

**MEMORANDUM OF UNDERSTANDING BETWEEN LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN AND FAMILY SERVICES, UNITED STATES OF
AMERICA AND THE CONSULATE GENERAL OF MEXICO IN LOS ANGELES,
CALIFORNIA, FOR THE PROVISION OF PERMANENCY AND PLANNING SERVICES
FOR MEXICAN MINORS INVOLVED IN DEPENDENCY LEGAL PROCEEDINGS**

Los Angeles County Department of Children and Family Services, United States of America ("DCFS") and the Consulate General of Mexico in Los Angeles, California, ("the Consulate"), hereinafter referred to as "the Parties";

CONSIDERING the need to continue fostering and strengthening the effective relationship and communication between the Parties, in accordance with the spirit of the Vienna Convention on Consular Relations of April 24, 1963, 21 U.S. T. 77, T.I.A.S. No. 6820 (hereinafter "Vienna Convention") and the Consular Convention between the United States of America and the United Mexican States of August 12, 1942, 57 Stat. 800; Treaty Series 985 (hereinafter "Bilateral Convention");

WHEREAS the Parties mutually consider their commitment to the safety and well-being of Mexican minors under the custody of DCFS;

WHEREAS the Consulate is obliged to protect the rights of Mexican nationals and their children within its consular circumscription;

WHEREAS the Parties mutually consider their interest in preventing situations that may jeopardize the safety, dignity and human rights of Mexican minors involved in legal proceedings;

WHEREAS the Parties mutually consider their interest in establishing protocols and procedures to provide and share information, deliver services and resolve problems at the local level concerning child protection issues.

Now, therefore, it is mutually agreed as follows:

1. This Memorandum of Understanding ("MOU") has been drafted accordingly with the Vienna Convention, the Bilateral Convention and applicable State and Federal laws.
2. This MOU contains the procedural guidelines authorized by the DCFS Director and the Consul General of Mexico in Los Angeles, California, for their respective officers to follow in providing their respective services, where Mexican minors are involved in dependency legal proceedings.

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I. PURPOSE

The purpose of this MOU is to establish the procedures between the Parties for implementation of their collaboration on sharing information, delivering services and resolving problems at the local level concerning child protection issues of Mexican minors residing in Los Angeles County, California, who meet the criteria set forth in Section III, below.

II. DEFINITIONS

- A. Mexican minor: Means any unmarried individual who is under the age of eighteen and:
- Was born in Mexico, or
 - Two or more countries might grant their nationality to that individual and Mexico is one of those countries.
- B. Repatriation: The procedure through which a Mexican minor residing in the United States of America is returned to Mexican territory.
- C. DIF: Means the Agency for Integral Family Development, which is the Mexican agency responsible for child protection in Mexico.

III. POPULATION TO BE SERVED

Mexican minors involved in dependency legal proceedings and/or held in protective custody by DCFS.

IV. CONSULATE RESPONSIBILITIES

- A. To comply with the provisions set forth by the Vienna Convention, the Bilateral Convention and any other applicable treaty or agreement governing the collaboration between the United States of America and Mexican Consulates when a Mexican minor is involved in dependency legal proceedings.
- B. To promote bi-cultural sensitivity and understanding on issues relating to child protection; and to encourage cooperation at the highest level to achieve success on proceedings regarding interests of Mexican minors.

- C. To agree to an annual meeting between the Consul General of Mexico or designee, and the DCFS Director, or designee, to assess the progress of this MOU.
- D. To abide by what has been established, as set forth in the DCFS Child Welfare Policy Manual, Placing Children Outside the Country, which are attached hereto and incorporated by reference as Attachment 1, and other related policies in handling cases pertaining to Mexican minors under the custody of DCFS.
- E. To assist, where possible, DCFS in obtaining the necessary documentation from Mexico to complete Special Immigrant Juvenile Status (SIJS) applications on behalf of a Mexican minor who are under custody of the DCFS and are considered eligible to obtain SIJS, pursuant to INA, sec. 101 (a)(27)(j)(ii), 8 U.S.C. sec 1101 (a)(27)(J)(ii).
- F. To obtain from DIF the appropriate socioeconomic (home) studies of families in Mexico who may be eligible to obtain custody of a Mexican minor under custody of DCFS. Upon possession of the studies, the Consulate shall immediately transmit the information to the DCFS for the Placement of Children (Interstate Compact for the Placement of Children-ICPC/International Coordinator).
- G. To adopt the necessary coordination measures with DIF, when, custody of a Mexican minor is granted to a Mexican family, in order to carry out the repatriation of a Mexican minor to Mexico, procuring his/her welfare and providing him/her with all the necessary services.

Once the minor is in Mexico, the Consulate will request to DIF, if necessary, be present in the delivery of the Mexican minor over to the family assuming custody, and adopt the necessary measures to assure the minor's welfare.

- H. To work with the DCFS on introducing changes or improvements to any of the provisions in this MOU and/or in the attached "DCFS Child Welfare Policy Manual, Placing Children Outside the Country" and other related policies.

V. DCFS RESPONSIBILITIES

- A. To comply with the provisions set forth by the Vienna Convention, the Bilateral Convention and any other applicable treaty or agreement governing the collaboration between the United States of America and Mexican Consulates when a Mexican minor is involved in dependency legal proceedings.

- B. To communicate with the Consulate, without delay, about any dependency legal proceeding involving a Mexican national, in accordance with Article 37 (b) of the Vienna Convention.
- C. To facilitate communication between consular representatives and Mexican minors held in protective custody of DCFS in accordance with Article VI, paragraphs 2(a) and 3 of the Bilateral Convention and consistent with the requirements of Article 36.1, subsections (a) and (c) of the Vienna Convention.
- D. To allow and to facilitate, consistent with applicable law, for consular officers to be present at all times at dependency legal proceedings relating to Mexican minors.
- E. To promote bi-cultural sensitivity and understanding on issues relating to child protection; and to encourage cooperation at the highest level to achieve success on proceedings regarding interests of Mexican minors.
- F. To agree to an annual meeting between the Consul General of Mexico or designee, and the DCFS Director, or designee, to assess the progress of this MOU.
- G. To consolidate the vision and mission of DCFS in providing permanency and safety for Mexican minors, taking into consideration the aspiration of the Mexican Government to reunite Mexican minors with their families in the United States of America or in Mexico, whichever placement is determined to be in the best interest of the minor.
- H. To abide by what has been established, as set forth in the "DCFS Child Welfare Policy Manual, Placing Children Outside the Country", attached hereto as Attachment 1, and other related policies in handling cases pertaining to Mexican minors under the custody of DCFS.
- I. To work with the Consulate to develop procedures for the notification of allegations of abuse or neglect related to Unaccompanied Alien Children of Mexican origin, who may come to the attention of DCFS after they have been released to sponsors in Los Angeles County.
- J. To work with the Consulate in introducing changes or improvements to any of the provisions in this MOU and/or in the attached "DCFS Child Welfare Policy Manual, Placing Children Outside the Country" and other related policies.

VI. CONFIDENTIALITY

- A. The Parties agree to maintain the confidentiality of all records and information about persons pursuant to all applicable federal and/or State laws or regulations including, without limitation, United States Privacy Act of 1974, the State of California Welfare and Institutions Code Sections 827 and 10850-10853, the California Department of Social Services Manual of Policies and Procedures, Division 19-000, and all other provisions of law, and regulations promulgated thereunder relating to privacy and confidentiality, as each may now exist or be hereafter amended.
- B. In addition to the general confidentiality provisions of this Section, the Parties agree to comply with the Los Angeles County Juvenile Court Proceedings and California Rules of Court, Rule 1423.
- C. If the Consulate wishes to obtain confidential information regarding a Juvenile Court case or a minor under DCFS supervisions, the Consulate will file a Petition for Disclosure of Juvenile Court Records in the form attached as Attachment 2, explaining on whose behalf the request is filed, the reasons for the request and as much identifying information regarding the case as known.
- D. At least five calendar days before filing a Petition for Disclosure of Juvenile Court Records, the Consulate will serve or attempt to serve, a copy of the petition on the appropriate parties either personally or by first class mail.

The Presiding Judge or a judicial officer designated by the Juvenile Court will determine whether to grant the petition and issue an order granting the Consulate representative access to the file.

If the Order is issued, the Consulate representative may bring this order to the Clerk's Office of the Children Court to review the file as contained in the order.

