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KIRI TORRE, CEO
SUPERIOR COURT OF CA.
CO. OF SANTA CLARA
BY *Maria E. Dueñas* DEPUTY
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8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
9 JUVENILE DIVISION

11 STANDING ORDER

12
13 IT IS HEREBY ORDERED that Pursuant to California Welfare and Institutions Code
14 § 827(a)(1)(M), and as contemplated by California Welfare and Institutions Code § 828.3,
15 school hearing officers (i.e., those administrators that preside over school disciplinary
16 hearings) are hereby authorized to obtain police reports regarding the conduct of a juvenile
17 who is the subject of a school disciplinary hearing for an offense against the property,
18 students, or personnel of that school.

19
20 Police reports regarding juveniles (hereinafter "juvenile police reports") are highly
21 confidential. Thus, the disclosure and use of any juvenile police report obtained pursuant to
22 this order are conditioned upon the following:

- 23
24 a) Juvenile police reports are to be used only for the limited purpose of evaluating the
25 juvenile at a school disciplinary hearing, and taking action upon such school
26 disciplinary evaluations. These police reports may not be used for any other reason.
27
28 b) Juvenile police reports are to be transmitted and disclosed directly to, and only to,
school hearing officers. Because of the confidential nature of juvenile police reports,


STANDING ORDER

2 these reports shall not be given or transmitted to other school employees, staff,
3 volunteers or nonparties to the specific acts for viewing, destruction, facsimile
4 transmission, facsimile receipt, photocopying, etc.

5 c) Juvenile police reports shall be personally destroyed by each school hearing officer,
6 (or a designated school hearing officer on behalf of the other officers), within 24
7 hours of the school disciplinary hearing. Where a notice of appeal of a school
8 disciplinary decision has been filed, the juvenile police reports may be re-requested
9 from the providing agency. A copy of the notice of appeal should be attached to that
10 request. In the event of an appeal, the juvenile police report is to be destroyed within
11 24 hours of the end of the appeal period. In no instance is a juvenile police report to
12 remain undestroyed longer than the period of appeal for a school disciplinary hearing.
13 No juvenile police reports, or copies of the juvenile police reports, shall remain in the
14 possession of the school, school files, or school hearing officers.

15
16 This order shall not interfere with, or supersede the rights of, any individuals
17 (including authorized school personnel) to confidential juvenile information where
18 specifically authorized by statute. This order does not supercede the required retention of
19 records as described in California Welfare and Institutions Code § 827 subdivision (b).

20
21 Dated at San Jose, California, this 29th day of January, 2003.

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23 
24 Honorable Raymond J. Davilla, Jr.
25 Presiding Judge of the Juvenile Delinquency Court
26 JUDGE OF THE SUPERIOR COURT
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