

Endorsed

FILED

SAN MATEO COUNTY

DEC 10 2018

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO

IN SESSION AS A JUVENILE COURT

Clerk of the Superior Court

J. Kolston

DEPUTY CLERK

-) Standing Order 18- 150
-)
-) STANDING ORDER AUTHORIZING
-) RELEASE OF JUVENILE CASE FILES TO
-) QUALIFIED NON-PROFIT IMMIGRATION
-) AGENCIES

This Court finds that consulting with qualified nonprofit immigration attorneys and accredited representatives is in the best interest of undocumented children and youth, particularly given that some youth may be eligible for immigration relief including, but not limited to, Special Immigrant Juvenile Status pursuant to §101(a)(27)(J) of the Immigration and Nationality Act and California Code of Civil Procedure §155 *et seq.*, which must be sought early, preferably before the applicant's 18th birthday. This Court further finds that in order to effectively evaluate available options, draft Special Immigration Juvenile Findings & Requests on Forms JV-356 and JV-357, and provide accurate immigration advice to undocumented youth, such representatives need access to juvenile case file records including, but not limited to, relevant contact information, police reports, juvenile contact reports, social worker reports prepared for juvenile court, juvenile court petitions, juvenile court orders, juvenile court hearing notices, and related information (hereafter "juvenile records").

GOOD CAUSE APPEARING THEREFORE, and in accordance with the provisions of California Welfare & Institutions Code §827 *et seq.* and California Code of Civil Procedure §155 *et seq.*

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT court officers, employees, agents, and litigants including, but not limited to, lawyers appointed to represent youth in Welfare & Institutions Code §300 *et seq.* and similar proceedings through the SAN MATEO COUNTY PRIVATE DEFENDER PROGRAM or otherwise, social workers employed by SAN MATEO COUNTY CHILDREN AND FAMILY SERVICES, and personnel of this Court, may release - whether or not a petition has been filed in juvenile court - juvenile records as described above to qualified pro bono immigration attorneys and accredited representatives including employees of the LEGAL AID SOCIETY OF SAN

1 MATEO COUNTY, CATHOLIC CHARITIES in San Mateo, COMMUNITY LEGAL SERVICES OF EAST
2 PALO ALTO, and other qualified non-profit agencies providing free immigration legal assistance
3 (hereinafter "qualified non-profit immigration agencies"). Juvenile records shall be released only to
4 qualified non-profit immigration agencies and only as needed for the purposes of referring
5 undocumented youth and children for immigration assistance and enabling agencies to provide
6 immigration assistance, representation, and advice to the subjects of these records. Where the youth
7 or child who is the subject of these juvenile court records is of sufficient age to consent to release of
8 information, the person releasing the information shall seek his or her informed consent before sharing
9 the information.

10 Except as set forth in this Order or other orders of this Court, all juvenile case file records
11 remain confidential as set forth in California Welfare & Institutions Code §827 et seq. Information
12 released to qualified non-profit immigration agencies may also be protected by other provisions of law
13 including, but not limited to, attorney-client privilege and attorney work product. This Order does not
14 authorize the qualified non-profit immigration agencies or anyone else receiving juvenile records
15 pursuant to this Order to release any such juvenile records to any third parties, including the United
16 States Department of Homeland Security, or use the information contained in juvenile records for any
17 purpose other than immigration assistance, except (1) as authorized by a further order of this Court
18 upon the filing an appropriate motion and (2) in order to refer to or consult with other qualified
19 immigration attorneys, EXCEPT qualified immigration providers representing or assisting youth and
20 children may release Special Immigrant Juvenile Findings (JV-357) orders of this Court to the United
21 States Department of Homeland Security and Immigration Courts for the purposes of seeking
22 immigration relief pursuant to §101(a)(27)(J) of the Immigration and Nationality Act and assisting the
23 youth with their immigration matters.

24 IT IS SO ORDERED.

25 Dated: 12/10/18

25 **Marta S. Diaz**
Signed: _____
26 JUDICIAL OFFICER