- E. If the Consulate representative appears in Court as an agent for a relative in Mexico other than a parent, the Consulate representative should approach the attorney for the child directly. In most cases, the attorney will be willing to discuss the case with the Consulate representative as if the relative were present in court.

If the attorney is unwilling to provide any information to the Consulate representative, the Consulate representative may (1) file a petition for disclosure of confidential juvenile records of the Juvenile Court or (2) write a letter to the Presiding Judge describing the problem. The Presiding Judge shall determine the best course of action.

VII. RETENTION OF RECORDS

The Parties agree to retain all documents pertinent to this MOU for five (5) years from the termination of this MOU, or until all pending Federal, State, and County audits are completed, whichever is later.

VIII. NOTICE AND CORRESPONDENCE

- A. All correspondence concerning this MOU will be in writing and sent to:
DCFS:

Los Angeles County
Department of Children and Family Services
Bureau of Specialized Response Services
Deputy Director
1933 S. Broadway Avenue # 542
Los Angeles, CA 90007

Consulate:

Consulate General of Mexico in Los Angeles
Consul General
2401 West 6th Street
Los Angeles, CA 90057

- B. All notices shall be deemed effective when in writing and deposited in the United States of America, mail first class, postage prepaid and addressed as above. Any notices, claims, correspondence, reports and/or statements authorized or required by this MOU addressed in any other fashion shall be deemed not given. The Parties may mutually agree in writing to change the addresses to which notices are sent.

IX. RESOLUTION OF CONFLICTS

For resolution of conflicts between the Parties in regards to the provisions of this MOU, the following shall apply:

Step 1: Conference between the DCFS designee and representatives of the Consulate.

Step 2: Conference between the DCFS Bureau of Specialized Response Services, Deputy Director, or designee, and representatives of the Consulate.

Step 3: Conference between the DCFS Director or designee and the Consul General of Mexico in Los Angeles, California, or designee.

X. FUNDING

The Parties shall finance the activities referred to in the present MOU with the assigned resource in their respective budgets according to the availability and terms of their legislation.

XI. FINAL PROVISIONS

- A. This MOU shall become effective from the date of its signature.
- B. Either Party may terminate this MOU at any time, by providing a written notice to the other Party with ninety (90) days in advance.
- C. Exercise by either Party of the right to terminate this MOU will relieve both Parties of all further obligations under this MOU with the exception of obligations with respect to confidentiality.
- D. Upon termination, or notice thereof, the Parties agree to cooperate with each Other in the orderly transfer of service responsibilities, case records, and pertinent documents.
- E. This MOU may be modified by mutual consent of the Parties, formalized through written communications specifying the date of the entry into force of such modifications.
- F. Nothing herein contained shall be construed as creating the relationship of employer and employee, or principal and agent, between DCFS and any Mexican national receiving services as described herein, or any of the employees, agents, staff, or volunteers of the Consulate.
- G. This MOU represents the entire understanding of the Parties with respect to the subject matter. No change, modification, extension, termination or waiver of this MOU, or any of the understandings herein contained, shall be valid unless made in writing and signed by duly authorized representatives of the Parties hereto.

- H. This MOU has been negotiated and executed in the State of California and shall be governed by and construed under the applicable laws of the Parties, including but not limited, by laws of the State of California, the provisions of the Bilateral Convention and the Vienna Convention.

XII. NO EXECUTORY DUTIES OR OBLIGATIONS

This MOU is intended only as a framework within which the Parties intend to pursue a common objective, and does not create any mutual obligations, with the exception of the obligations set forth in Paragraph VI of this MOU regarding Confidentiality, and those established in the treaties which are legally binding for United Mexican States and the United States of America.

Signed in Los Angeles, California, in two originals, in the Spanish and English language, being both texts equally authentic.

**FOR LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN AND
FAMILY SERVICES, UNITED STATES
OF AMERICA**



**Philip L. Browning
Director**

**FOR THE CONSULATE GENERAL OF
MEXICO IN LOS ANGELES,
CALIFORNIA**



**Carlos Manuel Sada Solana
Consul General**

Dated: _____



April 18, 2016

Dated: _____

APRIL 12, 2016

ATTACHMENT I

Placing Children Outside of the Country

0100-525.11 | Revision Date: 07/01/14

Overview

This policy provides guidelines and procedures of placing children with a parent or relative outside of the United States.

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Version Summary

This policy guide was updated from the 07/10/2013 version, as part of the Policy Redesign, in accordance with the DCFS Strategic Plan.

POLICY

Placement Outside of the Country

Whenever a placement outside of the United States is necessary, the CSW must assess whether the placement is in the child's best interest. The court will not order an out of country placement of a child prior to establishing that it is in the best interest of the child, unless the placement is with the child's

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parent.

The CSW must identify and address the child's feelings, and assess the ability of the potential caregiver to attend to the child's needs to the best of his/her ability. Caregivers outside of the country will not receive any financial assistance through Foster Care and KinGAP programs. The CSW, when possible, must plan for contact (telephone or physical) with the prospective caregiver in an effort to ensure the child's comfort with moving out of the country.

In cases where the court may order the placement of a school-age child in another country, the CSW must research the issues of education and advise the court accordingly with the assistance of the International Placement Unit (IPU).

Neither DCFS nor the court may authorize placement of a child in another country until an international plan and home study have been received from the receiving country.

International Placement Unit (IPU)

The International Placement Unit (IPU) provides assistance to DCFS staff when placing children with their parent(s) or relatives who resides in another country. Any child(ren) referred to the International Placement Unit must already be declared a dependent(s) of the juvenile court.

All international home study requests must be for the purposes of placement of a child(ren) with a parent or relative, and all must be processed through the International Placement Unit. Approved home studies are good for only six (6) months. If placement does not take place within that timeframe, the international case will be closed.

Placement with a Non-Related/Extended Family Member (NREFM) does not qualify for an international home study. IPU does not process requests for international adoptions, welfare checks, birth, death, or marriage certificates, due diligence on parents/relatives or a visit by a dependent child.

International Home studies are done as a professional courtesy. There are no formal agreements/compacts between Los Angeles County DCFS and other countries. Los Angeles County Dependency Court does not have legal authority over social services in other countries. Procedures differ amongst countries and are subject to change. In some cases, a country may charge a fee for completing the home study.

Requests for home studies from other countries are also completed/processed by the International Placement Unit (IPU) for the purpose of placement with a parent or relative. The International Placement Unit (IPU) does not process requests from other countries for NREFMs. Approved home studies are good for six (6) months, if placement does not take place within 6 months, the international case will be closed. International Placement Unit (IPU) conducts the home study and determines whether placement is appropriate and in the best interest of the child. If the assessment of the proposed placement resource is favorable, IPU must forward a request to ASFA for an assessment of the placement resource's home. Incoming International home study request packets must include the following:

- A formal letter requesting the home study, information regarding the placement resource and the reason why the child is in the sending country's custody.
- A legal document indicating that the child is a court dependent.
- A report on the child's educational, medical, dental and emotional well being.
- Case Plan including the permanent plan for the child's care.
- Visitation orders/restrictions.

PROCEDURE

Requests for an International Placement

CSW Responsibilities

1. When a child(ren) is declared a dependent(s) of the juvenile court, and relatives who reside out of the country express interest in caring for the child(ren), the CSW must work to obtain pertinent information about these individuals.
2. When requesting an out-of-country placement, DCFS has the burden of proof to show that the placement is in the best interest of the child. The CSW must include the following factors in the court report:
 - a. Whether the placement is with a relative
 - b. Whether the placement would assist with placing siblings in the same home
 - c. Amount and nature of any contact between the child and the potential caregiver
 - d. Physical and medical needs of the child
 - e. Psychological and emotional needs of the child
 - f. Social, cultural and educational needs of the child
 - g. The placement desires of a child who is twelve (12) years and older
3. CSW must also ensure that the court order be worded as follows:
 - "The court orders DCFS to initiate an international home study request for (full name of parent/relative), (relationship to the child) in (name of country)."
4. CSW must also request that the minute order be translated to the receiving country's official language and that both the original and translated minute order be signed by the Judge and stamped with the court's official seal.
5. Once the minute order is received, assemble an [International Home Study Request](#) packet. It must consist of the following:
 - a. Minute order signed by the hearing officer
 - b. A letter written by the CSW on [DCFS letterhead](#), requesting that the receiving country's social service agency complete a home study for the purpose of placement. The letter should also include:
 - i. Reasons the child(ren) were taken into custody
 - ii. Any educational, medical and/or psychological problems the child(ren) may have
 - iii. Parent/**Relative's** full name, address, and telephone number in the foreign country
 - iv. The nationality and legal status of the child(ren)
 - v. Visitation orders/restrictions
6. Forward or fax the International Home Study Request Packet to the attention of the OCS/International Placement Unit located at 1933 S. Broadway , 5th Floor, Los Angeles, CA 90007, Phone (888) 303-5111, Fax (213) 742-7070.
7. If the child/youth is undocumented and the international placement is not a permanent

placement, consult with the [Special Immigrant Status \(SIS\)](#) unit at (323) 725-4679 to determine if a referral should be submitted.

