Petition for Access to Juvenile Case File

Packet

SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT

Unless authorized by statute, persons must petition the court to inspect a Juvenile Record. [1]
Use the following mandatory forms:

Petition for Access to Juvenile Case File (JV-570)
Proof of Service - Petition for Access to Juvenile Case File (JV-569)
Notice of Petition for Access to Juvenile Case File (JV-571)
Objection to Release of Juvenile Case File (JV-572)
Order on Petition for Access to Juvenile Case File (JV-573)
Order After Judicial Review on Petition for Access to Juvenile Case File (JV-574)

[1] Authorized parties should also use Superior Court of Humboldt County mandatory local form *Declaration in Support of Request to Inspect and/or Copy Juvenile Records Without a Court Order*.

Superior Court of California
County of Humboldt

Humboldt Superior Court,
Juvenile Records
Attention 421 I St., Eureka,
CA 95501
Phone: (707) 445-7256

Request for Release of Juvenile Court Records Information Sheet – JV-570 Petition for Access to Juvenile Case File

(Welfare & Institutions Code section 827 and California Rules of Court, Rule 5.552)

Hyperlinks to relevant forms and/or websites are underlined and in blue print.)

Juvenile records are confidential pursuant to WIC § 827. Generally, if you would like to review or obtain copies of a juvenile case file, you are required to ask the Juvenile Court for permission. Pursuant to the amendment of Code Section 432.7, effective January 1, 2020, an employer, whether a public agency or private individual or corporation, may not inspect an applicant's juvenile record to utilize as a factor in determining any condition of employment.

Step One: *Fill out your request.*
Fill out form JV-570 (*Petition for Access to Juvenile Case File*). You may print legibly in black ink, type on the form, or fill it out online. Indicate what records you are requesting, why you believe the records exist, how you intend to use them and why the records are relevant to the purpose for which you intend to use them.

Step Two: *Determine who needs to be notified of your request.*
You cannot request records without notifying other persons or agencies that have a right to know about your request. You can find guidance on who should be served and under what circumstances in Section 3 of form JV-569, (*Proof of Service – Petition for Access to Juvenile Case File*). Complete the name and address of each person and agency that is entitled to service. If you are unaware of an individual's address, you may reflect that information in Section 2 of the form. If you are required to serve an agency in Humboldt County, this packet contains a list of common agency addresses. You should be able to obtain other agency addresses not listed, either online or in a phonebook. For each person and agency whose names you listed in Section 3, prepare a copy of form JV-571 (*Notice of Petition for Access to Juvenile Case File*). Blank forms JV-570, JV-569, JV-571 and JV-572 are also located on the Court's public website at: https://www.humboldt.courts.ca.gov/forms-filings.

Step Three*: Prepare for mailing.*
At least 10 days before you submit your request to the court, you must mail copies of each of the following four forms to all persons and agencies whose names you listed in Section 3 of form JV-569:

- Completed form JV-570 (*Petition for Access to Juvenile Case File*)
- Completed form JV-569 (*Proof of Service – Petition for Access to Juvenile Case File*)
- Completed form JV-571 (*Notice of Petition for Access to Juvenile Case File*)
- Blank form JV-572 (*Objection to Release of Juvenile Case File*)

PLEASE NOTE: Retain a copy of all forms for yourself and submit all **original** forms to the Court.

Step Four: *Submit your request.*
After you have served all persons and agencies with their copies and retained a copy for yourself, submit the **original** forms (JV-570, JV-569, JV-571 and JV-572) to the Court. You may do this in person at the Clerk's Office located at 421 I St., Eureka, CA 95501, or you may mail your request.

Step Five*: Wait for the Court's response.*
The Court will contact you by mail as to the status of your request within ten to twelve weeks. The Court may either deny or approve your request or ask you for additional information. In some cases, the Court may set your request for a hearing. If your request is approved, you will receive a copy of the approval order. Section 3b. of the JV-574 *Order After Judicial Review on Petition for Access to Juvenile Case File* will provide instructions on how to obtain access to the records.

