

# County Welfare Directors Association (CWDA) Inter-County Transfer (ICT) Protocol

Updated September 17, 2024 and Approved by CWDA Children's Committee January 16, 2025

## Table of Contents

### Dependency Case ICT Protocol

- General Provisions
- Basic Criteria for Transferring Out
- Forms and Documents
- Residency
- Considerations & Limitations
- Dependency Case ICT Protocol
- Non-Minor Dependency Case ICT Protocol
- Post Dependency ICTs: Disrupted Guardianship

### Foster Care Eligibility ICT Protocol

- Overview
- Transfer Out Process
- Loss of Eligibility During Transfer
- Forms and Documentation for ICT Out
- Transfers-In for Payment Cases
- Transferring Denied/Discontinued Cases
- Non-Related Legal Guardian (NRLG) Transfers
- LA County NRLG Transfer In Procedure
- Non-Minor Non-Dependency Non-Related Legal Guardian (NRLG) Transfers
- Non-Minor Non-Dependency NRLG Eligibility Packet
- Non-Minor Probate Guardianships
- CalWORKs to Kin-GAP ICTs
- Kin-GAP Transfer Out Process

### Appendix I Inter-County Transfer Statutes

### Appendix II Terms and Definitions

# Dependency Case ICT Protocol

## Overview

### Introduction

Under certain conditions, child welfare service cases may be transferred to other counties. The California Rules of Court and the California Welfare and Institutions Code (WIC) provide guidelines for Inter-County Transfers (ICTs).

California counties agreed to a statewide ICT Protocol, which was approved by the County Welfare Directors Association (CWDA).

The statewide ICT protocol provides guidelines regarding:

- The transferring of cases.
- CWS/CMS assignment protocol.
- Required CWS/CMS entries prior to transferring a case and Casework practices/considerations.

### Best Practice

The California Rule of Court 5.612 specifies that the moment a case is received by the receiving county's court and is filed; it comes under that county's jurisdiction. However, gaps and delays in services to the family may occur if this definition is strictly followed.

The dynamics of ICTs, best practice guidelines and the mission of the Child Welfare Service agencies indicate it is important that the transferring social worker (SW) continue services until it is confirmed that the receiving county has formally accepted the case and assigned to a SW. This is also true for incoming cases because the actual assignment of a SW for ongoing services may take several weeks due to residency verification requirements, Transfer-In Hearing time frames and other issues. To protect children, strengthen families and develop permanent family settings for children, it is important that services continue uninterrupted during the ICT process.

## General Provisions

General provisions for transferring cases out of a county are:

- Counties determine who is authorized to transfer cases out of their custody.
- This protocol is to be included in each county's written ICT policies and procedures.
- Sending counties shall alert receiving counties about cases. Discussion to include special needs of children, NMDs, family, and caregivers, including potential changes in service levels and/or foster care rates. Ideally, the sending and receiving counties participate in a CFTM for transparency and continuity of services while the transfer process takes place.

### Primary Concern

Primary concerns for casework practice and considerations of minors are whether the transfer is in the child's best interest and if the:

- Level or services the child and family need can be met, and
- Case meets the criteria for transfer.

### Referrals on ICT

The guiding principle in the resolution of problems between jurisdictions will be that the safety of the child is first and foremost. This means that every child who is referred for allegations of child abuse; neglect and/or exploitation will be seen within the required response times regardless of where and with whom the child is living. In addition, the Social Service/CPS agency where the child is located/found (Host County) is responsible for Emergency Response (ER) In-person investigations on all referrals they assess as requiring an "immediate response".

Note: A Host County is defined as any county where the referred child is located which is not the county of legal residence for the child's primary legal caregiver.

## Basic Criteria for Transferring Out

The table below is a starting point for determining a possible transfer out. Please see the following sections as well for more considerations and limitations on transfer cases.

*Note: Transferring Out is not appropriate if the next review hearing is in less than 90 days.*

Dependency Type	Residence in Receiving County	Transfer Out Appropriate?
Pre-Jurisdiction	NA	No
Pre-Disposition	Parent/LG has at least 30 days stable residence in receiving county	Yes
Pre-Permanency (FR/FM)	Parent/LG receiving services (FR/FM) has at least 30 days stable residence in receiving county	Yes
Post-Permanency	<ul style="list-style-type: none"> <li>- Child has at least 12 months of stable placement</li> <li>- In child's best interest</li> <li>- No pending 366.26</li> <li>- No JV-180 pending</li> </ul>	Yes
Non-Minor Dependency	<ul style="list-style-type: none"> <li>- NMD has been residing as an NMD for at least 12 months in receiving county</li> <li>- NMD plans to stay</li> </ul>	Yes

## Forms and Documents

### Forms and Documentation for Dependency ICT Transfer Out

To initiate a transfer out of a dependency case, the SW, ICT Liaison, or County Counsel must file the following forms and documentation with the court of jurisdiction:

<b>Forms and Documents</b>	<b>Description</b>
<b>JV 548</b>	Motion for Transfer-Out
<b>Proof of Residence</b>	See Determination of Residency (below) and reference Appendix I
<b>JV 550</b>	Juvenile Court Transfer Orders
<b>JV 552</b>	Juvenile Court Transfer-Out Orders-Nonminor Dependent
<b>JV 287</b>	Confidential Information (if the address needs to be confidential)
<b>JUVICT-001A: Proof (Optional)</b>	Proof of Service Attachment

## Residency

### Determination of Residency

Determination of residency includes:

- The sending county is responsible for verifying residency and appropriateness of placement before submitting to its court a recommendation to transfer the case. WIC Code section 375, and Rule of Court 5.610 (a), (b) and (c) provide residency guidelines for inter county transfers (see Appendix I for text).
- Pre-Permanency: Residency is defined as the parent/legal guardian being domiciled in the county for a minimum of 30 days and having communicated an intent to remain in that county.
  - When considering transferring a Pre-Permanency (FM/FR) case for a minor child(ren), the transferring SW should ensure the family's residence in the receiving county is stable.
  - If the custodial parent is subject to frequent moves and/ or is highly unstable, the transfer should not occur.
  - If the plan is for the parent(s) to remain in a treatment facility for six-12 months or longer, the two counties shall discuss the appropriateness of transferring the case.
- Post-Permanency: If the child's situation falls within WIC section 17.1(d), the county where the child has physically resided for one year becomes the county of residence provided the other sections in 17.1 do not apply. However, certain casework practices should also be considered.

### Moving and ICT

Transferring the case does not automatically mean moving the child.

When a case transfers, the parent and child do not have to reside in the same county. It is not necessary to move the child's placement to the receiving county.

If the child is moved during the transferring process, the receiving county must be notified immediately and be sent a new case plan if appropriate.

If the plan is for the parent(s) to remain in a treatment facility for six-12 months or longer, the two counties shall discuss the appropriateness of transferring the case.

### Transfers of a minor in a STRTP/QRTP

Unless consensus is reached by the sending and receiving counties, transfer of a minor residing in a STRTP/QRTP shall not occur until their treatment goals have been achieved and he/she has been placed in a lower Level of Care (LOC) (e.g. foster home, relative or guardian).

Consideration should also be given to whether the sending county has authorized any supplemental placement costs (e.g. a "Patch") that would require county funds in the receiving county.

## Considerations & Limitations on Transfers

The following only applies to post-dispositional hearings. It does not apply when a jurisdictional hearing is completed and is transferred to the county of residence for the disposition.