IPU Responsibilities

1. IPU SCSW assigns secondary assignment on CWS/CMS to an IPU Coordinator.
2. IPU Coordinator will contact DCFS CSW to discuss case specifics and requirements for an international home study request.
3. IPU Coordinator must ensure that all required documents are received from CSW.
4. Contact social services, consulate/embassy or other designated government officials in the receiving country, to discuss their policies/procedures for processing international home study requests.
5. Notify CSW of the requirements as dictated by the receiving country.
6. Assume the role of liaison between receiving countries officials, DCFS staff and Los Angeles County Dependency Court.
 - All dealings with the receiving country should exclusively be handled by IPU.

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Receiving the International Home Study

CSW Responsibilities

1. Evaluate the home study when it is returned by IPU.
2. Submit the home study to the court with a recommendation for approval or denial of the placement.
 - a. Attach the original and translated copies of the home study to the court report.
 - The home study must have an overall positive recommendation in order to consider placing a child(ren) with a parent/relative.
3. If recommending for the child(ren) to be internationally placed, obtain the following documents:
 - a. An original [birth certificate](#) for each child. (Photocopies will not be accepted).
 - b. Copies of the child's original school records (if applicable) – (Photocopies will not be accepted).
 - c. Psychological evaluation (if applicable), medical and dental records.
 - d. Valid U.S. passport or passport from country of origin for non-U.S. citizens.
 - e. If the child(ren) is a U.S. citizen, Visa issued from the country they are traveling to (if applicable).
4. Documents need to be authenticated by the California Secretary of State Office.
 - a. Check with IPU to determine which documents require authentication.

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Placing and Transporting a Child to Another Country

CSW Responsibilities

1. If the home study is favorable, recommend that the child be transported to a specific parent/relative or social service agency in the receiving country.
2. Discuss the case with International Placement Coordinator to ensure compliance with international placement protocol.
3. The minute order from the court granting consent for the child(ren) to be placed outside of the United States must :
 - a. Be signed by the hearing officer
 - b. Be translated by the court to the official language of the country receiving the child(ren).
 - c. Clearly state the name of the child(ren), and that he/she is ordered to be placed in the custody of (give full name of placement resource and relationship to the child).
 - d. Clearly state that the DCFS staff member (give full name) is authorized to transport the child(ren) to the city and country of destination.
 - e. Both the English and translated version of the minute order must be exemplified (using an official seal) and authenticated (Apostille) by the California Secretary of State Office.
 - Check with the IPU to determine which documents the receiving country requires to be authenticated.
 - f. Submit the minute orders and any other notarized documents for authentication by the Secretary of State.
 - Documents submitted to the Secretary of State must be certified within the last five years by the appropriate public official or must be notarized by a California Notary Public.
4. If documents need to be notarized, notify your ARA that Notary Services are required to process the out-of-country placement.
 - The CSW requesting the Notary Services needs to have a valid California ID such as a Driver's License.
 - Ensure that the notarization of all applicable documents is completed by a notary.
5. Submit documents to be authenticated (**Apostille**)
 - a. An appointment is not necessary to submit in person. A processing fee (per signature authenticated) and a handling fee may apply. The fee may be waived if the CSW presents their county badge along with a letter on **DCFS letterhead** from their SCSW indicating that the CSW is on official business. The address is as follows:
 - 300 South Spring Street, Room 12513, Los Angeles, CA 90013, (213) 897-306, Monday-Friday 8:00 am-4:30 pm
 - b. If submitting by mail, note that the processing time is typically three (3) to five (5) business days from the date the request is received and there is a fee. Please see the California Secretary of State [website](#) on what to include in the packet. Submit packet to the following address:
 - Notary Public Section, P.O. Box 942877, Sacramento, CA 94277.
6. Notify the IPU that all documents have been obtained and request assistance with making arrangement for placement in the receiving country.

7. Arrange transportation for DCFS CSW to accompany the child(ren), if the child(ren) must be accompanied by an adult other than a parent or relative, by completing the [DCFS 304](#).
8. The CSW transporting the child will need the child(ren)'s international travel documents, a copy of the minute order, [passport](#), travel tickets, the consulate document authorizing transportation of the child(ren) and other appropriate documents (health, school, etc.) when transporting the child(ren).
9. CSW must maintain monthly contact with the family and report any concerns to IPU.

Regional ARA Responsibilities

1. Make a request for Notary Services by calling one of the three (3) following notaries:
 - Tom Ross, (310) 225-6789
 - Daniel Borquez, (626) 840-4333
 - Robert Marshall, (323) 296-6491
2. The notary will send his/her billing to the ARA who requested the services.
3. Review billing from notary for approval or denial. If approving the billing, complete the following:
 - a. Make two (2) copies of the notary's billing.
 - b. Complete the [DCFS 250](#) and be sure to include the Fund ORG Code.
 - c. Both signatures on the DCFS 250 must be ARA level or above.
 - d. Mail the completed DCFS 250 , the original, as well as one copy of the notary's billing to:
 - i. Procurement Services/Forms Management Section, 501 Shatto Place, Suite 300, Los Angeles, CA 90020
 - ii. Procurement staff will review ARA approval and send notary's billing for payment using to the Fiscal Operations-Accounting Services Section.
 - iii. The Fiscal Operation Division-Accounting Services Section will approve and mail check to the notary.

IPU Responsibilities

1. Coordinate and plan the details of the international placement with the CSW. Remain in contact with the CSW/SCSW throughout the placement process.
2. Establish and maintain contact with the receiving country's social services before and after the placement is made.
3. Request supervision from the receiving country's social services to assure the child(ren) has adjusted to the placement until termination can be recommended.

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Incoming International Cases

IPU Responsibilities

1. Complete a home study in accordance with the rules and regulations of Los Angeles County DCFS.

2. Refer appropriate proposed placement resource to [ASFA](#) for NREFM assessment.
3. Translate the home study to the primary language of the sending country.
 - Utilize the DCFS list of approved bilingual staff for assistance in translation for non-English/Spanish speaking countries.
4. Once the home study is complete, including translation, submit for review and approval by IPU Liaison SCSW.
5. Document any conditions of placement and obtain a written agreement from the sending country.
6. If placement is made the sending country must give the placement resource a legal document granting them full legal/physical custody of the child(ren).
7. If the child(ren) is not an American citizen, the parent/relative in the United States must work directly with the [Immigration Department](#) prior to placement of the child in the United States to ensure compliance with all Immigration laws.

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APPROVALS

International Placement Unit (IPU) SCSW Approval

- Home Study
- Assignment
- Supervision

ASFA SCSW Approval

- Home Study
- Assignment
- Supervision

Regional ARA Approval

- Home Study
- Assignment
- Supervision
- Notary Services

HELPFUL LINKS

Forms

LA Kids

[DCFS Letterhead](#)

[DCFS 250](#), Procurement Request
[DCFS 304](#), Case Related Travel Request.

Hard Copy

Cover Letter for the International Placement on DCFS letterhead
International Home Study Request

Referenced Policy Guides

[0100-520.10](#), Evaluating a Prospective Caregiver
[0100-525.10](#), Interstate Compact for the Placement of Children (ICPC)
[1200-500.10](#), Vital Records (Birth, Death, Marriage and Divorce)
[1200-500.86](#), Immigration Options for Undocumented Children and Families
[1200-501.40](#), Obtaining a Passport for a Child/Youth Under DCFS Supervision

Statutes

[U.S. Constitution, Article VI, Clause 2](#) – Dictates that all treaties made shall be the supreme law of the land and are binding on federal, state, and local government officials to the extent that they pertain to matters within such officials' competence.