ADDRESSES FOR AGENCIES WITHIN HUMBOLDT COUNTY

Public Defender
1001 Fourth St.
Eureka, CA 95501

District Attorney
825 5th St., 4th Floor
Eureka, CA 95501

County Counsel
825 5th St., Room 110
Eureka, CA 95501

Probation Department Adult
555 H St.
Eureka, CA 95501

Probation Department Main/Juvenile
2002 Harrison Ave.
Eureka, CA 95501

Juvenile Hall
2006 Harrison Ave.
Eureka, CA 95501

Social Services
929 Koster St.
Eureka, CA 95501

Department of Health and Human Services
529 I St.
Eureka, CA 95501

PLEASE NOTE: This information sheet/packet contains only "SAMPLE" forms. Blank forms can be located on the Court's public website by clicking https://www.humboldt.courts.ca.gov/forms-filings .

JV-569 Proof of Service—Petition for Access to Juvenile Case File

Clerk stamps date here when form is filed.

1 Your name: _____

Relationship to child *(if any)*: _____

Street address: _____

City: _____ State: _____ Zip: _____

Telephone number: _____

Lawyer *(if any) (name, address, telephone numbers, and State Bar number)*: _____

_____

_____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number if known.

Case Number:

2 ☐ I was not able to provide notice of this petition to the following because I did not know their names or addresses. If this is a request for the case file of a living child, the clerk must serve a copy of the petition. If this is a request for the case file of a deceased child, the custodian of records must serve a copy of the petition.

a. ☐ County counsel or other attorney representing the child welfare agency if petition filed under section 300
b. ☐ District attorney if petition filed under section 601 or 602
c. ☐ Child
d. ☐ Attorney of record for the child
e. ☐ Child's parent
f. ☐ Child's legal guardian
g. ☐ Probation department if petition filed under section 601 or 602
h. ☐ Child welfare agency/custodian of records if petition filed under section 300
i ☐ Child's identified Indian tribe
j. ☐ Child's CASA volunteer

3 If you checked box 2a, 2b, 2g, or 2h, describe the efforts made to locate those addresses and explain why you are unable to locate the addresses:

_____

_____

_____

_____

4 ☐ Copies of *Petition for Access to Juvenile Case File* (JV-570), *Notice of Petition for Access to Juvenile Case File* (JV-571), and a blank *Objection to Release of Juvenile Case File* (JV-572) have been served personally or placed in a sealed envelope with postage paid and deposited in the United States mail addressed to the following:

a. ☐ County counsel or other attorney representing the child welfare agency if petition filed under section 300 *(name and address)*: _____

_____

_____

☐ Date mailed: _____ or ☐ Personally served on *(date)*: _____

Item 1 REQUIRED: provide the name, address, and phone number of the person requesting records and their relationshipship to the minor.
Attorneys must provide their State Bar Number.

Item 2 REQUIRED IF: service was not complete. Check all boxes that apply if you do not know their name or address, or do not know if they participated in the minor's case.

Item 3 REQUIRED IF: item 2 was marked for 2a, 2b, 2g, or 2h.

Item 4 REQUIRED: you must notify other persons, agencies, or organizations by mailing 3 forms to each one: the JV-570, JV-571, and the JV-572.
State the name, address, and date of mailing or date personally served.

Your name: Must be completed

Case Number:

4 b. ☐ District attorney if petition filed under section 601 or 602 *(name and address)*: _____

☐ Date mailed: _____ or ☐ Personally served on *(date)*: _____

c. ☐ Child *(name and address)*: _____

☐ Date mailed: _____ or ☐ Personally served on *(date)*: _____

d. ☐ Attorney of record for the child *(name and address)*: _____

☐ Date mailed: _____ or ☐ Personally served on *(date)*: _____

e. ☐ Child's parent *(name and address)*: _____

☐ Date mailed: _____ or ☐ Personally served on *(date)*: _____

f. ☐ Child's parent *(name and address)*: _____

☐ Date mailed: _____ or ☐ Personally served on *(date)*: _____

g. ☐ Child's legal guardian *(name and address)*: _____

☐ Date mailed: _____ or ☐ Personally served on *(date)*: _____

h. ☐ Probation department if petition filed under section 601 or 602 *(name and address)*: _____

☐ Date mailed: _____ or ☐ Personally served on *(date)*: _____

Your name: Must be completed

Case Number:

i. ☐ Child welfare agency/custodian of records if petition filed under section 300 *(name and address):*

☐ Date mailed: _____ or ☐ Personally served on *(date):* _____

j. ☐ The Indian child's tribal representative *(name and address):* _____

☐ Date mailed: _____ or ☐ Personally served on *(date):* _____

k. ☐ The child's CASA volunteer *(name and address):* _____

☐ Date mailed: _____ or ☐ Personally served on *(date):* _____

5 I declare under penalty of perjury under the laws of the State of California that the information in this form is true and correct. This means that if I lie on this form, I may be guilty of a crime.

