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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LAKE

GENERAL ORDER ON VISITATION IN JUVENILE DEPENDENCY PROCEEDINGS DURING
COVID-19 EMERGENCY RELIEF TIME PERIOD

In light of the COVID-19 pandemic and declarations of a State of Emergency by federal, state, and local officials, at the request of the Lake County Department of Child Welfare Services and pursuant to California Welfare and Institutions Code Sections 202, 300.2, and 362, and specifically, Emergency Rule 6, California Rules of Court, as adopted April 6, 2020, the Court hereby makes the following General Order regarding visitation for children who are subject to the jurisdiction of the Juvenile Court and are in out-of-home placements:

1. All previously ordered or authorized visitation must continue to be provided. However, the Lake County Child Welfare Services (Department) may determine the manner in which visitation is to be provided to ensure that the needs of the family are met and the Department may act to change and modify the manner of visitation for a child. All changes in the manner of visitation during this time period must be done on a case by case basis, balance the public health directives and best interest of the child and take into consideration whether in-person visitation may continue to be held safely. In the event that in-person visitation is changed, the Department shall act to provide and facilitate alternate forms of contact and communication such as teleconferencing and videoconferencing and to reasonably act to maintain the frequency of visitation as provided under the visitation order in effect in the case.

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2 2. In the event the manner of visitation is changed for a child and parent in reunification, or for
3 the child and a sibling(s), or a hearing is pending under Welfare and Institutions Code section 366.26, the
4 Department must give notice to the attorneys for the child(ren) and parents within 5 court days of the date
5 the change in visitation is made. The notice shall include a reference that the change is being made pursuant
6 to this General Order and describe the specific changes to visitation being made by the Department. The
7 original of the notice to be filed by the Department in the juvenile court file.
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10 3. Visitation may be suspended only in the instance where there will detriment to the child(ren). A
11 finding of detriment must be made on the facts unique to the particular case. A finding of detriment must
12 not be based solely on the existence of the impact of the state of emergency related to the COVID-19
13 pandemic or the public health directives related to the COVID-19 pandemic.
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16 4. A change in the manner of visitation is subject to review by the court on the request of the
17 attorney for the child or parent. A request for review must be made within 14 days of the date of the change
18 in visitation. The party requesting the review shall have the burden of showing that the change is not in the
19 best interest of the child(ren) or is not based on current health directives. The request shall be made in
20 writing, including by use of the Request to Change Court Order form (JV-180) and shall include a showing
21 by declaration testimony or documentary evidence upon which it is asserted that the modification to the
22 ordered or authorized visitation is not in the best interest of the child (ren) or not based on current health
23 directives. The request for review shall be served on the Department at the time it is filed with the Court.
24 The Department shall have seven (7) days to file and serve a response to the request for review. The court
25 shall act on the request and response ex parte and grant review or deny review upon the papers submitted by
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1 the parties. In the event the court grants review, the court shall set the matter for a review hearing in the
2 time and manner, including remote appearances, in accordance with the then existing emergency relief
3 orders of this court and applicable statewide emergency rules of court and direct the Department to serve
4 notice of the hearing. In the event that review is denied, the court will provide notice of the denial of review
5 and the reasons for the denial.
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8 5. This Order is effective immediately and shall remain in effect until the earlier of the amendment,
9 modification or termination by this court or until 90 days after the Governor declares that the state of
10 emergency related to the COVID-19 pandemic is lifted.
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14 DATED: APRIL 7, 2020

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16 MICHAEL S. LUNAS
17 Presiding Judge
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