Cases will not be recommended for transfer if a:

- Status/periodic review hearing is scheduled within 90 days from the date the transfer is requested.
- Welfare and Institutions Code (WIC) 366.26 or Family Code 7820 hearing is pending.
- Child has been declared free from parental care and control, WIC 17.1E, or
- Applicable Title IV-E Findings must have been made within the last 12 months.
- If the child's foster care case is county-only paid, the case will not be transferred from one county to another. This includes cases where a "patch" is paid above the Short-Term Residential Therapeutic Program (STRTP)/Qualified Residential Treatment Program (QRTP) Rate Classification Level (RCL) payments.
- Consideration: Cases where a "patch" is paid for placements over and above the state-approved foster care rate.
- Cases that the sending county is funding with all county funds.
- Consideration: Cases that have an Annual Review for Eligibility due within 30 days. This condition requires thorough communication between the sending and receiving counties (*please reference Foster Care Eligibility Inter-County Transfer Protocol below*).
- For NMD Transfer Out Considerations and Limitations, please reference the NMD sections starting on page 9.

There may be extraordinary situations which may make these an option. Such a decision will be made by the mutual agreement of both the Director/Director's designee level of the sending county and the receiving county.

*Best Practice: The sending county communicates and staffs with the receiving county prior to requesting the Inter-County Transfer to ensure the counties reach consensus. Sending counties shall alert receiving counties about cases. Discussion to include special needs children, NMDs, family, and caregivers, including potential changes in service levels and/or foster care rates. Ideally, the sending and receiving counties participate in a CFTM for transparency and continuity of services while the transfer process takes place. If the court orders the transfer ahead of the county's motion, the sending county should communicate the transfer to the receiving county if possible.*

## **Costs for Services**

Prior to transfer, the costs for services being provided to a child and family should be discussed between counties so that responsibility for the ongoing costs is clarified.

If either parent is living in the home with a child placed with a relative caregiver, the parent should be advised that the caregiver may no longer be eligible for payment.

If a relative or Non-Relative Extended Family Member (NREFM) is receiving a Special Care Increment (SCI) from the county of jurisdiction, they should be advised that a move to another county would adjust the SCI as the rate paid would be at the new county of residence's rate.

## **Permanency Planning/Post Permanency ICTs**

The transfer of a Permanency Planning / Post-Permanency (PP) case must be in the child's best interest.

Reminder: Transfer of PP youth in a Short Term Residential Therapeutic Program (STRTP)/Qualified Residential Treatment Program (QRTP) is not acceptable.

The following are some questions/issues transferring counties should consider to determine if the transfer of a PP case is appropriate:

- Length and stability of the child's placement - Has the child resided in the other county, in a stable placement, for 12 months and there has been infrequent or no contact with the parents? If so, the transfer may be in the child's best interests (unless it is a STRTP/QRTP placement).
- Case Plan - Is the worker recommending Legal Guardianship or Adoption, or a second period of Family Reunification (FR), and will it occur soon? If so, the transfer may not be in the child's best interests.
- Relationship between the child and worker - This, combined with the worker's knowledge of the case, may indicate the case should remain with the current county if the travel distance is not too great.
- Do not transfer the case if the youth is 17.5 years old.
- Do not transfer the case if the youth is in an STRTP/QRTP.



## Non-Minor Dependency Case ICT Protocol

### Transfers of Non-Minor Dependency Cases

#### General practice guidelines

The general practice guidelines, casework practice and considerations below apply to NMDs. In addition to meeting participation criteria and the NMD request to remain in Extended Foster Care (EFC), the county preparing to ICT the case should consider whether an ICT is in the NMD's best interests and will support the NMD's successful transition to adulthood.

#### NMD ICT Exclusions

An ICT shall not be recommended for transfer if one or more of the following exist:

- The youth is 17.5 years of age through age 18.
- If the youth does not want to remain in EFC.
- FR services are being provided to the parents of a Non-Minor Dependent (NMD).
- NMD has not resided within the county for 12 consecutive months as a NMD.
- NMD no longer meets participation criteria and not AFDC-FC eligible
- NMD resides in a STRTP/QRTP and there is no plan in place to move to a lower LOC.
- NMD has a plan of adult adoption or Tribal Customary Adoption.

#### ICT considerations for NMD

If a NMD is under Dependency Court supervision for 12 consecutive months and wants their case transferred, the following shall be considered. The NMD must:

- Request and/or consent to the transfer of jurisdiction.
- Have resided within the other county as a NMD for 12 consecutive months (stability of placement).
- Not reside in a STRTP/QRTP placement.
- Have a connection to the community (employment, school, etc.).
- Maintain a connection with person(s) significant to the NMD.

The sending county's social worker (SW) must:

- Work with the NMD to develop, sign and complete all required documents and actions (Example: Mutual Agreement, Transitional Independent Living Case Plan (TILCP) and Transitional Independent Living Plan (TILP), SOC 161: Six-Month Certification of Extended Foster Care Participation, Special Immigrant Juvenile Status (SIJS) or Supplemental Security Income (SSI) etc.)

#### Dual Status NMD

If the NMD is a dual status case, the individual counties will consult on a case-by-case basis.

## Criteria, Contacts, CWS/CMS Documentation & Inbox

*Best Practice: Sending county notifies receiving county of proposed JV-550 to Transfer Out and assigns secondary access in CWS/CMS to receiving county's ICT inbox. Ideally, within three to five (3-5) business days from the court-ordered transfer out, the sending county assigns secondary access in CWS/CMS to the receiving county's ICT inbox.*

Upon the receipt of the sending court's order of transfer and its filing with the clerk of the receiving court, the WIC Codes and Rules of Court identify that case is within the jurisdiction of the receiving county. Current practice in some counties indicates various factors influence the acceptance of jurisdiction and provision of services for cases being transferred between counties.

CWS/CMS allows the electronic transfer of case information from one county to another. This can assist counties in providing a much higher level of service continuity as well as much better track of case responsibility.

Once jurisdiction has been accepted by the receiving county, the CWS/CMS case will be electronically transferred to the receiving county within five business days.

A county transferring a case to another county's jurisdiction retains all case management and service provision responsibility until the sending county has verified the case has been received, processed by the clerk's office, and accepted by the receiving court.

Best practice – the sending county continues to service the case until the case is accepted by receiving court.

Face-to-face SW contact with the child(ren) is the responsibility of the sending county for the calendar month in which the receiving court accepts jurisdiction of the transfer.

*If the transfer of a case was not appropriate, the receiving county will file a motion to send the case back. The initial sending county remains responsible for all case management and court-ordered services.*

Generally, the receiving county assigns primary in CWS/CMS within their county and assigns secondary to the sending county's social worker in CWS/CMS. (The assignments in CWS/CMS should be communicated between the sending and receiving counties.)

**Example 1:** If a case is transferred via CWS/CMS on the 25<sup>th</sup> of June, the sending county is responsible for all mandatory face-to-face contacts with the child for June.

**Example 2:** If a case is transferred via CWS/CMS on the 2<sup>nd</sup> of June, the sending county is responsible for all mandatory face-to-face contacts with the children for June.

**Example 3:** If a case is accepted and immediately transferred back the sending county is responsible for all mandatory face-to-face contacts unless arranged with the receiving county.

### **Single point of contact and other contacts**

Each county is to identify a staff person who will serve as the ICT Single Point of Contact (ICT Liaison). The ICT Liaison is responsible to coordinate communication with the other ICT contacts within their county.

Each county shall maintain on the CWDA Website (<https://cwds.ca.gov/county>) current information regarding the

“ICT Problems Contact” who serves as a county ICT single point of contact (ICT Liaison).