Item 5 REQUIRED: requestor must date, print their name, and sign document.

Date:

Type or print your name _____ *Sign your name* _____

JV-570 Petition for Access to Juvenile Case File

Clerk stamps date here when form is filed.

DRAFT
Not approved by the Judicial Council

If you are requesting a court order to obtain access to the juvenile case file of a child who is alive, fill out all items on this form, and file it with the juvenile court. You must also fill out and file Proof of Service— Petition for Access to Juvenile Case File *(form JV-569).*

If you are a member of the public requesting the juvenile case file of a child who is deceased, you can:

a. *Fill out items 1–4 and 7 on this form and file it with the juvenile court. You must then provide a copy of this form to the Custodian of Records of the county child welfare agency, who will then provide notice of this petition.*

Or

b. *Do not complete the form, and instead request the juvenile case file from the child welfare agency under Welfare and Institutions Code section 10850.4.*

Fill in court name and street address:

Superior Court of California, County of

Fill in name and address of the court to whom you are making the request. Note: This field may be pre-populated.

Fill in case number if known:

Case Number

Provide the case number or write "do not know"

(1) Your name: _____

Relationship to child *(if any)*: _____

Street address: _____

City: _____ State: _____ Zip: _____

Telephone number: _____

Lawyer *(if any) (name, address, telephone numbers, and State Bar number)*: _____

_____

_____

Item 1 REQUIRED - Provide the name, address and telephone number of the person requesting records.

Attorneys must provide bar number

(2) Name of child *(if known)*: _____

Item 2 REQUIRED - Full name of child whose records are being sought.

(3) Child's date of birth *(if known)*: _____

Provide date of birth or state "do not know"

(4) a. ☐ A petition regarding the child in (2) has been filed under
- ☐ Welfare and Institutions Code section 300
- ☐ Welfare and Institutions Code section 601
- ☐ Welfare and Institutions Code section 602 or

State known cases or state "do not know"

b. ☐ I believe the child in (2) died as a result of abuse or neglect. Approximate date of death: _____

Note: You must provide a copy of this completed form to all interested parties if you know their names and addresses.

Your name: Must be completed

Case Number:

5 The records I want are: (*Describe in detail. Attach more pages if you need more space. If you are an individual involved in a pending proceeding in an appellate court or you are preparing to participate in such a proceeding, you should describe in the Petition for Access the transcripts, reports, and any other evidence considered by the juvenile court at hearings related to the subject of the appeal or writ proceeding. For example, you should describe a report by providing its title (such as, "status review report," "jurisdiction/disposition report," or "CASA report") and the date of the hearing when the document was considered.)*

Item 5 REQUIRED - State in detail the exact records you are requesting and the reason you believe these records exist. If you do not know exactly the records you want, state the type of records you are requesting. State whether you want to a) look at the records or b) receive copies of the records or c) want to disclose them to other persons.

☐ Continued on Attachment 5.

6 The reasons for this petition are:

If you need these records for another court case, include the court, case number and future hearing date.

a. ☐ Civil court case pending in *(name of county)*:
Case number: Hearing date:

b. ☐ Criminal court case pending in *(name of county)*:
Case number: Hearing date:

c. ☐ Juvenile court case pending in *(name of county)*:
Case number: Hearing date:

d. ☐ Writ or appeal case pending in *(name of district)*:
Case number *(if available)*:
Hearing dates related to the juvenile court order being challenged or to be challenged on appeal or by writ:

e. ☐ Other *(specify)*:
Case number: Hearing date:

7 I need the records because *(describe in detail; attach more pages if you need more space)*:

Item 7 REQUIRED - State in detail the reasons you are requesting the records and why the records are relevant to your request. If you need these records for another court case, you must complete item 6 and 7, stating the issues, allegations or dispute in the other case that the child's records will be used to address.

☐ Continued on Attachment 7.

8 I declare under penalty of perjury under the laws of the State of California that the information in this form is true and correct. This means that if I lie on this form, I am guilty of a crime.

Date:

REQUIRED: Completed form must be signed and dated.

Type or print your name

Sign your name

JV-571 **Notice of Petition for Access to Juvenile Case File**

Clerk stamps date here when form is filed.