[Annex to the MOU on Consular Protection between the U.S. and the United Mexican States; 57 STAT .800, Treaty Series 985 and the Vienna Convention on Consular Relations](#) – Outlines the rights of children with dual citizenship; the requirements of consular notification; procedures for sharing information with foreign consulates when complying with notice requirements or requesting assistance and services; and the requirements of maintaining all matters confidential that are related to legal affairs, particularly cases involving custody and adoption of children.

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ATTACHMENT II

ATTORNEY, ATTORNEY DESIGNEE, OR PARTY WITHOUT ATTORNEY (name and address):		
Attorney Or Attorney Designee for (Client's Name):		
Telephone No.:	Fax No.:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES Juvenile Division 201 Centre plaza Drive Monterey Park, CA 91754		
CHILD'S NAME:	DOB:	
DECLARATION IN SUPPORT OF ACCESS TO AND COPIES OF JUVENILE RECORDS (WIC §827, CRC Rule 5.552; Local Rule 7.2)		Juvenile Case Number: Dependency _____ Delinquency _____

A. Person/Agency Entitled to Access Pursuant to Welfare & Institutions Code (WIC) §827, California Rules of Court, Rule 5.552, and Los Angeles Superior Court (LASC) Local Rules, Rule 7.2:

- ☐ Subject child
- ☐ Subject child's parent or legal guardian
- ☐ Attorney for subject child (including appellate attorney) *[continue to Section B below]*
- ☐ Attorney for subject child's parent/legal guardian (including appellate attorney) *[continue to Section B below]*
- ☐ The county counsel, city attorney, or any other attorney representing the petitioning agency in a dependency action. *[Continue to Section B below]*
- ☐ Attorney authorized to prosecute adult criminal or juvenile matters under California state law (district attorney, city attorney, city prosecutor) *[Continue to Section B below]*
- ☐ Person/agency actively participating in adult criminal or juvenile proceedings involving the minor (hearing officers, probation officers, law enforcement officers)
- ☐ State Department of Social Services staff for the purposes delineated in WIC §827(a)(1)(I)
- ☐ Member of child protective agencies per Penal Code §11165.9 (police, sheriff, county probation, county child welfare)
- ☐ Superintendent or designee of school district where child attends or is enrolled
- ☐ State Department of Social Services staff for the purposes delineated in WIC §827(a)(1)(J)
- ☐ Member of child's multi-disciplinary team
- ☐ Person/Agency currently providing supervision or treatment of child
- Title & Relationship to Child _____
- ☐ Family law judicial officer, or clerk acting on behalf of judicial officer; family law case # _____
- ☐ Family law mediator or evaluator (including person performing investigation or assessment)
- ☐ Court-appointed probate guardianship investigator
- ☐ Local child support agency
- ☐ Juvenile justice commission
- ☐ Other (including pursuant to court order; please attach copy of order)

NOTE: Attorney designees (including paralegals, investigators, and social workers) must check the appropriate box in Section A as to the attorney, and must fill out the attorney information in Section B.

B. Attorney

Name: _____	State Bar #: _____	Case No: _____
Court (criminal, juvenile, etc.) _____	Client Name: _____	
Client's relationship to subject of juvenile records: _____		

C. Type of Records

Please check the box corresponding to the records you wish to access (check all that apply):

- ☐ Juvenile Dependency - court file only
☐ Juvenile Delinquency - court file only
☐ Other (please specify below the type of records you seek, if not listed above)

If you are entitled and wish to access records from the Department of Child and Family Services (DCFS), please contact **Elo Ulloa or Marcy Stevenson – DCFS Records Unit/Office of County Counsel – address: 201 Centre Plaza Dr Ste. 1, Monterey Park, CA 91754 – phone number: (323) 526-6100.**

If you are entitled and wish to access records from the Probation Department, please contact the Custodian of Records, **Tracy Jordan-Johnson, at (323) 260-2788.**

D. Reason for Request of Records

- ☐ Personal use
☐ Other (please specify below if you plan to re-disclose records to third parties)

WARNING: Any records, reports or information obtained from the juvenile record(s) shall not be further released or disseminated to persons or agencies not otherwise entitled to access pursuant to WIC §827, CRC Rule 5.552, and LASC Local Rule 7.2 (i.e. agencies/individuals listed above). Further, juvenile records shall not be attached to any documents without prior approval of the Juvenile Court Presiding Judge, unless they are used in connection with a criminal investigation or juvenile court proceeding to declare a minor a dependent or ward of the Court.

I declare under penalty of perjury that the foregoing is true and correct and that I am aware of the above warning regarding dissemination of juvenile records.

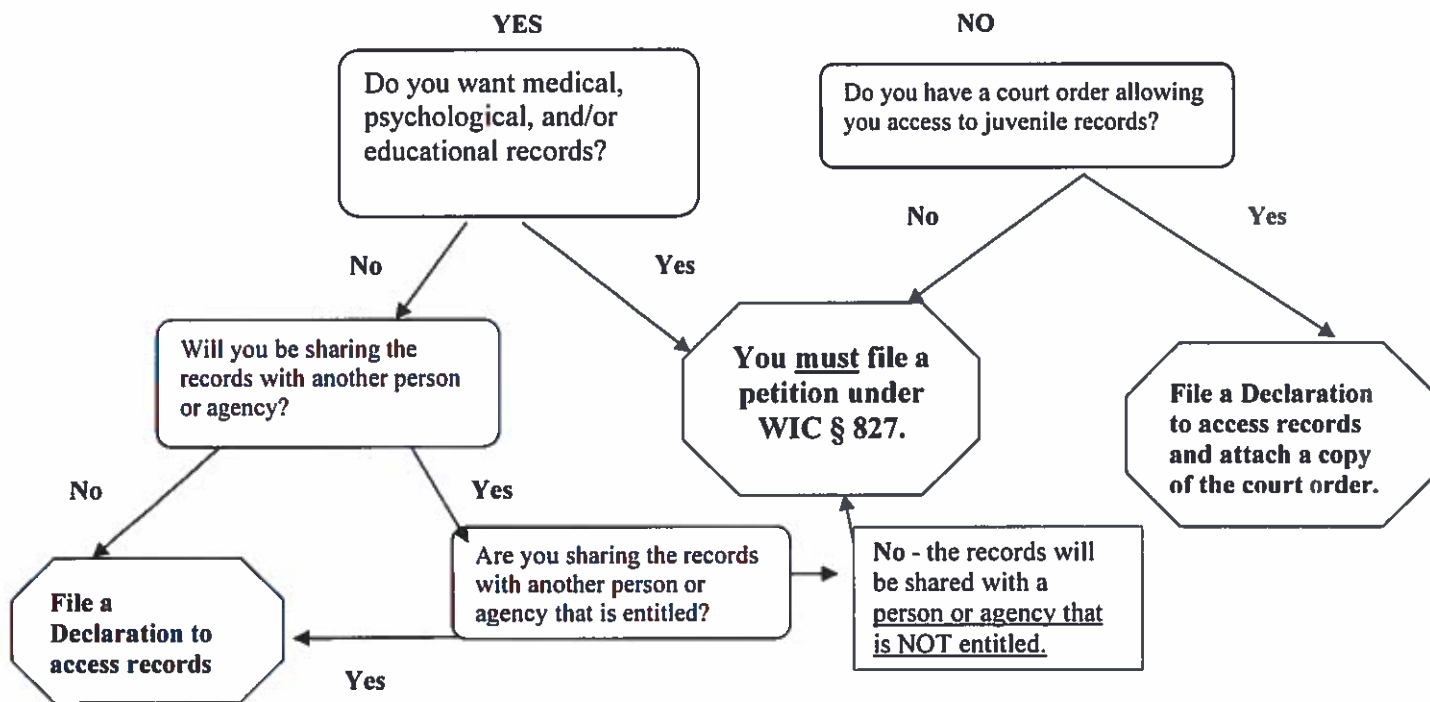
Date: _____

Signature: _____

JUV010 - Revised 1/2013

ARE YOU ENTITLED TO RECORDS?

(Are you a person/agency listed in Section A above?)



