



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY  
COUNSEL

CHILDREN'S SERVICES DIVISION  
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April 8, 2008

VIA FACSIMILES () and MAILED

<http://www.courtinfo.ca.gov/forms/>

**Re: Juvenile (DCFS) / Confidential files cannot be obtained via subpoena:**  
**(1) California Welfare and Institutional Code, Section 827/828**  
**(2) California Rules of Court, Rule 1423(b)**  
**(3) In re Gina S. (2005) 133 Cal.App.4<sup>th</sup> 1074, 35 Cal.Rptr.3d 277**

The items which you seek are confidential. According to California Welfare and Institutional Code, Section 827/828 and California Rules of Court, Rule 1423(b) the items you seek cannot be obtained via subpoena duces tecum (*Lorenza P. v. Superior Court* (1988) 197 Cal. App. 3d 607). The juvenile dependency court has exclusive jurisdiction in these matters, which determines the extent to which any dependency files will be released. (*Wescott v. County of Yuba* (1980) 104 Cal.App.3d 103, 110.)

**If you seek juvenile/DCFS records**, use the judicial counsel form, Petition For Disclosure of Juvenile Court Records (JV-570). It must be filed at the Edmund D. Edelman Children's Court, Juvenile Dependency located at 201 Centre Plaza Drive Monterey Park, California 91754. For further details, please contact the dependency court directly at (323)526-6645.

Send a copy of the Petition to the interested parties (see page 2). You can check box no. 7 to indicate that you didn't provide notice because you don't know who the parties are; hence, the clerk of the court must provide the notices.

Processing the Petition can take the court 20 days or more. However, you may request that the court shorten time. Please contact the court for procedural details.

According to Los Angeles County Court Rule, Rule 17.1(b)(2)(a), "The petition shall be completed with specificity regarding the records sought and the relevance and necessity of the records. Petitioner must specify the purpose of access to the records and the extent to which records will be used or further disseminated."

**If you seek personal appearance of a social worker to a court trial proceeding**, then use Civil Subpoena For personal Appearance at Trial or Hearing (SUBP-001). According to Government Code Section 68096.1, we must demand that accompanying each personal appearance subpoena be one check for the amount of \$150.00 made payable to The Office of the County Counsel. Please do not use a subpoena duces tecum to request personal appearance. This will also serve to confirm that we will not honor in part or whole any subpoena duces tecum you caused to be served on the Department of Children and Family Services.

This will also serve to confirm that we cannot and therefore will not honor the subpoena duces tecum you caused to be served on the Department of Children and Family Services.

Very truly yours,  
*Thomas P. Bray*  
Thomas P. Bray  
Paralegal

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):    TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 201 CENTRE PLAZA DRIVE MAILING ADDRESS: - SAME - CITY AND ZIP CODE: MONTEREY PARK 91754 BRANCH NAME: JUVENILE	
CHILD'S NAME: _____	HEARING DATE AND TIME: _____
<b>PETITION FOR DISCLOSURE OF JUVENILE COURT RECORDS</b> <b>Welfare and Institutions Code, § 827.</b>	CASE NUMBER: _____

1. Petitioner's name and address (if representing another person, organization, or agency, provide names and addresses):
  
2. Petitioner's relationship to child (specify):
  
3. Petitioner on information and belief alleges the following:
  - a. There are juvenile court records concerning the above-named child.
  - b.  The child has been found to be within the jurisdiction of the juvenile court under
    - (1)  Welfare and Institutions Code section
    - (2)  300 Welfare and Institutions Code
    - (3)  section 601 Welfare and Institutions
    - (4)  Code section 602 Unknown
  - c.  The child is currently a  dependent  ward of the juvenile court.  Unknown
  - d.  The case was closed on (date):  Unknown
4. Petitioner requests access to the following juvenile court records as defined by California Rules of Court, rule 5.552 (describe in detail; attach additional pages if necessary):

Continued on Attachment 4.

5. The reasons for this request are (describe in detail the relevance of, and the necessity for, the requested records; attach additional pages if necessary):

- a.  Civil court case pending (no.: \_\_\_\_\_ )
- b.  Criminal court case pending (no.: \_\_\_\_\_ )
- c.  Relevant case nos. (if known): \_\_\_\_\_
- d.  Juvenile court case no.: \_\_\_\_\_  Police report no.: \_\_\_\_\_
- e.  Other (specify): \_\_\_\_\_

Continued on Attachment 5.

(Continued on reverse)