RE: Release of Juvenile Case File and Right to File an Objection

You must provide notice to all those listed in item 2 on Proof of Service—Petition for Access to Juvenile Case File *(form JV-569).*

TO *(names):*

_____

_____

_____

Fill in court name and street address:

Superior Court of California, County of

(1) Child's name: _____

(2) Information relating to the child named in item (1) is being sought by *(name):* _____

_____

_____

Court fills in case number when form is filed.

Case Number:

(3) The requested information is described in the attached *Petition for Access to Juvenile Case File* (form JV-570).

(4) If you object to the release of these records and information, you must fill out *Objection to Release of Juvenile Case File* (form JV-572) and return it to the court listed at the address above within 10 days of the date you received this notice.

To (names) - REQUIRED: list the name of the person, agency, firm or organization who you notified of your request under item 3 of the JV-569.

Item 1 REQUIRED: enter the name of the minor whose records are being sought.

Item 2 REQUIRED: enter the name of the person requesting the records of the minor.

Signature area is REQUIRED: requestor must date, print their name, and sign document.

Date:

_____ _____

Type or print your name *Sign your name*

Warning: If you do not object, the court may grant access to the child's case file.

JV-572 Objection to Release of Juvenile Case File

Clerk stamps date here when form is filed.

Objections to the release of information and records described in the attached Petition for Access to Juvenile Case File *(form JV-570) must be filed with the juvenile court.*

Item 1 REQUIRED: State the name of the child whose records are being sought

1 Name of child: _____

2 My relationship to the child, if any, is: _____

3 I object to the release of information and records relating to the child named in item 1.

4 I do not want the juvenile court to release the records because *(describe in detail, attach additional pages if necessary):*

Fill in court name and street address

Superior Court of California, County of

Fill in name and address of the court to whom you are making the request. Note: This field may be pre-populated.

Court fills in case number when form is filed.

Case Number:

Provide the case number or write "do not know"

Date:

REQUIRED: Completed form must include typed or printed name and be signed and dated.

_____ _____

Type or print your name *Sign your name*

Warning: If you do not object, the court may grant access to the child's case file.

Declaration submitted by: Name: Street Address: City, State, Zip: Telephone Number:	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT 825 5th St. Eureka, CA 95501	
NAME OF CHILD: DATE OF BIRTH:	
DECLARATION IN SUPPORT OF REQUEST TO INSPECT AND/OR COPY JUVENILE COURT RECORDS WITHOUT A COURT ORDER (Welfare and Institutions Code § 827)	**CASE NUMBER:**

CONFIDENTIALITY REQUIREMENTS / WARNING:

No person or entity may copy or inspect confidential psychological, medical or educational information absent an order from the Presiding Judge of the Juvenile Court.

For records you are provided today, all records, reports or information obtained from Juvenile Court shall not be further released or disseminated to persons or agencies not otherwise entitled pursuant to Welf. & Inst. Code §§ 827 or 362.5. *Said information shall not be attached to any document without prior approval of the Presiding Judge of the Juvenile Court, unless they are used in connection with adult criminal or juvenile court proceedings to declare a minor a dependent or ward of the court.*

Pursuant to the amendment of Labor Code section 432.7, an employer, whether a public agency or private individual or corporation, may not inspect an applicant's juvenile record to utilize as a factor in determining any condition of employment.

DECLARATION REGARDING YOUR ROLE: (Sections 1 and 2 below)

(1) I am or represent one of the following individuals and entities that may inspect, receive, and copy the juvenile case file without an order of the juvenile court pursuant to Welf. & Inst. Code § 827, Welf & Inst. Code § 362.5, Humboldt County Superior Court Local Rule 7.3(d):

- ☐ The district attorney, a city attorney, or a city prosecutor authorized to prosecute criminal or juvenile cases under the law;
- ☐ The child or non-minor dependent who is the subject of the proceeding;
- ☐ The child's parent(s) or guardian(s) for a child who is less than 17 years and 6 months of age and my parental rights have not been terminated. If the subject is older than 17 years and 6 months of age, I am currently receiving reunification services from the social services agency;
- ☐ An attorney for a party, including any trial court or appellate attorney representing a party in the juvenile proceeding or related appellate proceeding;
- ☐ A judge, referee, other hearing officer, probation officer, and law enforcement officer who is actively participating in criminal or juvenile proceedings involving the child or non-minor dependent, including the district attorney if the non-minor is also a ward of the Juvenile Court;
- ☐ The county counsel, city attorney, or any other attorney representing the petitioning agency in a dependency action;
- ☐ A member of a child protective agency as defined in Penal Code §11165.9;
- ☐ An assigned Social Worker or Probation Officer charged with review of court records for purpose of making a written recommendation to the court in a social study report pursuant to Welf. & Inst. Code § 241.1 for determination of dual status suitability of a current dependent or ward of the court;