MEMORÁNDUM DE ENTENDIMIENTO ENTRE EL DEPARTAMENTO DE MENORES Y SERVICIOS FAMILIARES DEL CONDADO DE LOS ÁNGELES, ESTADOS UNIDOS DE AMÉRICA Y EL CONSULADO GENERAL DE MÉXICO EN LOS ÁNGELES, CALIFORNIA, PARA EL SUMINISTRO DE SERVICIOS DE PERMANENCIA Y PLANIFICACIÓN DE MENORES DE EDAD MEXICANOS INVOLUCRADOS EN PROCEDIMIENTOS LEGALES DE DEPENDENCIA

El Departamento de Menores y Servicios Familiares del Condado de Los Ángeles, Estados Unidos de América ("DCFS") y el Consulado General de México en Los Ángeles, California, ("el Consulado"), en lo sucesivo referidos como "las Partes";

CONSIDERANDO la necesidad de continuar fomentando y fortaleciendo la relación y comunicación eficaces entre las Partes, conforme al espíritu de la Convención de Viena sobre Relaciones Consulares del 24 de abril de 1963, 21 U.S. T. 77, T.I.A.S. No. 6820 (en lo sucesivo "Convención de Viena") y la Convención Consular entre los Estados Unidos Mexicanos y los Estados Unidos de América del 12 de agosto de 1942, 57 Stat. 800; Serie de Tratados 985 (en lo sucesivo "Convención Bilateral");

CONSIDERANDO que las Partes reconocen mutuamente su compromiso de velar por la seguridad y el bienestar de los menores de edad mexicanos bajo custodia de DCFS;

CONSIDERANDO que el Consulado está obligado a proteger los derechos de los nacionales mexicanos y sus menores de edad dentro de su circunscripción consular;

CONSIDERANDO que las Partes expresan mutuamente su interés en prevenir situaciones que pudieran poner en peligro la seguridad, la dignidad y los derechos humanos de los menores de edad mexicanos involucrados en procedimientos legales;

CONSIDERANDO que las Partes manifiestan mutuamente su interés en establecer protocolos y procedimientos para proveer y compartir información, prestar servicios y resolver problemas a nivel local con respecto a asuntos de protección del menor de edad;

Ahora, por tanto, acuerdan mutuamente lo siguiente:

1. El presente Memorándum de Entendimiento ("MdE") ha sido redactado conforme a la Convención de Viena, la Convención Bilateral y las leyes estatales y federales aplicables.
2. El presente MdE contiene procedimientos autorizados por el Director de DCFS y el Cónsul General de México en Los Ángeles, California, para que sus respectivos funcionarios los apliquen al brindar sus respectivos servicios en casos en los que los menores de edad mexicanos se vean involucrados en procedimientos legales de dependencia.

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I. PROPÓSITO

El propósito del presente MdE es establecer los procedimientos entre las Partes para la implementación de su colaboración sobre el intercambio de información, brindar servicios y resolver problemas a nivel local con respecto a asuntos de protección de menores de edad mexicanos que residen en el Condado de Los Ángeles, California, y que cumplan con el criterio establecido en la Sección III de este MdE.

II. DEFINICIONES

- A. Menor Mexicano: Significa cualquier persona soltera menor de 18 años que:
- Haya nacido en México, o
 - Dos o más países atribuyan su nacionalidad a esa persona, y que México sea uno de esos países.
- B. Repatriación: El procedimiento mediante el cual un menor de edad mexicano que reside en los Estados Unidos de América es regresado a territorio mexicano.
- C. DIF: Significa el Sistema para el Desarrollo Integral de la Familia, la cual es la institución mexicana encargada de la protección a la infancia en México.

III. POBLACIÓN A LA QUE SE LE SUMINISTRAN SERVICIOS

Menores de edad mexicanos involucrados en procedimientos legales de dependencia y/o bajo la custodia protectora de DCFS.

IV. RESPONSABILIDADES DEL CONSULADO

- A. Cumplir con las disposiciones establecidas por la Convención de Viena, la Convención Bilateral y cualquier otro tratado o acuerdo aplicable a la colaboración entre los Estados Unidos de América y los Consulados Mexicanos cuando un menor de edad mexicano esté involucrado en procedimientos legales de dependencia.
- B. Promover la sensibilidad bicultural y el entendimiento en asuntos relacionados con la protección del menor de edad, y fomentar la cooperación al más alto nivel para lograr éxito en los procedimientos relacionados con los intereses de los menores de edad mexicanos.
- C. Acordar llevar a cabo una reunión anual entre el Cónsul General de México o su representante designado y el Director de DCFS o quien él designe, con el fin de evaluar el progreso de este MdE.

- D. Acatar lo establecido en el "Manual de Políticas de Bienestar Infantil de DCFS, Colocando Menores de Edad Fuera del País", el cual está adjunto al presente e incorporado por referencia como Anexo 1, y otras políticas relacionados en el manejo de casos que conciernen a menores de edad mexicanos bajo la custodia de DCFS.
- E. Asistir, cuando sea posible, al DCFS en la obtención de la documentación necesaria proveniente de México para completar las solicitudes para obtener la Condición Especial de Inmigrante Juvenil (*Special Immigrant Juvenile Status*, "SIJS", por sus siglas en inglés) a favor de menores de edad mexicanos, quienes se encuentran bajo custodia de DCFS y son considerados elegibles para obtener la SIJS, según lo previsto en INA, sec, 101 (a)(27)(j)(ii), 8 U.S.C. sec 1101 (a)(27)(J)(ii).
- F. Obtener del DIF los estudios socioeconómicos apropiados de las familias en México que puedan ser elegibles para obtener la custodia de un menor de edad mexicano bajo la custodia de DCFS. Una vez recibidos, el Consulado transmitirá inmediatamente la información al DCFS para la Colocación de Menores (*Interstate Compact for the Placement of Children - ICPC/International Coordinator*).
- G. Adoptar las medidas necesarias de coordinación con el DIF, cuando la custodia de un menor de edad mexicano sea otorgada a una familia mexicana, con el fin de llevar a cabo la repatriación de dicho menor de edad mexicano a México, procurando su bienestar y proveyéndole todos los servicios necesarios.

Una vez que el menor se encuentre en México, el Consulado le pedirá al DIF, de ser necesario, estar presente en la entrega del menor de edad mexicano a la familia que asumirá su custodia y adoptará las medidas necesarias para asegurar el bienestar del menor.
- H. Trabajar con el DCFS para presentar cambios o mejoras a cualquiera de las disposiciones del presente MdE y/o en el "Manual de Políticas de Bienestar Infantil de DCFS, Colocando Menores de Edad fuera del País" anexo y otras políticas relacionadas.

V. RESPONSABILIDADES DE DCFS

- A. Cumplir con las disposiciones establecidas por la Convención de Viena, la Convención Bilateral y cualquier otro tratado o acuerdo aplicable a la colaboración entre los Estados Unidos de América y los Consulados Mexicanos

cuando un menor de edad mexicano esté involucrado en procedimientos legales de dependencia.

- B. Comunicarse con el Consulado, sin demora, acerca de cualquier procedimiento legal de dependencia que involucre a un nacional mexicano, según el Artículo 37 (b) de la Convención de Viena.
- C. Facilitar la comunicación entre representantes consulares y menores de edad mexicanos bajo la custodia protectora de DCFS, de acuerdo con el Artículo VI, párrafo 2(a) y 3 de la Convención Bilateral y de conformidad con los requisitos previstos en el Artículo 36.1, incisos (a) y (c) de la Convención de Viena.
- D. Permitir y facilitar, conforme a las disposiciones de la legislación aplicable, el acceso a los funcionarios consulares con el objeto de permitir que los mismos estén presentes en todo momento en los procedimientos judiciales relacionados con menores de edad mexicanos.
- E. Promover la sensibilidad bicultural y el entendimiento sobre asuntos relacionados con la protección del menor de edad; y fomentar la cooperación al más alto nivel para lograr el éxito en los procedimientos relativos a los intereses de los menores de edad mexicanos.
- F. Acordar llevar a cabo una reunión anual entre el Cónsul General de México o su representante designado y el Director de DCFS o su representante designado, con el fin de evaluar el progreso de este MdE.
- G. Consolidar la visión y la misión de DCFS para brindar permanencia y seguridad a los menores de edad mexicanos, tomando en consideración la aspiración del Gobierno mexicano de reunir a los menores de edad mexicanos con sus familias en los Estados Unidos de América o en México, cualquiera que sea la reubicación que se determine para el mejor interés del menor.
- H. Acatar lo establecido en el "Manual de Políticas de Bienestar Infantil de DCFS, Colocando Menores de Edad Fuera del País", el cual está adjunto al presente como Anexo 1, y otras políticas relacionadas en el manejo de casos relacionados con menores de edad mexicanos bajo la custodia de DCFS.
- I. Trabajar con el Consulado para desarrollar procedimientos de notificación en cuanto a quejas por abuso o negligencia relacionados con Menores Migrantes No Acompañados de origen mexicano, quienes pudieran llamar a la atención del DCFS después de que éstos fueron liberados a sus patrocinadores en el Condado de Los Ángeles.

