

*The Superior Court*  
OF THE  
*State of California*

Chambers of  
**JAMES R. MILLIKEN**  
Presiding Judge of the Juvenile Court

JUVENILE DIVISION  
2851 MEADOW LARK DRIVE  
SAN DIEGO, CALIFORNIA 92123

(619) 694-4222

June 5, 1998

County of San Diego:  
***Sheriff***  
***Chiefs of Police***  
***Superintendents of School Districts***

Gentlepersons:

Enclosed please find an Order signed by myself as Presiding Judge of the Juvenile Court to facilitate communication between the Probation Department, local school districts and law enforcement agencies to the end that we supervise young people on probation to the Juvenile Court to comply with their probation orders. Each young person on probation to the Juvenile Court is ordered to attend school, to pass his classes, to avoid negative grades in citizenship and detentions. Each ward of the Juvenile Court is ordered to abstain from drugs and alcohol and to abide by a reasonable curfew. Heretofore, we have had many young people who have not been adequately supervised to insure compliance with these orders and the result has been disastrous.

Alan Crogan, Chief Probation Officer, is reorganizing the Probation Department to make sure each ward of the Juvenile Court has a Probation Officer. The Juvenile Court will publish each ward's dispositional order, the probation order, to that young person's school district and to the law enforcement agency in the area where that minor resides. This information is being provided for the purpose of assisting the school districts in requiring compliance with these orders. It is further being supplied so that local law enforcement agencies can assist the Probation Department in enforcing the orders. Further, the order is provided to local law enforcement agencies and to the Sheriff to the end that officers who are confronted with minors in the course of their duties will be informed as to whether those minors are on probation. Local law enforcement, in turn, is asked to contact the young person's Probation Officer so that the court can be informed and consequences can be imposed for violation of probation orders.

In the final analysis, the Probation Department needs to be online with the school districts so that Probation Officers can monitor the school performance of young people on probation electronically. Law enforcement agencies need to be online with the Probation Department so that the agencies can work together to make sure that probation orders are enforced.

County of San Diego:  
    **Sheriff**  
    **Chiefs of Police**  
    **Superintendents of School Districts**

June 5, 1998

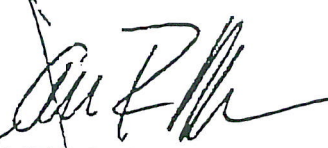
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The Juvenile Court is communicating this information to assist in supervision of young people on probation. The schools are being asked to provide attendance and grade performance information of young people on probation for the same reason. The Welfare & Institutions Code expressly permits this exchange of information for these purposes on court order. This information is not to be used by any school district, school employee, or law enforcement agency or employee for any purpose other than enforcing the ward's attendance at school and other compliance with the court's orders. Confidentiality should be maintained regarding the contents of these orders. The orders should be published only to the limited extent necessary to assure the court and Probation and various school districts and agencies of compliance by the Juvenile Court ward with the conditions of probation.

Research indicates that a very substantial percentage of juvenile crime is committed by young people that are already on probation. It is this court's policy in conjunction with the Probation Department and the various local agencies to supervise young people to make sure that probation orders are complied with and that there are immediate consequences for any violation of probation orders by wards of the Juvenile Court.

Thank you for your cooperation and anticipated assistance in these matters.

Very truly yours,



JAMES R. MILLIKEN  
Presiding Judge, Juvenile Court

JRM:pjw

cc: Alan D. Bersin, United States Attorney  
Paul J. Pfingst, District Attorney  
Joan Stein, District Attorney's Office, Chief, Juvenile Office  
Alan M. Crogan, Chief Probation Officer  
All Juvenile Court Delinquency Judicial Officers

Enclosure: "Order Authorizing Exchange of Information Necessary for  
the Supervision of Court Wards" Dated June 3, 1998

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F KENNETH E. MARTONE D  
Clerk of the Superior Court

JUN 03 1998

By: L. DONNELLY-MAUCK, Deputy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN DIEGO

IN THE MATTER OF:

EXCHANGE OF CONFIDENTIAL INFORMATION  
REGARDING WARDS OF THE COURT BETWEEN  
JUVENILE COURT, PROBATION DEPARTMENT,  
LAW ENFORCEMENT AGENCIES, AND PUBLIC  
SCHOOLS IN SAN DIEGO COUNTY.