Other ICT Contacts may include: Court contacts, ICT Foster Care eligibility contacts, program specialists, NRLG contacts, etc.

### **Specific documentation**

Address: The sending county shall document in CWS/CMS in the Case Management Section on the Address page of the client’s or clients’ notebook(s):

- Name(s),
- Address (i.e., street address, city and zip code), and
- Phone number.

Additionally, the JV-550 must have the correct address.

Sensitive Cases: The sending county includes the original sensitive case date when transferring the case. The host/receiving county follows its protocol to reassess whether the case should remain sensitive or be converted to non-limited access. This ensures that sensitive case status is reviewed and maintained appropriately throughout the transfer process between counties.

### **CWS/CMS ICT In-Box**

Each county must have a CWS/CMS ICT In-Box for the receipt of any cases being transferred from another county. Counties shall either create a new in- box in CWS/CMS for the receipt of ICT’s or rename an existing in-box where the ICT function is performed. The in-box name shall begin with the identifier “ICT”. Staff accessing the ICT In-Box must have Assignment/Transfer Authority in CWS/CMS. On the Assignment page of the Case Folder, all counties are to use the following standard naming convention:

Assignment Unit Field: “ICT - \_\_\_\_\_  
County Option

Case Alert Field Sending County should note if the case is “Sensitive” and why it is “Sensitive”.

## Assignments and Responsibilities in CWS/CMS

Before giving primary assignment on CWS/CMS to the receiving county's ICT In-Box, the sending county shall verify as soon as possible, but no later than 14 court days after the Transfer Out Hearing, that the case has been received by the receiving county's court clerk per Rule of Court 5.612.

Within three to five (3-5) business days of the transfer-out court order, the sending county shall modify CWS/CMS to add the receiving county as secondary assignment to allow access to the system by both the sending county and the receiving county. The receiving county assigns primary within their county and assigns secondary to the sending county's worker in CWS/CMS.

When giving primary assignment to the receiving county, the sending county may give secondary assignments to its staff as needed. Whenever sending counties give their staff secondary assignments, these secondary assignments shall be ended in CWS/CMS as soon as they are no longer needed. Secondary assignment may be needed:

- For payment issues
- Because caregivers and service providers are calling

Within seven business days of the transfer-out hearing, the SW in the sending county shall prepare and transmit a copy of all documents in the original SW file that are not contained in CWS/CMS, other than court minute orders, to the child welfare agency in the receiving county. The copies in the file do not need to be certified.

After the sending county has verified that the receiving court has accepted jurisdiction of the case, the sending county shall give the receiving county primary assignment.

If the sending county has no further court reports due, it should end date the Juvenile Court number when it is the receiving county primary assignment. (Reminder: The sending county shall not end the case in CWS/CMS. The receiving county must be able to access the active case in CWS/CMS.) If the sending county has additional court related documents to complete in its county, it will have to leave its Juvenile Court number open and request secondary assignment back to end the Juvenile Court number later.

For example, if a case is transferred via CWS/CMS on the 2<sup>nd</sup> of June, the sending county is responsible for all mandatory face-to-face contact in the month of June and ending secondary assignment when completely done with the case management in CWS/CMS.

### Hardcopies

The receiving county may request from the sending county hardcopies of case information not included in the CWS/CMS electronic file. Such requests will be fulfilled within five business days. Best practice: The receiving and sending SWs will communicate regarding pertinent case information not included in CWS/CMS.

## CWS/CMS Entries

### Required CWS/CMS entries

Documentation in CWS/CMS must be current and meet the FULL UTILIZATION mandates for required field entries. The following notebooks must be current before the sending county transfers the case in CWS/CMS within five business days:

- Health
- CANS
- Signed Case Plan in CWS/CMS (i.e. mental health)
- Contact
- Education
- Client
- Family Information
- Adoptions and Foster Care Analysis and Reporting System (AFCARS)
- Eligibility Worker Notified
- Indian Child Welfare Act (ICWA)
  - Inquiry Made – Copy of JV 010 A
  - Results of Inquiry
- Placement
  - Guideline: When the sending county verifies the eligibility closure date, it is to end date any Ongoing Request in CWS/CMS using the appropriate eligibility end date.
- Court Management
  - Guideline: Upon adoption of this protocol, sending counties are to change any 12/31/2099 hearing dates to the official hearing date.

In addition, the following must be completed in CWS/CMS:

- RFA 05 A: Resource Family Approval Certificate
- SOC 817: Checklist of Health and Safety Standards
- SOC 818: Relative or NREFM Caregiver Assessment
- RFA 05 A, SOC 817 and SOC 818 are to be completed when a RFA home is reassessed,
- Any Special Project Code, if applicable
- All pending approvals are satisfied
- When appropriate, the Transfer-Out Hearing is created. Use “Transfer - Out Hearing” as Hearing Type Description
- After the Hearing where the Transfer-Out is ordered, the Results page is completed in the Hearing Notebook, including the Order: “ICT Out Ordered”
- Close the Juvenile Court number and make it inactive and end-date the Associated Attorney Relationships in the Client Notebook(s).
- End date the placement effective the date of the eligibility transfer as verified by eligibility staff.

## **Post Dependency ICTs: Disrupted Guardianship**

### **Post Dependency ICTs**

When a WIC 388 petition is filed on a disrupted guardianship under WIC 366.3 (a), the guardian or the agency can file the 388 petition either in the county of jurisdiction or the county of residence and either court may hear and decide the matter. If the court hearing the petition is the court of residence, they will notice the court of prior jurisdiction of the petition.

If the hearing results in a resumption of jurisdiction, an ICT may ensue to transfer the jurisdiction to the county of residence.

## Foster Care Eligibility Inter-County Transfer Protocol

### Introduction

This policy establishes a protocol for transferring Foster Care (FC) payment cases between counties to facilitate the provision of cash aid and Medi-Cal benefits for children. The counties are governed by regulations set forth in the Manual of Policies and Procedures Eligibility and Assistance Standards (EAS).

### Overview of the dependency transfer procedure

The following table provides an overview of the transfer process for dependency cases:

Step	Action
1	The Juvenile Court transfers jurisdiction of a child from one county (sending county) to another (receiving county). The court file is sent to the receiving county.
2	CWS/CMS electronic case is transferred.  <i>Note: Los Angeles County utilizes CWS/CMS for all payments. See L.A. County's procedure in this protocol. Communication between sending and receiving counties is key.</i>
3	The eligibility case is transferred from the sending county to the receiving county.
4	The end date in CWS/CMS is updated after the receiving county picks up the eligibility case.