- J. Trabajar con el Consulado para presentar cambios o mejoras a cualquiera de las disposiciones del presente MdE y/o en el "Manual de Políticas de Bienestar Infantil de DCFS, Colocando Menores de Edad Fuera del País" anexo y otras políticas relacionadas.

VI. CONFIDENCIALIDAD

- A. Las Partes acuerdan mantener la confidencialidad de todos los archivos e información sobre las personas de conformidad con todas las leyes o regulaciones federales y/o estatales aplicables, incluyendo, sin limitarse a, la Ley de Privacidad de los Estados Unidos de 1974, las Secciones 827 y 10850-10853 del Código de Bienestar e Instituciones del Estado de California, el Manual de Políticas y Procedimientos del Departamento de Servicios Sociales de California, División 19-000, y las demás disposiciones de ley y regulaciones promulgadas en relación con la privacidad y la confidencialidad, vigentes o conforme sean enmendadas.
- B. Además de las disposiciones generales de confidencialidad en esta Sección, las Partes acuerdan cumplir con los Procedimientos de la Corte Juvenil del Condado de Los Ángeles y la Regla 1423 de las Reglas de la Corte de California.
- C. Si el Consulado desea obtener información confidencial relativa a un caso ventilado ante la Corte Juvenil o de un menor bajo la supervisión de DCFS, el Consulado presentará la forma de Solicitud de Divulgación de los Archivos de la Corte Juvenil (Petition for Disclosure of Juvenile Court Records) incorporada como Anexo 2, explicando en cuyo nombre se presenta la solicitud, las razones de la solicitud y la mayor información identificada relativa al caso, tal como se conoce.
- D. Al menos cinco días naturales antes de la presentación de una Solicitud de Divulgación de los Archivos de la Corte Juvenil, el Consulado notificará o intentará notificar mediante una copia de la solicitud a las partes interesadas, ya sea personalmente o por correo de primera clase.

El Juez Presidente o un funcionario judicial designado por la Corte Juvenil determinará si concede la petición y emitirá una orden concediendo al representante del Consulado el acceso al expediente judicial.

Si se emite la orden, el representante del Consulado podrá llevar esta orden a la Oficina del Secretario de la Corte Juvenil para revisar el archivo que figura en la orden.

- E. Si el representante del Consulado se presenta en la Corte Juvenil como un agente para un familiar que radica en México que no sea uno de los padres, el representante del Consulado deberá acercarse al abogado del menor de edad directamente. En la mayoría de los casos, el abogado estará dispuesto a discutir el caso con el representante del Consulado como si el familiar estuviera presente en la Corte.

Si el abogado no estuviera dispuesto a proporcionar información alguna al representante del Consulado, éste podrá (1) presentar una solicitud de divulgación de los archivos de la Corte Juvenil o (2) escribir una carta al Juez Presidente describiendo el problema. El Juez Presidente determinará la mejor acción a asumir.

VII. RETENCIÓN DE ARCHIVOS

Las Partes acuerdan retener todos los documentos relacionados con este MdE por cinco (5) años, posteriores a la terminación de este MdE o hasta que finalicen todas las auditorías federales, estatales y del condado, lo que suceda al último.

VIII. NOTIFICACIÓN Y CORRESPONDENCIA

- A. Toda la correspondencia respecto a este MdE será por escrito y enviada a

DCFS: Los Angeles County
Department of Children and Family Services
Bureau of Specialized Response Services
Deputy Director
1933 S. Broadway Avenue # 542
Los Ángeles, California 90007

Consulado: Consulado General de México en Los Ángeles
Cónsul General
2401, West 6th Street
Los Angeles, California 90057

- B. Todas las notificaciones serán consideradas efectivas cuando sean por escrito y se depositen en el correo de los Estados Unidos de América, primera clase, con envío prepagado y enviadas a las direcciones arriba mencionadas. Cualquier notificación, reclamo, correspondencia, reporte y/o comunicado autorizado o requerido por este MdE, que no se dirija tal y como se indica arriba no será considerado como entregado. Las Partes pueden acordar mutuamente por escrito cambiar las direcciones a donde se envíen las notificaciones.



IX. SOLUCIÓN DE CONTROVERSIAS

Para la solución de controversias entre las Partes en cuanto a las disposiciones de este MdE, se aplicará lo siguiente:

Primer paso: Conferencia entre el funcionario designado de DCFS y el representante del Consulado.

Segundo paso: Conferencia entre el Subdirector de la Oficina de Servicios de Respuesta Especializada del DCFS o su representante designado y el representante del Consulado.

Tercer paso: Conferencia entre el Director de DCFS o su representante designado y el Cónsul General de México en Los Ángeles, California, o su representante designado.

X. FINANCIAMIENTO

Las Partes deberán financiar las actividades referidas en el presente MdE con los recursos asignados en sus respectivos presupuestos de conformidad con la disponibilidad y los términos de su legislación.

XI. DISPOSICIONES FINALES

- A. Este MdE entrará en vigor a partir de la fecha de su firma.
- B. Cualquiera de las Partes puede dar por terminado este MdE en cualquier momento, mediante notificación escrita dirigida a la otra Parte, con noventa (90) días de antelación.
- C. Si el derecho de terminación es ejercido por cualquiera de las Partes, éstas serán liberadas de todas las obligaciones estipuladas en este MdE, con excepción de las obligaciones relativas a la confidencialidad.
- D. Una vez terminado, o habiendo dado la notificación de término, las Partes acuerdan cooperar mutuamente para el traslado organizado de responsabilidades de servicio, archivos de casos, y documentos pertinentes.
- E. Este MdE puede ser modificado por mutuo consentimiento de las Partes, formalizado a través de comunicaciones escritas especificando la fecha de entrada en vigor de dichas modificaciones.

mexicano que reciba servicios descritos aquí, o alguno de los empleados, agentes, personal, o voluntarios del Consulado.

G. Este MdE representa el entendimiento completo de las Partes con respecto al tema. Ningún cambio, modificación, extensión, terminación o documento de renuncia de este MdE, o cualquier entendimiento que se contenga aquí, será válido a menos que se haga por escrito y se firme por representantes debidamente autorizados por ambas Partes.

H. Este MdE ha sido negociado y ejecutado en el Estado de California y se registrará e interpretará de acuerdo a las leyes aplicables de las Partes, incluyendo pero no limitándose a, las leyes del Estado de California, las disposiciones de la Convención Bilateral y la Convención de Viena.

XII. DERECHOS U OBLIGACIONES DE EJECUCIÓN

El presente MdE se concibe como un marco de colaboración dentro del cual las Partes intentan lograr un objetivo común, y no crea obligaciones mutuas, con excepción de las obligaciones relacionadas con la confidencialidad establecidas en el Párrafo VI del presente MdE y aquéllas establecidas en los tratados jurídicamente vinculantes para los Estados Unidos Mexicanos y los Estados Unidos de América.

Firmado en Los Ángeles, California, en dos ejemplares originales, en idiomas español e inglés, siendo ambos textos igualmente auténticos.

**POR EL DEPARTAMENTO DE
MENORES Y SERVICIOS
FAMILIARES DEL CONDADO DE
LOS ÁNGELES, ESTADOS UNIDOS
DE AMÉRICA**



**Philip L. Browning
Director**

**POR EL CONSULADO GENERAL
DE MÉXICO EN LOS ÁNGELES,
CALIFORNIA**



**Carlos Manuel Sada Solana
Cónsul General**

Fecha: April 18, 2016

Fecha: April 12/2016

ANEXO I

Placing Children Outside of the Country

0100-525.11 | Revision Date: 07/01/14

Overview

This policy provides guidelines and procedures of placing children with a parent or relative outside of the United States.

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- International Placement Unit

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- Placing and Transporting a Child to Another Country
 - CSW Responsibilities
 - Regional ARA Responsibilities
 - IPU Responsibilities
- Incoming International Cases
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Approvals

Helpful Links

- Forms
- Referenced Policy Guides
- Statutes

Version Summary

This policy guide was updated from the 07/10/2013 version, as part of the Policy Redesign, in accordance with the DCFS Strategic Plan.

POLICY

Placement Outside of the Country

Whenever a placement outside of the United States is necessary, the CSW must assess whether the placement is in the child's best interest. The court will not order an out of country placement of a child prior to establishing that it is in the best interest of the child, unless the placement is with the child's

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parent.