- ☐ A Court Appointed Special Advocate, or CASA Administrative Personnel;
- ☐ The California Department of Social Services in order to carry out its duty to oversee and monitor county child welfare agencies, children in foster care or receiving foster-care assistance, and out- of-state placements, or authorized legal staff or special investigators who are peace officers employed by, or who are authorized representatives of the State Department of Social Services, as necessary for the performance of their duties to inspect, license, and investigate community care facilities, to ensure that the standards of care and services provided in those facilities are adequate and appropriate, and to ascertain compliance with the rules and regulation to which the facilities are subject;
- ☐ The Juvenile Justice Commission;
- ☐ A judge, commissioner or other hearing officer assigned to a family law or probate case involving the minor, or the following person, if actively participating in the family law or probate case: A court-appointed mediator or evaluator conducting a court-connected child custody evaluation, investigation or assessment pursuant to Family Code § § 3111 or 3118, and counsel appointed for the minor in the family law case pursuant to Family Code § 3150. **Counsel for the minor on related matters is required to provide a copy of the court order appointing him/her as minor's counsel.**
- ☐ An Indian child's tribe, if the tribe has intervened in the child's case;
- ☐ An individual other than a person described in Welfare and Institutions Code, section 827, subparagraphs (A) to (P) who files a notice of appeal or petition for writ challenging a juvenile court order, or who is a respondent in that appeal or real party in interest in that writ proceeding who was previously granted access by the juvenile court pursuant to subparagraph (Q) of paragraph (1).

NOTE: A Request for Release of Juvenile Case File (JV-570) **must** be submitted to the Presiding Judge of the Juvenile Court for review if copies of sealed records are being requested under number one (1) above.

(2) I understand I am not authorized to receive copies of Juvenile Court record without a prior court order. I am or represent one of the following individuals and entities that may inspect Juvenile Court records.

- ☐ A member of the child's multidisciplinary teams, person or agency providing treatment or supervision of the child;
- ☐ A court-appointed investigator who is actively participating in a guardianship case involving a child pursuant to Section 7663, 7851, or 9001 of the Family Code or Part 2 (commencing with Section 1500) of Division 4 of the Probate Code, and acting within the scope of his/her duties in that case;
- ☐ A local child support agency for the purposes of establishing paternity and establishing and enforcing child support orders;
- ☐ A child welfare agency of a county responsible for the supervision and placement of a minor or non-minor dependent for the purpose of determining an appropriate placement or service that has been ordered for the minor or non-minor dependent by the court;

NOTE: A Request for Release of Juvenile Case File (JV-570) **must** be filed if copies of records are requested under number two (2) above. Authorization may be ordered only by the Presiding Judge of the Juvenile Court.

(3) I have read and agree to the following terms for inspection:

- ☐ The inspector shall not disclose or disseminate any information contained in the records to any person, unless otherwise ordered by the court.
- ☐ The inspector may receive the documents in an electronic format for inspection on site at Juvenile Court.
- ☐ The inspector shall not alter, delete, transmit, copy, or photograph, by any means, anything contained in the case file (the inspector may take notes regarding the contents of the documents).
- ☐ If these, or any other document(s) placed in a confidential or sealed envelope is provided, said envelope shall NOT be opened or viewed by the inspector.
- ☐ The inspector acknowledges that the Court may monitor his or her inspection of the records for compliance with the court's order.

RECORD LOCATION:

(4) The records I am requesting are held by:

☐ Juvenile Court Records Custodian ☐ Juvenile Probation Department ☐ Social Services Agency
☐ Court Reporter Transcript reported by: (Name) _____, Dept _____ , for Date(s):_____Other:_____

NOTE: Requesting Party to pay for transcript.

(5) ATTORNEY/AGENCY INFORMATION

State Bar #_____, Client (minor, parents, etc.)_____Court_____

Client's relationship to subject of juvenile records: _____

(6) I am aware of the above warning regarding dissemination of juvenile records. I understand and will abide with the terms set for forth inspection of the juvenile records provided.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct

Date: _____

_____ _____

Type or print your name Signature