## FC Eligibility Transfer Out Process

The transfer-out process for dependency FC payment cases, regardless of the funding source, is outlined in the following table:

Step	Action
1	The Juvenile Court file is transferred by the court clerk from the sending county and accepted in the receiving county.
2	The CWS/CMS dependency case is transferred from the sending county to the receiving county.
3	<ul style="list-style-type: none"> <li>· FC Eligibility is notified that the dependency case is transferred,</li> <li>· Verifies that the receiving county has accepted the case</li> <li>· Initiates transfer of the FC Eligibility case to the receiving county.</li> <li>· The FC Eligibility Worker (EW) does not initiate the transfer if the receiving county has accepted jurisdiction solely for the purpose of returning the case to the original county.</li> </ul>
4	<p>The sending county FC EW verifies and updates information in Medi-Cal Eligibility Data System (MEDS) and clears all MEDS alerts.</p> <ul style="list-style-type: none"> <li>– If the child has changed their county of residence, the information to be updated includes, but is not limited to: <ul style="list-style-type: none"> <li>✓ Updating the resident county code.</li> <li>✓ Updating the resident address.</li> <li>✓ Discontinue the Health Care Plan (HCP).</li> </ul> </li> <li>· Verifies and updates the FC eligibility information in the CalSAWS system including, but not limited to: <ul style="list-style-type: none"> <li>✓ Current Re-Evaluation/Re-Investigation.</li> <li>✓ Placement changes.</li> </ul> </li> <li>· Completes the FC 18: Notification of AFDC-Foster Care Transfer, including their email address according to Personally Identifiable Information (PII) policy in the comments section.</li> <li>· Attaches copies of required forms and documentation.</li> <li>· Mails the Transfer Packet to the receiving county within 10 days of step 3.</li> </ul>



## Loss of Eligibility During Transfer Period

Per EAS 40-190.24, “When an intra-program status change occurs during the transfer period; the first county is responsible for determining continuing eligibility and the aid payment until the end of the transfer period.” EAS 40-183.1 defines an intra-program status change as “A change in status from one part of the same program and changes between CalWORKs and Aid to Families with Dependent Children-Foster Care (AFDC-FC), or AFDC-FC and Kin-GAP, or CalWORKs and Kin-GAP.” EAS 40-183.5 and 44-317.6 provide additional information.

Accordingly, the first (sending) county discontinues the ICT process when a child:

- Loses eligibility to AFDC-FC or Kin-GAP, but is potentially eligible to CalWORKs, or
- Is receiving CalWORKs, but becomes eligible to Kin-GAP or AFDC-FC.

The sending county processes the intra-program status change and then determines whether it is correct to initiate an ICT.

Example: A child in relative placement is receiving FC in the sending county. The Court transfers jurisdiction to the receiving county and the sending county initiates an ICT. During the transfer period, the child loses eligibility to AFDC-FC/ARC.

The sending county discontinues the ICT process and completes an intra-program status change to CalWORKs. The sending county determines an ICT is not appropriate because the child and their relative caregiver reside in the sending county.

## FC Eligibility Forms and Documentation ICT Out

An ICT Transfer Out Packet for a dependency case includes all pertinent documents and forms used to establish continuing eligibility. The sending county will clarify screen prints and acronyms on all documents for the receiving county. Such documents include, but are not limited to the following:

Forms and Documents	Description
<b>SAWS 1</b>	Application for Cash Aid, Food Stamps and/or Medi-Cal/34 County Medical Services Program (CMSP)
<b>FC 18</b>	Notification of AFDC-Foster Care Transfer
<b>FC 2</b>	Statement of Facts Supporting Eligibility for AFDC- Foster Care (FC); initial and most recent redetermination
<b>Age Verification</b>	Birth Certificate or other documentation of birth as provided in EAS 42-201
<b>Non-Citizen Status</b>	Documentation of the child's non-citizen status or PRUCOL application as provided in EAS 42-430
<b>Social Security Enumeration</b>	Social Security Card or other verification of the child's Social Security Number as provided in EAS 40-105.24.
<b>IEVS</b>	Copy of Income Eligibility Verification System prints; initial and most recent redetermination
<b>SOC 158 A</b>	Foster Child's Data Record and AFDC-FC Certification (most current)
<b>Minute Orders</b>	<ul style="list-style-type: none"> <li>· Detention minute order(s)</li> <li>· Jurisdictional/Dispositional minute order(s)</li> <li>· Review Hearing minute orders with requisite findings highlighted.</li> <li>· Minute Order(s) with required Title IV-E findings for funding made within the last twelve months</li> <li>· Jurisdictional Transfer-Out hearing minute order</li> </ul>
<b>POEM</b>	<ul style="list-style-type: none"> <li>· FC 3 and FC 3A</li> <li>· All documentation supporting the determination that the child is, or is not, federally eligible.</li> <li>· Any case narratives explaining how the documentation was used.</li> </ul>
<b>EA 1 CWS</b>	Emergency Assistance Application for Child Welfare Services <i>(table continued to next page)</i>

<b>Child Support</b>	<ul style="list-style-type: none"><li>· CW 2.1 Q: Support Questionnaire</li><li>· Documentation supporting good cause for not sending a child support referral to the LCSA, such as:<ul style="list-style-type: none"><li>– CW 51: Child Support – Good Cause Claim for Non-cooperation (or substitute)</li><li>– Compromise of Child Support</li><li>– Good Cause (RE) Determination</li></ul></li></ul>
<b>Level of Care</b>	Include available documentation (SOC 500)

## FC Eligibility Transfer In for Payment Cases

The transfer-in process for dependency FC cases, regardless of funding source, is outlined in the following table:

Step	Who	Action
1	ICT Liaison or EW of the receiving county	<p>Sends an email, following Personally Identifiable Information (PII) policy, to the sending county ICT Liaison or EW to:</p> <ul style="list-style-type: none"> <li>• Confirm receipt of the ICT Packet,</li> <li>• Provides contact information, and</li> <li>• Specify additional documents or information needed to re-establish eligibility.</li> </ul>
2	EW	<p>Reviews the ICT in Packet within 15 calendar days from the date of receipt into the receiving county to:</p> <ul style="list-style-type: none"> <li>• Identify documents and information needed to complete the transfer.</li> <li>• Promptly requests needed documents and information from the sending county EW listed on the FC 18.</li> <li>• Complete the eligibility determination prior to the expiration of the transfer period.</li> <li>• Return the FC 18 to the sending county within 30 days of the date the FC 18 was received by the receiving county.</li> <li>• Contact the ICT Liaison of the receiving county: <ul style="list-style-type: none"> <li>○ If experiencing difficulties reaching the sending county EW or obtaining the requested items.</li> <li>○ Prior to any denial of an ICT, to allow the ICT Liaison the opportunity to contact the sending county ICT Liaison.</li> </ul> </li> <li>• Contact the ICT Liaison of the sending county to obtain assistance in retrieving the requested items, avoid denial and/or negotiate the transfer period of an ICT as allowed EAS 40-187.</li> </ul>

Note: Cases where the foster care is county-only paid, including those where additional payments ("patch") are made above the state-approved Rate Classification Level (RCL) for Short-Term Residential Therapeutic Program (STRTP) or Qualified Residential Treatment Program (QRTP), will not be transferred between counties. Unless both the sending and receiving counties reach consensus to transfer such cases, they should not be transferred. This ensures that specific financial arrangements and funding responsibilities are maintained within the county providing the foster care services. This policy also applies to cases funded entirely with county funds.

## FC Eligibility Transfer Denied/Discontinued Dependency Case

When jurisdiction is transferred for a dependent child with denied/discontinued FC eligibility case, the sending county will send a courtesy ICT upon the request of the receiving county. In the “Comments” section of form FC 18, include the notation: “Courtesy Packet.”

If the...	And the...	Then the...
Child ran away from placement-Absent Without Leave (AWOL) status	The child ran away during the transfer period of the ICT Cash Packet	Sending county will discontinue payment and continue to process the ICT following county policy and protocol.
	Child runs away prior to the transfer of the payment case but, Court jurisdiction has already been transferred  <b>Note:</b> If one child runs away prior to the hearing, the payment case cannot be transferred until the child is located and placed.	Sending county sends a courtesy ICT upon request of the receiving county.
Sending county denied or discontinued the FC eligibility case	Denial or discontinuance occurred prior to the transfer of jurisdiction	EW processes a courtesy ICT upon request of the receiving county.

**Note:** The sending county will also send a courtesy ICT Packet for any other reason upon request of the receiving county.