The CSW must identify and address the child's feelings, and assess the ability of the potential caregiver to attend to the child's needs to the best of his/her ability. Caregivers outside of the country will not receive any financial assistance through Foster Care and KinGAP programs. The CSW, when possible, must plan for contact (telephone or physical) with the prospective caregiver in an effort to ensure the child's comfort with moving out of the country.

In cases where the court may order the placement of a school-age child in another country, the CSW must research the issues of education and advise the court accordingly with the assistance of the International Placement Unit (IPU).

Neither DCFS nor the court may authorize placement of a child in another country until an international plan and home study have been received from the receiving country.

International Placement Unit (IPU)

The International Placement Unit (IPU) provides assistance to DCFS staff when placing children with their parent(s) or relatives who resides in another country. Any child(ren) referred to the International Placement Unit must already be declared a dependent(s) of the juvenile court.

All international home study requests must be for the purposes of placement of a child(ren) with a parent or relative, and all must be processed through the International Placement Unit. Approved home studies are good for only six (6) months. If placement does not take place within that timeframe, the international case will be closed.

Placement with a Non-Related/Extended Family Member (NREFM) does not qualify for an international home study. IPU does not process requests for international adoptions, welfare checks, birth, death, or marriage certificates, due diligence on parents/relatives or a visit by a dependent child.

International Home studies are done as a professional courtesy. There are no formal agreements/compacts between Los Angeles County DCFS and other countries. Los Angeles County Dependency Court does not have legal authority over social services in other countries. Procedures differ amongst countries and are subject to change. In some cases, a country may charge a fee for completing the home study.

Requests for home studies from other countries are also completed/processed by the International Placement Unit (IPU) for the purpose of placement with a parent or relative. The International Placement Unit (IPU) does not process requests from other countries for NREFMs. Approved home studies are good for six (6) months, if placement does not take place within 6 months, the international case will be closed. International Placement Unit (IPU) conducts the home study and determines whether placement is appropriate and in the best interest of the child. If the assessment of the proposed placement resource is favorable, IPU must forward a request to ASFA for an assessment of the placement resource's home. Incoming International home study request packets must include the following:

- A formal letter requesting the home study, information regarding the placement resource and the reason why the child is in the sending country's custody.
- A legal document indicating that the child is a court dependent.
- A report on the child's educational, medical, dental and emotional well being.
- Case Plan including the permanent plan for the child's care.
- Visitation orders/restrictions.

PROCEDURE

Requests for an International Placement

CSW Responsibilities

1. When a child(ren) is declared a dependent(s) of the juvenile court, and relatives who reside out of the country express interest in caring for the child(ren), the CSW must work to obtain pertinent information about these individuals.
2. When requesting an out-of-country placement, DCFS has the burden of proof to show that the placement is in the best interest of the child. The CSW must include the following factors in the court report:
 - a. Whether the placement is with a relative
 - b. Whether the placement would assist with placing siblings in the same home
 - c. Amount and nature of any contact between the child and the potential caregiver
 - d. Physical and medical needs of the child
 - e. Psychological and emotional needs of the child
 - f. Social, cultural and educational needs of the child
 - g. The placement desires of a child who is twelve (12) years and older
3. CSW must also ensure that the court order be worded as follows:
 - "The court orders DCFS to initiate an international home study request for (full name of parent/relative), (relationship to the child) in (name of country)."
4. CSW must also request that the minute order be translated to the receiving country's official language and that both the original and translated minute order be signed by the Judge and stamped with the court's official seal.
5. Once the minute order is received, assemble an [International Home Study Request](#) packet. It must consist of the following:
 - a. Minute order signed by the hearing officer
 - b. A letter written by the CSW on [DCFS letterhead](#), requesting that the receiving country's social service agency complete a home study for the purpose of placement. The letter should also include:
 - i. Reasons the child(ren) were taken into custody
 - ii. Any educational, medical and/or psychological problems the child(ren) may have
 - iii. Parent/**Relative's** full name, address, and telephone number in the foreign country
 - iv. The nationality and legal status of the child(ren)
 - v. Visitation orders/restrictions
6. Forward or fax the International Home Study Request Packet to the attention of the OCS/International Placement Unit located at 1933 S. Broadway , 5th Floor, Los Angeles, CA 90007, Phone (888) 303-5111, Fax (213) 742-7070.
7. If the child/youth is undocumented and the international placement is not a permanent

placement, consult with the [Special Immigrant Status \(SIS\)](#) unit at (323) 725-4679 to determine if a referral should be submitted.

IPU Responsibilities

1. IPU SCSW assigns secondary assignment on CWS/CMS to an IPU Coordinator.
2. IPU Coordinator will contact DCFS CSW to discuss case specifics and requirements for an international home study request.
3. IPU Coordinator must ensure that all required documents are received from CSW.
4. Contact social services, consulate/embassy or other designated government officials in the receiving country, to discuss their policies/procedures for processing international home study requests.
5. Notify CSW of the requirements as dictated by the receiving country.
6. Assume the role of liaison between receiving countries officials, DCFS staff and Los Angeles County Dependency Court.
 - All dealings with the receiving country should exclusively be handled by IPU.

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Receiving the International Home Study

CSW Responsibilities

1. Evaluate the home study when it is returned by IPU.
2. Submit the home study to the court with a recommendation for approval or denial of the placement.
 - a. Attach the original and translated copies of the home study to the court report.
 - The home study must have an overall positive recommendation in order to consider placing a child(ren) with a parent/relative.
3. If recommending for the child(ren) to be internationally placed, obtain the following documents:
 - a. An original [birth certificate](#) for each child. (Photocopies will not be accepted).
 - b. Copies of the child's original school records (if applicable) – (Photocopies will not be accepted).
 - c. Psychological evaluation (if applicable), medical and dental records.
 - d. Valid U.S. passport or passport from country of origin for non-U.S. citizens.
 - e. If the child(ren) is a U.S. citizen, Visa issued from the country they are traveling to (if applicable).
4. Documents need to be authenticated by the California Secretary of State Office.
 - a. Check with IPU to determine which documents require authentication.

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Placing and Transporting a Child to Another Country

CSW Responsibilities

1. If the home study is favorable, recommend that the child be transported to a specific parent/relative or social service agency in the receiving country.
2. Discuss the case with International Placement Coordinator to ensure compliance with international placement protocol.
3. The minute order from the court granting consent for the child(ren) to be placed outside of the United States must :
 - a. Be signed by the hearing officer
 - b. Be translated by the court to the official language of the country receiving the child(ren).
 - c. Clearly state the name of the child(ren), and that he/she is ordered to be placed in the custody of (give full name of placement resource and relationship to the child).
 - d. Clearly state that the DCFS staff member (give full name) is authorized to transport the child(ren) to the city and country of destination.
 - e. Both the English and translated version of the minute order must be exemplified (using an official seal) and authenticated (Apostille) by the California Secretary of State Office.
 - Check with the IPU to determine which documents the receiving country requires to be authenticated.
 - f. Submit the minute orders and any other notarized documents for authentication by the Secretary of State.
 - Documents submitted to the Secretary of State must be certified within the last five years by the appropriate public official or must be notarized by a California Notary Public.
4. If documents need to be notarized, notify your ARA that Notary Services are required to process the out-of-country placement.
 - The CSW requesting the Notary Services needs to have a valid California ID such as a Driver's License.
 - Ensure that the notarization of all applicable documents is completed by a notary.
5. Submit documents to be authenticated ([Apostille](#))
 - a. An appointment is not necessary to submit in person. A processing fee (per signature authenticated) and a handling fee may apply. The fee may be waived if the CSW presents their county badge along with a letter on [DCFS letterhead](#) from their SCSW indicating that the CSW is on official business. The address is as follows:
 - 300 South Spring Street, Room 12513, Los Angeles, CA 90013, (213) 897-306, Monday-Friday 8:00 am-4:30 pm
 - b. If submitting by mail, note that the processing time is typically three (3) to five (5) business days from the date the request is received and there is a fee. Please see the California Secretary of State [website](#) on what to include in the packet. Submit packet to the following address:
 - Notary Public Section, P.O. Box 942877, Sacramento, CA 94277.
6. Notify the IPU that all documents have been obtained and request assistance with making arrangement for placement in the receiving country.

