

Recommendation for Court Order for Mental Health and/or Developmental Assessment, Services and Release of Information

Add the following language under “**RECOMMENDATION**”:

It is respectfully recommended that the court make the following order:

“The court orders a mental health and/or developmental (Regional Center) assessment of the child(ren) *{insert name(s)}*. The mental health assessment is to be performed by a licensed, registered or waived professional within the State DHCS approved disciplines. The developmental (Regional Center) assessment of the child(ren) is to be performed by an approved Regional Center provider.

The above referenced mental health and/or developmental (Regional Center) assessment is to be used solely for the purpose of coordinating/providing treatment and/or other services for the child(ren).

Upon the recommendation of the mental health professional performing the assessment, necessary mental health treatment is authorized and DCFS is to secure services to be provided by a licensed, registered or waived professional within the State DHCS approved disciplines.

Upon recommendation of the qualified developmental services (Regional Center) professional performing the assessment necessary developmental (Regional Center) treatment may be provided by Regional Center staff or an approved Regional Center provider.

The child(ren)'s attorney is to be notified within 72 hours from the time the child(ren) is referred for mental health and/or developmental (Regional Center) treatment.

This order does not apply to administration of psychotropic medications.

The child(ren)'s service provider may provide DCFS with information for the purpose of coordinating health care services and medical treatment of the child(ren) upon request by DCFS. This information may include mental health diagnosis, other relevant mental health information, and copies of documents from the child's medical/mental health file. Such information shall not include the details of therapeutic sessions or statements made by the child(ren) unless otherwise required by law. Further, pursuant to Welfare and Institutions Code §5328.04 and Civil Code §56.103 information disclosed pursuant to this order may not be admitted into evidence in any criminal or delinquency proceeding against the child. Nothing in this order shall prohibit identical evidence derived solely from other lawful means from being admissible in a criminal proceeding.

DCFS is to regularly update this Court, all parties to this case, and their legal counsel, regarding the status of the mental health and/or developmental assessment and treatment authorized pursuant to this order.”

NOTE: Regarding Developmental Services Decision making when parents/guardian is unavailable or refuses to provide consent for developmental assessment, services and release of information:

For children under three years of age, request that the court limit the education decision making rights of the parents/legal guardian and that the court appoint an Educational Representative (EdRep) to make educational decisions for the child, including for purposes of referral to the Regional Center Early Start program and consent for evaluation for eligibility for developmental services per existing procedures. Refer to Procedural Guide Procedural Guide 0700-507.10, Appointment of Responsible Adult or Educational Surrogate Parent for the Purpose of Making Educational Decisions.

For children three years of age and older, request that the court limit the Developmental Services Decision Making rights of the parents/legal guardian and that the court appoint a Developmental Services Decision Maker.