## **Non-Dependent Non-Related Legal Guardian Transfers (Payment Only)**

### **Overview**

The following section includes policy and procedure for the transfer of non- dependent children placed with Non-Related Legal Guardians (NRLGs).

These children will be referred to in this document as NRLG children.

### **Initiation of transfer**

A payment ICT is initiated for a NRLG child receiving Aid to Families with Dependent Children-Foster Care (AFDC-FC) when eligibility is notified that the child and guardian have moved to another county.

### **Transfer period for NRLGs**

The transfer period described in Eligibility and Assistance Standards (EAS) 40-187 and 40-187.12 applies equally to NRLG children receiving AFDC-FC.

## Non-Dependent NRLG Transfers: Transfer Out Process (Payment Only)

### Transfer Out Process for NRLGs

The Eligibility Worker (EW):

- Ensures that the guardian is not related to the child.
- Completes and send form FC 18 along with the following documents:

Forms and Documents	Description
FC 18	Notification of AFDC-Foster Care Transfer
SAWS 1	Application for Cash Aid, Food Stamps and/or Medi-Cal
FC 2	Statement of Facts Supporting Eligibility for AFDC-Foster Care (FC)
SOC 158 A	Foster Child's Data Record including visit date within the last six months
Birth verification	Birth Certificate or other verification as provided in EAS 42- 201
Social Security Enumeration	Social Security Card or other acceptable documentation of Social Security Number (SSN) as provided in EAS 40-105.24
Documentation of Guardianship	Letter of Guardianship – If the Letter of Guardianship is not yet available, send a copy of the minute order establishing guardianship with an explanation of what steps have been taken to obtain the Letter of Guardianship.
Income	Current income verification for the child
Property	Current property verification for the child
School Verification (If available or child is 18 years of age)	<ul style="list-style-type: none"> <li>• Documentation from the school, for a child age 17 years or older, the child's attendance and expectation of graduation prior to age 19 as provided in EAS 45- 201, or</li> <li>• Documentation supporting Extended Foster Care</li> </ul>
Legal Authority for 18 year old	SOC 155 B: Mutual Agreement for 18 Year Olds
Notification to Re-apply	Notification to the NRLG that he/she must re-apply for AFDC-FC in the receiving county as provided in EAS 40-188.121

### Guardianship dismissed and dependency reinstated

If a WIC 388 Petition is filed on a NRLG Guardianship to reinstate dependency when the child resides in another county an ICT is not necessary. The EW with the active NRLG will discontinue the benefits and ensure the Placement date, Payment date, and state identification number are end dated in CWS/CMS.

## Non-Dependent NRLG Transfers: Transfer In Process (Payment Only)

### NRLG General Transfer In Process

The following table describes the process followed by the receiving county when a NRLG ICT is received:

Step	Who	Action
1	Receiving County EW	<ul style="list-style-type: none"> <li>· Sends notification of ICT Packet received within two business days to the NRLG including the following: <ul style="list-style-type: none"> <li>– A NRLG foster care application.</li> <li>– Information for the contact person to schedule an appointment date and time to complete a face-to-face interview.</li> <li>– A date by which the NRLG must respond. (10 calendar days)</li> </ul> </li> <li>· Reviews the ICT Packet within 15 calendar days from the date of receipt into the receiving county, ensuring: <ul style="list-style-type: none"> <li>– Documents and information needed to complete the transfer are requested promptly from the sending county EW listed on the FC 18.</li> </ul> </li> <li>· Determines eligibility prior to the expiration of the transfer period.</li> <li>· Contacts the ICT Liaison in their county if experiencing difficulties contacting the sending county or obtaining the requested items. <ul style="list-style-type: none"> <li>– The ICT Liaison of the sending county is to be contacted prior to any denial of an ICT.</li> </ul> </li> </ul>
2	Receiving County ICT Liaison	<p>Contacts the ICT Liaison of the sending county to obtain assistance in:</p> <ul style="list-style-type: none"> <li>· Retrieving the requested items.</li> <li>· Avoiding denial.</li> <li>· Negotiating the transfer period of the ICT.</li> </ul> <p><u>Reference:</u> EAS 40-187</p>
3	EW	<ul style="list-style-type: none"> <li>· Makes contact with the NRLG within five business days.</li> <li>· Requests Children’s services to open a new services case.</li> </ul>
4	SW	<ul style="list-style-type: none"> <li>· Opens a new service case.</li> <li>· Completes visits and the SOC 158A every six months</li> </ul> <p><b>Note:</b> An initial visit and SOC 158A may be required.</p>
5	EW	<ul style="list-style-type: none"> <li>· Returns the FC 18, once all documentation is obtained, to confirm the pickup of eligibility within 30 days of the date of receipt into to the receiving county.</li> <li>· States in the “Comments” section of the FC 18 that the ICT is denied, if the NRLG has not responded by the requested date, due to non-cooperation.</li> <li>· Returns the FC 18 to the sending county.</li> </ul>



## LA County: NRLG Transfer In Procedure

The following table describes the process Los Angeles County follows to for NRLG Transfer-In requests.

Step	Who	Action
1	Sending County EW	<ul style="list-style-type: none"> <li>· Receives notification from the NRLG of their Los Angeles County address.</li> <li>· Notifies the NRLG to request NRLG payments from the hotline at (800) 540-4000.</li> </ul>
2	Hotline social worker (SW)	<ul style="list-style-type: none"> <li>· Completes the referral within five days of receiving the notification.</li> <li>· Routes the referral to a Permanency Planning SW in the appropriate region/office after determining there are no allegations of abuse or neglect.</li> </ul>
3	Region/Office	Assigns a Permanency Planning SW to the case.
4	Permanency Planning SW	<ul style="list-style-type: none"> <li>· Obtains: <ul style="list-style-type: none"> <li>– Letter of guardianship.</li> <li>– Guardian’s agreement to cooperate with a case that includes regular visitation by the SW.</li> </ul> </li> <li>· Approves the opening of the case in CWS/CMS.</li> <li>· Provides the following to the EW( Also known as the Technical Assistant or TA): <ul style="list-style-type: none"> <li>– A copy of the Letter of Guardianship.</li> <li>– DCFS 280: Action Request.</li> </ul> </li> </ul>
5	EW	Forwards the documentation to the ICT Assignment Desk.

## **Non-Minor Non-Dependent Non-Related Legal Guardian Transfers**

### **Non-Minor, Non-Dependent Non-Related Legal Guardians (NRLG)**

The following applies if the NMD is receiving age extended Aid to Families with Dependent Children – Foster Care (AFDC-FC) benefits under a non- dependent non-related guardianship established in the Juvenile Dependency Court, the:

- Legal Guardian must apply in the new county of residence for any benefits to continue.
- Sending county eligibility staff will send a hard copy transfer packet to the receiving county upon request from the receiving county if not already sent as a courtesy.
- Sending county SW shall give the receiving county primary assignment of the case in CWS/CMS if requested.

## Non-Minor Non-Dependent NRLG Transfers: Eligibility Packet

The following table lists the documents/forms to be included in the eligibility transfer packet.