ORDER AUTHORIZING  
EXCHANGE OF  
INFORMATION NECESSARY  
FOR THE SUPERVISION OF  
COURT WARDS

Pursuant to Education Code sections 49077 and 76244, Welfare and Institutions Code section (hereinafter "WIC §") 827, and California Rules of Court, rule 1423, the Court hereby makes the following Order to facilitate communication between the agencies involved in supervising wards of the Court and enforcing their conditions of probation, i.e., the San Diego Juvenile Court, the San Diego County Juvenile Probation Department, all law enforcement agencies with jurisdiction in San Diego County, and all public school districts located in San Diego County.

1. For purposes of this Order, "ward" means a child who has been adjudged a ward of the Juvenile Court pursuant to WIC § 601 or § 602.

2. For purposes of this Order, "delinquency record" includes the ward's name and aliases, if any; the ward's address, REJIS number, and petition (case) number; the Court finding that the minor is a person described in WIC § 601 or § 602; the offense(s) committed; the declaration of wardship; the name of the ward's probation officer; and all court-ordered conditions of probation, whether in oral, written, or electronic form (e.g., ARJIS).

1           3.       For purposes of this Order, "school record" includes the ward's grades and attendance  
2 records, and information regarding any disciplinary actions taken by the school against the ward, whether  
3 in oral, written, or electronic form.

4           4.       The Juvenile Court shall continue to include the delinquency record of a ward in all written  
5 notifications sent to school officials by the Court pursuant to WIC § 827(b) and Education Code section  
6 48267, and in all written notifications sent to the San Diego County Sheriff and local law enforcement  
7 agencies having jurisdiction in the ward's area of residential placement, pursuant to WIC § 827.1. The  
8 information so disclosed shall be used by the schools and law enforcement agencies solely for the  
9 purposes of supervision, discipline, and monitoring of the ward's compliance with his or her conditions of  
10 probation.

11          5.       The superintendent of the ward's school district of attendance, or his or her designee, the  
12 San Diego County Sheriff, and local law enforcement agencies having jurisdiction in the ward's area of  
13 residential placement are requested to notify the ward's probation officer of any known or probable  
14 violation(s) by the ward of his or her conditions of probation. Education Code section 49076(a)(9)  
15 authorizes school districts to permit access to pupil records without written parental consent to "[a]ny  
16 probation officer . . . for the purposes of conducting a criminal investigation or an investigation in regards  
17 to declaring a person a ward of the court or involving a violation of a condition of probation." Such  
18 notification shall be made as soon as possible and may be transmitted orally, in writing, or electronically.

19          6.       Information regarding known or probable probation violation(s) by the ward may be  
20 exchanged between the superintendent of the ward's school district of attendance, or his or her designee,  
21 the ward's probation officer, and the law enforcement agency having jurisdiction. (See Education Code  
22 section 49077.) Any information so disclosed shall be used solely for the purposes of supervision,  
23 discipline, and monitoring of the ward's compliance with conditions of probation.

24          7.       The superintendent of the ward's school district of attendance, or his or her designee, shall  
25 release the ward's school record to the ward's probation officer and the Court upon request. The  
26 information so disclosed shall be used solely for the purposes of supervision, discipline, and monitoring of  
27 the ward's compliance with conditions of probation.

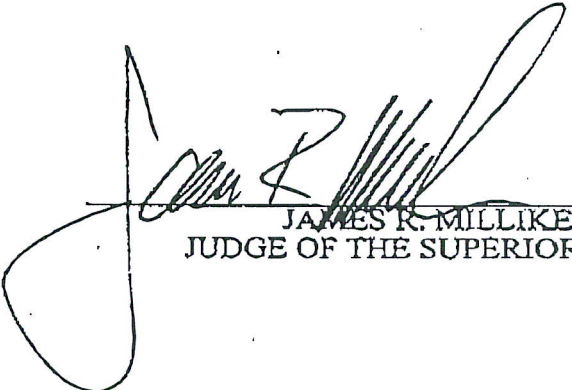
28          8.       No person(s) or agency permitted access to a ward's delinquency record or school record

1 pursuant to this Order shall permit access to any information obtained from those records by any other  
2 person(s) or agency unless such access is authorized by this Order.

3 9. Under no circumstances shall this Order or any part of it be interpreted to permit access  
4 to or release of records protected under any other federal or state law, including but not limited to Penal  
5 Code section 11165 et seq., except as provided in those statutes, or to limit access to or release of records  
6 permitted under any other federal or state statute, including but not limited to Government Code section  
7 13968.

8 IT IS SO ORDERED.

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11 DATED: June 3, 1998

  
12 JAMES R. MILLIKEN  
13 JUDGE OF THE SUPERIOR COURT  
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