addresses of the child and other family members, except that no names or addresses of foster families shall be disclosed by DFCS to the Probation Department

the specific orders the juvenile court has made concerning the services parents have been ordered to complete

the specific orders the criminal court has made concerning the conditions of probation

the progress or lack thereof that the parents have made towards completing the service plan

any violations of court orders that the parents may have committed.

All of this information may be exchanged without further order from the Court.

This order does not include the exchange of any psychological reports of any family members. Any such reports may be discussed or exchanged only upon court order after any affected family members receives notice and an opportunity to be heard.


LEONARD EDWARDS
Presiding Judge, Juvenile Court