<b>Document</b>	<b>Description</b>
<b>FC 18</b>	Notification of AFDC-Foster Care Transfer
<b>SAWS 1</b>	Application for Cash Aid, Food Stamps and/or Medi-Cal
<b>FC 2</b>	Statement of Facts Supporting Eligibility for AFDC-FC
<b>SOC 158 A</b>	Foster Child's Data Record and AFDC-FC Certification
Birth Verification	Birth Certificate or other verification as provided in EAS 42-201.
Social Security Enumeration	Social Security Card or other acceptable documentation of Social Security Number as provided in EAS 40-105.24.
Documentation of Guardianship	Letter of Guardianship. If the letter of guardianship is not yet available, send a copy of the Juvenile Court minute order establishing guardianship and an explanation of what steps have been taken to obtain the Letter of Guardianship.
Income	Current income verification of the child
Property	Current property verification of the child
<b>SOC 161</b> (For youth age 18+, Juvenile Court Guardianship)	Six-Month Certification of Extended Foster Care Participation
<b>SOC 162</b> (For youth age 18+ Juvenile Court Guardianship)	Mutual Agreement for Extended Foster Care, prior to OR within the month of attaining age 18.
Notification to reapply	Notification to the NRLG that he/she must reapply for AFDC-FC in the receiving county as provided in EAS 40-188.121.

## Non-Minor Probate Guardianships

For NMDs in Probate guardianships to continue to access extended benefits up to age 19 if pending high school completion, the Legal Guardian must apply in the new county of residence. The sending county eligibility staff will send a hard copy transfer packet to the receiving county upon request from the receiving county. The individual counties should consult on a case-by- case basis.

Probate guardianships:

- Do not have court involved in the transfer.
- Require eligibility and CWS/CMS case transfer.
- Continue benefits up to age 19, if the youth meets the high school completion requirements.

At the interview, the Legal Guardian will be asked to provide the following documents:

- Eligibility application packet
- Child support documentation,
- Identification,
- Proof of residency (i.e. utility bill),
- Letters of Guardianship, and
- Child's Birth Certificate.

The following documents should be included in the eligibility transfer packet for a non-minor probate guardianship:

Document	Description
School verification for youth age 18+ (Probate Guardianship)	Documentation from the school, for a child age 17 years or older, the child's attendance and expectation of graduation prior to age 19 as provided in EAS 45-201.
<b>SOC 155 B:</b> Mutual Agreement for 18 Year Olds	Legal authority for youth age 18+ (Probate Guardianship)

## **CalWORKs to Kin-GAP ICTs**

### **Non-dependent children**

The following section describes the policy and procedures to transfer non-dependent children placed with related legal guardians with Kinship Guardian Assistance Program (Kin-GAP) support. These children will be referred to in this document as Kin-GAP children.

### **Initiation of transfer**

Kin-GAP cases remain the responsibility of the county of jurisdiction where dependency was dismissed. An Inter-County Transfer (ICT) is only initiated when a Kin-GAP child is receiving CalWORKs in their county of residence and then become eligible to Kin GAP funding in the county of jurisdiction.

When eligibility staff in the county of jurisdiction becomes aware that a child is eligible to Kin-GAP they notify the Foster Care ICT Liaison of the county where the child receives CalWORKs for an inter-program transfer to complete an ICT.

### **Kin-GAP Transfer Period**

The transfer period described in Eligibility and Assistance Standards (EAS) 40-187.11 and EAS 40-187.12 applies to Kin-GAP children.

## CalWORKs to Kin-GAP ICTs: Kin-GAP Transfer Out Process

The eligibility worker completes and sends form FC 18 along with the following documents to initiate a transfer-out for a Kin-GAP case:

Forms and Documents	Description
<b>FC 18</b>	Notification of AFDC-Foster Care Transfer
<b>SAWS 1</b>	Application for Cash Aid, Food Stamps and/or Medi-Cal
<b>KG 1</b>	Kin-GAP Mutual Agreement for 18 Year Olds
<b>KG 2</b>	Statement of Facts Supporting Eligibility for Kinship Guardianship Assistance Payment (Kin-GAP) Program
<b>KG 2 A</b>	Rights, Responsibilities and Other Important Information For the Kin-GAP Program
Birth Certificate	Birth Certificate or other verification as describe in EAS 42-201
Social Security Enumeration	Social Security Card or other acceptable documentation of Social Security Number (SSN) as provided in EAS 40-105.24
Relationship	Verification of the relationship between the legal guardian and the child
Income	Current income verification of the child
Property	Current property verification of the child
<b>RFA 05 A</b>	Resource Family Approval Certificate
Child Support	<ul style="list-style-type: none"> <li>· <b>CW 2.1 Q:</b> Support Questionnaire</li> <li>· <b>CW 371:</b> Referral to Local Child Support Agency (LCSA)</li> <li>· <b>CW 51:</b> Child Support – Good Cause Claim for Non- cooperation</li> <li>· <b>FC 51:</b> CFS Child Support Good Cause Claim Determination               <ul style="list-style-type: none"> <li>– Compromise of Child Support</li> </ul> </li> <li>· DCFS 5123: Notification to Child Support Services Department (CSSD) – RE Compromise of Child Support/Good Cause RE Determination EAS 45-201.3</li> </ul>
School Verification	Documentation for a child age 16 age years or older of school attendance and expected graduation date as provided in EAS 40-105.5 and EAS 42-101.2
Court Documentation	<ul style="list-style-type: none"> <li>· Letter of Guardianship               <ul style="list-style-type: none"> <li>– If the Letter of Guardianship is not yet available, send a copy of the Minute Order establishing guardianship and an explanation of what steps have been taken to obtain the Letter of Guardianship.</li> </ul> </li> </ul>
<b>SOC 369</b>	The Agency Relative Guardianship Disclosure- used to inform relative foster parents of the funding options available should they choose to take legal guardianship of their related foster child.
<b>SOC 369 A</b>	Kinship Guardianship Assistance Payment Program Agreement Amendment.

Verification of age-appropriate immunizations	EAS 40-105.4 states that children under the age of six must have verification that they have had their age- appropriate immunizations. Send this verification, if available. Kin-GAP eligibility may be established without such verification.
---	--

## Kin-Gap Transfer In Process

The table below describes the Kin-GAP Transfer-In process.

Step	Who	Action
1	Eligibility Worker (EW)	<ul style="list-style-type: none"> <li>· Reviews the ICT-In Packet within 15 calendar days from the date of receipt into the receiving county to ensure:               <ul style="list-style-type: none"> <li>– Documents and information needed to complete the transfer are requested promptly from the sending county EW listed on the <b>FC 18</b> so the case is complete prior to the expiration of the transfer period.</li> <li>– The <b>FC 18</b> is returned within 30 days from the date or receipt into the receiving county.</li> </ul> </li> <li>· Contacts their county’s ICT Liaison:               <ul style="list-style-type: none"> <li>– If experiencing difficulties reaching or obtaining the requested items.</li> <li>– Prior to denying an ICT In request.</li> </ul> </li> </ul>
2	ICT Liaison	<ul style="list-style-type: none"> <li>· Contacts the ICT Liaison in the sending county to obtain assistance in:               <ul style="list-style-type: none"> <li>– Retrieving the requested items,</li> <li>– Avoiding denial, and</li> <li>– Negotiating the transfer period of an ICT as provided in EAS 40-187.</li> </ul> </li> </ul>

## Appendix I – Inter-County Transfer Statutes

### WIC 17.1

“Unless otherwise provided under the provisions of this code, to the extent not in conflict with federal law, the residence of a minor person, or a nonminor dependent, as described in subdivision (v) of Section 11400, shall be determined by the following rules:

(a) The residence of the parent with whom a child maintains his or her place of abode or the residence of any individual who has been appointed legal guardian or the individual who has been given the care or custody by a court of competent jurisdiction, determines the residence of the child.

(b) Wherever in this section it is provided that the residence of a child is determined by the residence of the person who has custody, “custody” means the legal right to custody of the child unless that right is held jointly by two or more persons, in which case “custody” means the physical custody of the child by one of the persons sharing the right to custody.