7. Arrange transportation for DCFS CSW to accompany the child(ren), if the child(ren) must be accompanied by an adult other than a parent or relative, by completing the [DCFS 304](#).
8. The CSW transporting the child will need the child(ren)'s international travel documents, a copy of the minute order, [passport](#), travel tickets, the consulate document authorizing transportation of the child(ren) and other appropriate documents (health, school, etc.) when transporting the child(ren).
9. CSW must maintain monthly contact with the family and report any concerns to IPU.

Regional ARA Responsibilities

1. Make a request for Notary Services by calling one of the three (3) following notaries:
 - Tom Ross, (310) 225-6789
 - Daniel Borquez, (626) 840-4333
 - Robert Marshall, (323) 296-6491
2. The notary will send his/her billing to the ARA who requested the services.
3. Review billing from notary for approval or denial. If approving the billing, complete the following:
 - a. Make two (2) copies of the notary's billing.
 - b. Complete the [DCFS 250](#) and be sure to include the Fund ORG Code.
 - c. Both signatures on the DCFS 250 must be ARA level or above.
 - d. Mail the completed DCFS 250 , the original, as well as one copy of the notary's billing to:
 - i. Procurement Services/Forms Management Section, 501 Shatto Place, Suite 300, Los Angeles, CA 90020
 - ii. Procurement staff will review ARA approval and send notary's billing for payment using to the Fiscal Operations-Accounting Services Section.
 - iii. The Fiscal Operation Division-Accounting Services Section will approve and mail check to the notary.

IPU Responsibilities

1. Coordinate and plan the details of the international placement with the CSW. Remain in contact with the CSW/SCSW throughout the placement process.
2. Establish and maintain contact with the receiving country's social services before and after the placement is made.
3. Request supervision from the receiving country's social services to assure the child(ren) has adjusted to the placement until termination can be recommended.

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Incoming International Cases

IPU Responsibilities

1. Complete a home study in accordance with the rules and regulations of Los Angeles County DCFS.

2. Refer appropriate proposed placement resource to [ASFA](#) for NREFM assessment.
3. Translate the home study to the primary language of the sending country.
 - Utilize the DCFS list of approved bilingual staff for assistance in translation for non-English/Spanish speaking countries.
4. Once the home study is complete, including translation, submit for review and approval by IPU Liaison SCSW.
5. Document any conditions of placement and obtain a written agreement from the sending country.
6. If placement is made the sending country must give the placement resource a legal document granting them full legal/physical custody of the child(ren).
7. If the child(ren) is not an American citizen, the parent/relative in the United States must work directly with the [Immigration Department](#) prior to placement of the child in the United States to ensure compliance with all Immigration laws.

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APPROVALS

International Placement Unit (IPU) SCSW Approval

- Home Study
- Assignment
- Supervision

ASFA SCSW Approval

- Home Study
- Assignment
- Supervision

Regional ARA Approval

- Home Study
- Assignment
- Supervision
- Notary Services

HELPFUL LINKS

Forms

LA Kids

[DCFS Letterhead](#)

[DCFS 250](#), Procurement Request
[DCFS 304](#), Case Related Travel Request.

Hard Copy

Cover Letter for the International Placement on DCFS letterhead
International Home Study Request

Referenced Policy Guides

[0100-520.10](#), Evaluating a Prospective Caregiver
[0100-525.10](#), Interstate Compact for the Placement of Children (ICPC)
[1200-500.10](#), Vital Records (Birth, Death, Marriage and Divorce)
[1200-500.86](#), Immigration Options for Undocumented Children and Families
[1200-501.40](#), Obtaining a Passport for a Child/Youth Under DCFS Supervision

Statutes

[U.S. Constitution, Article VI, Clause 2](#) – Dictates that all treaties made shall be the supreme law of the land and are binding on federal, state, and local government officials to the extent that they pertain to matters within such officials' competence.

[Annex to the MOU on Consular Protection between the U.S. and the United Mexican States; 57 STAT .800, Treaty Series 985 and the Vienna Convention on Consular Relations](#) – Outlines the rights of children with dual citizenship; the requirements of consular notification; procedures for sharing information with foreign consulates when complying with notice requirements or requesting assistance and services; and the requirements of maintaining all matters confidential that are related to legal affairs, particularly cases involving custody and adoption of children.

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ANEXO II

ATTORNEY, ATTORNEY DESIGNEE, OR PARTY WITHOUT ATTORNEY (name and address): Attorney Or Attorney Designee for (Client's Name): Telephone No.: _____ Fax No.: _____	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES Juvenile Division 201 Centre plaza Drive Monterey Park, CA 91754	
CHILD'S NAME: _____ DOB: _____	
DECLARATION IN SUPPORT OF ACCESS TO AND COPIES OF JUVENILE RECORDS (WIC §827, CRC Rule 5.552; Local Rule 7.2)	Juvenile Case Number: _____ Dependency _____ Delinquency _____

A. Person/Agency Entitled to Access Pursuant to Welfare & Institutions Code (WIC) §827, California Rules of Court, Rule 5.552, and Los Angeles Superior Court (LASC) Local Rules, Rule 7.2:

- ☐ Subject child
- ☐ Subject child's parent or legal guardian
- ☐ Attorney for subject child (including appellate attorney) *[continue to Section B below]*
- ☐ Attorney for subject child's parent/legal guardian (including appellate attorney) *[continue to Section B below]*
- ☐ The county counsel, city attorney, or any other attorney representing the petitioning agency in a dependency action. *[Continue to Section B below]*
- ☐ Attorney authorized to prosecute adult criminal or juvenile matters under California state law (district attorney, city attorney, city prosecutor) *[Continue to Section B below]*
- ☐ Person/agency actively participating in adult criminal or juvenile proceedings involving the minor (hearing officers, probation officers, law enforcement officers)
- ☐ State Department of Social Services staff for the purposes delineated in WIC §827(a)(1)(I)
- ☐ Member of child protective agencies per Penal Code §11165.9 (police, sheriff, county probation, county child welfare)
- ☐ Superintendent or designee of school district where child attends or is enrolled
- ☐ State Department of Social Services staff for the purposes delineated in WIC §827(a)(1)(J)
- ☐ Member of child's multi-disciplinary team
- ☐ Person/Agency currently providing supervision or treatment of child
- ☐ Title & Relationship to Child _____
- ☐ Family law judicial officer, or clerk acting on behalf of judicial officer; family law case # _____
- ☐ Family law mediator or evaluator (including person performing investigation or assessment)
- ☐ Court-appointed probate guardianship investigator
- ☐ Local child support agency
- ☐ Juvenile justice commission
- ☐ Other (including pursuant to court order; please attach copy of order)

NOTE: Attorney designees (including paralegals, investigators, and social workers) must check the appropriate box in Section A as to the attorney, and must fill out the attorney information in Section B.

B. Attorney

Name: _____	State Bar #: _____	Case No: _____
Court (criminal, juvenile, etc.) _____	Client Name: _____	
Client's relationship to subject of juvenile records: _____		

C. Type of Records

Please check the box corresponding to the records you wish to access (check all that apply):

- ☐ Juvenile Dependency - court file only
☐ Juvenile Delinquency - court file only
☐ Other (please specify below the type of records you seek, if not listed above)

If you are entitled and wish to access records from the Department of Child and Family Services (DCFS), please contact **Elo Ulloa or Marcy Stevenson – DCFS Records Unit/Office of County Counsel – address: 201 Centre Plaza Dr Ste. 1, Monterey Park, CA 91754 – phone number: (323) 526-6100.**

If you are entitled and wish to access records from the Probation Department, please contact the Custodian of Records, Veronica Pawlowski, at **(562) 940-2569.**

D. Reason for Request of Records

- ☐ Personal use
☐ Other (please specify below if you plan to re-disclose records to third parties)

WARNING: Any records, reports or information obtained from the juvenile record(s) shall not be further released or disseminated to persons or agencies not otherwise entitled to access pursuant to WIC §827, CRC Rule 5.552, and LASC Local Rule 7.2 (i.e. agencies/individuals listed above). Further, juvenile records shall not be attached to any documents without prior approval of the Juvenile Court Presiding Judge, unless they are used in connection with a criminal investigation or juvenile court proceeding to declare a minor a dependent or ward of the Court.

I declare under penalty of perjury that the foregoing is true and correct and that I am aware of the above warning regarding dissemination of juvenile records.

Date: _____

Signature: _____

JUV010 - Revised 2/2014

ARE YOU ENTITLED TO RECORDS?

(Are you a person/agency listed in Section A above?)