(c) The residence of a foundling shall be deemed to be that of the county in which the child is found.

(d) If the residence of the child is not determined under subdivision (a), (b), (c), or (e), the county in which the child is living shall be deemed the county of residence, if and when the child has had a physical presence in the county for one year.

(e) If the child has been declared permanently free from the custody and control of his or her parents, his or her residence is the county in which the court issuing the order is situated.

(f) If a nonminor dependent under the dependency jurisdiction or transition jurisdiction of the juvenile court is placed in a planned permanent living arrangement, as described in subdivision (i) of Section 366.3, the county in which the nonminor dependent is living may be deemed the county of residence, if and when the nonminor dependent has had a continuous physical presence in the county for one year as a nonminor dependent and the nonminor dependent expressed his or her intent to remain in that county.

(g) If a nonminor dependent’s dependency jurisdiction has been resumed, or transition jurisdiction assumed or resumed by the juvenile court that retained general jurisdiction pursuant to subdivision (b) of Section 303, as a result of the filing of a petition pursuant to subdivision (e) of Section 388, following the granting of the petition, the county in which the nonminor dependent is living at the time the petition was filed may be deemed the county of residence, if and when the nonminor dependent establishes that he or she has had a continuous physical presence in the county for one year and has expressed his or her intent to remain in that county. The period of continuous physical presence in the county shall include any period of continuous residence in the county immediately prior to the filing of the petition.

*(Amended by Stats. 2012, Ch. 846, Sec. 7. (AB 1712) Effective January 1, 2013.)*



## WIC 375

(a) Whenever a petition is filed in the juvenile court of a county other than the residence of the person named in the petition, or whenever, subsequent to the filing of a petition in the juvenile court of the county where that minor resides, the residence of the person who would be legally entitled to the custody of the minor were it not for the existence of a court order issued pursuant to this chapter is changed to another county, the entire case may be transferred to the juvenile court of the county where that person then resides at any time after the court has made a finding of the facts upon which it has exercised its jurisdiction over the minor, and the juvenile court of the county where that person then resides shall take jurisdiction of the case upon the receipt and filing of the finding of the facts upon which the court exercised its jurisdiction and an order transferring the case.

(b)(1) Whenever a minor under the dependency jurisdiction or transition jurisdiction of the juvenile court attains 18 years of age and remains under the court's jurisdiction as a nonminor dependent, as defined in subdivision (v) of Section 11400, the residence of the nonminor dependent may be changed to another county if the court finds that the nonminor dependent meets the conditions of subdivision (f) of Section 17.1. The entire case may be transferred to the juvenile court of the county where the nonminor dependent then resides at any time after the court has made a finding of the facts upon which the court has exercised its jurisdiction over the nonminor. The juvenile court of the county where a nonminor then resides shall take jurisdiction of the case upon the receipt and filing of that finding and an order transferring the case.

(2) Whenever a petition pursuant to subdivision (e) of Section 388 is submitted in the juvenile court of a county other than the county that retained general jurisdiction under subdivision (b) of Section 303 of the nonminor dependent, as defined in subdivision (v) of Section 11400, the residence of the nonminor dependent may be changed to another county if the nonminor dependent meets the conditions of subdivision (g) of Section 17.1. The entire case may be transferred to the juvenile court of the county where the nonminor dependent then resides at any time after the county that retained general jurisdiction has granted the petition and resumed dependency jurisdiction, or has assumed or resumed transition jurisdiction. The juvenile court of the county where the nonminor then resides shall take jurisdiction of the case upon the receipt and filing of the finding of the facts upon which the court exercised its jurisdiction over the nonminor and an order transferring the case.

*(Amended by Stats. 2012, Ch. 846, Sec. 29. (AB 1712) Effective January 1, 2013.)*

## Rule 5.610 Transfer -Out Hearing

### (a) Determination of residence-special rule on inter-county transfers

(1) For purposes of rules 5.610, 5.612, and 5.614, the residence of the child is the residence of the person who has the legal right to physical custody of the child according to prior court order, including:

(A) A juvenile court order under section 361.2; and

(B) An order appointing a guardian of the person of the child.

(2) If there is no order determining custody, both parents are deemed to have physical custody.

(3) The juvenile court may make a finding of paternity under rule 5.635. If there is no finding of paternity, the mother is deemed to have physical custody.

(4) For the purposes of transfer of wardship, residence of a ward may be with the person with whom the child resides with approval of the court.

### (b) Verification of residence

The residence of the person entitled to physical custody may be verified by declaration of a social worker or probation officer in the transferring or receiving county.

### (c) Transfer to county of child's residence

(1) After making its jurisdictional finding, the court may order the case transferred to the juvenile court of the child's residence as specified in section 375 or section 750.

(2) If the court decides to transfer a delinquency case, the court must order the transfer before beginning the disposition hearing without adjudging the child to be a ward.

(3) If the court decides to transfer a dependency case, the court may order the transfer before or after the disposition hearing.

### (d) Transfer on subsequent change in child's residence

If, after the child has been placed under a program of supervision, the residence is changed to another county, the court may, on an application for modification under rule 5.570, transfer the case to the juvenile court of the other county.

### (e) Conduct of hearing

(1) The request for transfer must be made on Motion for Transfer Out (form JV-548), which must include all required information.

(2) After the court determines the identity and residence of the child's custodian, the court must consider whether transfer of the case would be in the child's best interest. The court may not transfer the case unless it determines that the transfer will protect or further the child's best interest.

(f) Date of transfer-in hearing

(1) If the transfer-out motion is granted, the sending court must set a date certain for the transfer-in hearing in the receiving court: within 5 court days of the transfer-out order if the child is in custody, and within 10 court days of the transfer-out order if the child is out of custody. The sending court must state on the record the date, time, and location of the hearing in the receiving court.

(2) The website for every court must include up-to-date contact information for the court clerks handling dependency and delinquency matters, as well as up-to-date information on when and where transfer-in hearings are held.

(g) Order of transfer

The order of transfer must be entered on Juvenile Court Transfer-Out Orders (form JV-550), which must include all required information and findings.

(h) Modification of form JV-550

Juvenile Court Transfer Orders (form JV-550) may be modified as follows:

(1) Notwithstanding the mandatory use of form JV-550, the form may be modified for use by a formalized regional collaboration of courts to facilitate the efficient processing of transfer cases among those courts if the modification has been approved by the Judicial Council of California.

(2) The mandatory form must be used by a regional collaboration when transferring a case to a court outside the collaboration or when accepting a transfer from a court outside the collaboration.

*(Subd (h) re-lettered January 1, 2017; adopted as subd (g) effective January 1, 2007; previously amended January 1, 2015.)*

(i) Transport of child and transmittal of documents (§§ 377, 752)

(1) If the child is ordered transported in custody to the receiving county, the child must be delivered to the receiving county at least two business days before the transfer-in hearing, and the clerk of the court of the transferring county must prepare a certified copy of the complete case file so that it may be transported with the child to the court of the receiving county.

(2) If the child is not ordered transported in custody, the clerk of the transferring court must transmit to the clerk of the court of the receiving county within five court days a certified copy of the complete case file.

(3) The file may be transferred electronically, if possible. A certified copy of the complete case file is deemed an original.

*(Subd (i) amended and re-lettered effective January 1, 2017; repealed and adopted as subd (g); previously amended effective January 1, 1992, January 1, 1993, July 1, 1999, and January 1, 2004; previously amended and re-lettered as subd (h) effective January 1, 2007.)*

(j) Appeal of transfer order (§§ 379, 754)

The order of transfer may be appealed by the transferring or receiving county and notice of appeal must be filed in the transferring county, under rule 8.400. Notwithstanding the filing of a notice of appeal, the receiving county must assume jurisdiction of the case on receipt and filing of the order of transfer.

### Advisory Committee Comment

Juvenile Court judicial officers throughout the state have expressed concern that in determining whether or not to transfer a Juvenile Court case, the best interests of the subject child are being overlooked or at least outweighed by a desire to shift the financial burdens of case management and foster care. The advisory committee has clarified rule 5.610 in order to stress that in considering an Intercounty transfer, as in all matters relating to children within its jurisdiction, the Court has a mandate to act in the best interests of the subject children.

Judicial Council form JV 550: Juvenile Court Transfer-Out Orders was adopted for mandatory use commencing January 1, 1992. Although the finding regarding the best interests of the child was noted on the original form, the language has been emphasized on the amended form.

### Rule 5.612 Transfer-In Hearing

(a) Procedure on transfer (§§ 378, 753)

On receipt and filing of a certified copy of a transfer order, the receiving court must accept jurisdiction of the case. The receiving court may not reject the case. The clerk of the receiving court must confirm the transfer-in hearing date scheduled by the sending court and ensure that date is on the receiving court's calendar. The receiving court must notify the transferring court on receipt and filing of the certified copies of the transfer order and complete case file.

*(Subd (a) amended effective January 1, 2017; repealed and adopted effective January 1, 1990; previously amended effective January 1, 1992, July 1, 1999, January 1, 2004, and January 1, 2007.)*

(b) Conduct of hearing

At the transfer-in hearing, the court must:

- (1) Advise the child and the parent or guardian of the purpose and scope of the hearing;
- (2) Provide for the appointment of counsel if appropriate; and
- (3) If the child was transferred to the county in custody, determine whether the child must be further detained under rule 5.667.

*(Subd (b) amended effective January 1, 2007; previously amended effective January 1, 2004.)*

(c) Subsequent proceedings

The proceedings in the receiving court must commence at the same phase as when the case was transferred. The court may continue the hearing for an investigation and report to a date not to exceed 10 court days if the child is in custody or 15 court days if the child is not detained in custody.

*(Subd (c) amended effective January 1, 2004; previously amended effective July 1, 1999.)*

(d) Limitation on more restrictive custody (§§ 387, 777)

If a disposition order has already been made in the transferring county, a more restrictive level of physical custody may not be ordered in the receiving county, except after a hearing on a supplemental petition under rule 5.565.

*(Subd (d) amended effective January 1, 2007; previously amended effective January 1, 2004.)*

(e) Setting six-month review (§ 366)

When an order of transfer is received and filed relating to a child who has been declared a dependent, the court must set a date for a six-month review within six months of the disposition or the most recent review hearing.

*(Subd (e) amended effective January 1, 2004.)*

(f) Change of circumstances or additional facts (§§ 388, 778)

If the receiving court believes that a change of circumstances or additional facts indicate that the child does not reside in the receiving county, a transfer-out hearing must be held under rules 5.610 and 5.570. The court may direct the department of social services or the probation department to seek a modification of orders under section 388 or 778 and under rule 5.570.

*(Subd (f) amended effective January 1, 2007; adopted effective January 1, 1992; previously amended effective July 1, 1999, and January 1, 2004.)*

*Rule 5.612 amended effective January 1, 2017; adopted as rule 1426 effective January 1, 1990; previously amended effective January 1, 1992, July 1, 1999, and January 1, 2004; previously amended and renumbered as rule 5.612 effective January 1, 2007.*

**Former Rule**

Rule 5.612 amended effective January 1, 2017; adopted as rule 1426 effective January 1, 1990; previously amended effective January 1, 1992, July 1, 1999, and January 1, 2004; previously amended and renumbered as rule 5.612 effective January 1, 2007.

## Appendix II – Terms and Definitions

### Acronyms

The following acronyms are generic and agreed upon between the counties:

Term	Definition
30-day Transfer Period	Per EAS 40-187.11: “The 30-day transfer period begins with the postmarked date or the date of the electronic transfer of the notification of the Inter-County Transfer. When the 30 <sup>th</sup> day falls on a Saturday, Sunday or a legal holiday, the first business day following the weekend or holiday is considered to be the last day of the 30-day transfer period.”
County Payment System	The system used within each county to issue payment. Such systems include, but are not limited to the following: <ul style="list-style-type: none"> <li>· C-IV,</li> <li>· CalWin,</li> <li>· CWS/CMS, and</li> <li>· Leader.</li> </ul>
Courtesy Inter-County Transfer	When a case is requested for information by a County and the case is not actively in receipt of AFDC-FC.
CPS	Children’s Protective Services
CWS/CMS	Child Welfare Services/Case Management System
EAS	Eligibility Assistance Standards
ES/EWS	Eligibility Supervisor/Eligibility Worker Supervisor
TA/ET/EW	Technical Assistant/Eligibility Technician/Eligibility Worker
Expiration of Transfer Period	EAS 40-187.12: “The end of the month following the 30- day transfer period after the first county either mails or electronically transfers the notification of the ICT to the second county or the end of the month in which aid is discontinued for cause, whichever is earlier. By mutual agreement to the counties involved, the transfer of responsibility may occur at an earlier date.
FC	Foster Care
ICT	Inter-County Transfer
Jurisdiction	Custody, care and control of a child as established by the Juvenile Court
Medi-Cal Eligibility Data System (MEDS)	MEDS is designed to provide a single, centralized, integrated file of all CalWORKs, Medically Needy, Medically Indigent and SSI/SSP reports eligibility and produces Beneficiary Identification Cards (BIC) and temporary BIC cards

*Continued on next page*

## Appendix II – Terms and Definitions, Continued

Acronyms,  
continued

Term	Definition
Payment (Ending)	<p>Location of the Payment Stop Date in CWS/CMS. To locate follow the directions below, Click on the:</p> <ul style="list-style-type: none"> <li>· 'Placement Management Section icon,</li> <li>· 'Open Existing Placement icon,</li> <li>· Current Placement, select 'Ok'</li> <li>· 'Ongoing Requests' tab.</li> </ul>
Placement (Ending)	<p>Location of the End Placement Date in CWS/CMS, to locate, follow the directions below, Click on the,</p> <ul style="list-style-type: none"> <li>· "Placement Management" Icon,</li> <li>· "Open Existing Placement" Icon,</li> <li>· Current Placement, select 'Ok'</li> <li>· "End Placement/Episode" tab.</li> </ul>
Receiving County	The County that received jurisdiction of the child.
Sending County	The County that sent jurisdiction of the child.
SSS	Social Services Supervisor
State Identification (ID)	<p>The State ID consists of the following:</p> <ul style="list-style-type: none"> <li>· Two digit County Number,</li> <li>· Two digit Current Aid Code (alpha and/or numeric),</li> <li>· Seven digit Serial Number (alpha and/or numeric),</li> <li>· One digit Assistance Unit (alpha and/or numeric), and</li> <li>· Two digit Person Number.</li> </ul> <p>To locate in CWS/CMS, follow the directions below, click on the</p> <ul style="list-style-type: none"> <li>· 'Client Management Section' Icon,</li> <li>· 'Open Existing Client" Icon,</li> <li>· Choose the child, select 'Ok',</li> <li>· 'ID Num' tab.</li> </ul>
SW	Social worker
Transfer Period	The period of time in which the receiving County determines eligibility and the sending county remains responsible for payment of aid, as provided in EAS 40-187. 16.