

Wanted Notice and Order of Detention

(Revised 10/04/24)

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Related Policies

Additional information can be found in the following policies:

- Birth Certificates
- Social Work Practice-Absent Client-No Contact
- Child Abduction
- Commercial Sexual Exploitation of Children (CSEC) Interagency Protocol
- ERMS and Records Management
- Ex Parte Requests
- International Liaison
- Polinsky Children's Center-Absent Without Leave (AWOL)
- Travel Policy for Children
- Types of Hearing-Special

Forms

The following forms are referenced in this policy:

- 04-3 Wanted Notice and Order of Detention (*CWS/CMS County Specific Templates*)
- [Interstate Commission For Juveniles FORM III](#) Consent for Voluntary Return of Out-of-State Juvenile
- [Interstate Commission For Juveniles FORM A](#) Petition for Requisition to Return a Runaway Juvenile
- [Interstate Commission For Juveniles FORM I](#) Requisition for Runaway Juvenile

Resources

The following resource is referenced in this policy:

- [Interstate Commission for Juveniles](#) (IJC) (for IJC related forms)
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Policy

If a dependent child/youth is missing (has been abducted, is Absent Without Leave (AWOL), etc.) the social worker (SW) must file an 04-3 Wanted Notice and Order of Detention (previously known as Pick Up and Detain Orders) with the court within 24 hours of being notified that the child/youth is missing. The 04-3 will be entered in the San Diego Sheriff's warrant system and will assist law enforcement in locating and detaining a missing child/youth.

If a dependent children/youth is missing and located out of state, the SW must follow the Interstate Commission for Juveniles (IJC) procedures. The IJC is the law that regulates the interstate movement of dependent children/youth or have been located in another state.

This policy outlines steps for completing and filing an 04-3 with the court for a missing child/youth. Additionally, this policy outlines steps for instances when the child/youth is located out of county or out of state.

NOTE: The SW must ensure a missing person's report has been filed as the report information is entered in the National Crime Information Center (NCIC) and allows any jurisdiction to detain the child/youth when they are located. For additional information and requirements regarding missing or abducted child/youth, see Social Work Practice-Absent Client-No Contact/Child Abduction, Polinsky Children's Center - Absent Without Leave (AWOL), or Commercial Sexual Exploitation of Children (CSEC) Interagency Protocol.

Filing an 04-3

The table below outlines steps to file an 04-3:

Step	Who	Action
1	SW	<ul style="list-style-type: none">Review the applicable policy: Absent Client or Child Abduction, to ensure all actions have been completed upon notification that a child/youth is missing.Immediately notify the child/youth's parents/guardians, attorney, CASA and caregiver/resource parent that an 04-3 will be requested.Complete and submit the 04-3 to Protective Services Supervisor (PSS) for review. <p>NOTE: Indicate on the form if there is any unknown information that cannot be provided.</p>
2	PSS	<ul style="list-style-type: none">Review and sign the 04-3 ensuring the form is completed.Return 04-3 to SW.

Filing an 04-3 (cont.)

Step	Who	Action
3	SW	<ul style="list-style-type: none">• Send completed and signed 04-3 via email to the Court Unit for review and confirmation it has been completed correctly.• Send 04-3 to assigned attorneys on the case after Court Unit's review.
4	Court Unit	<ul style="list-style-type: none">• Review 04-3 and inform SW it is being filed with the court, or of any needed corrections.• Log receipt of 04-3 in Ex Parte log• File the 04-3 with court for Judge's signature.• The court may only generate a minute order indicating the 04-3 has been issued or may return a hard copy.<ul style="list-style-type: none">○ If the court returns a signed hard copy:<ul style="list-style-type: none">▪ log in the Ex Parte log▪ upload to Justice Electronic Library System (JELS)▪ forward a signed hard copy to SW via interoffice mail○ If the court does not provide a signed hard copy, the minute order will be available in JELS upon issuance of the 04-3.
5	SW	<ul style="list-style-type: none">• Review minute order in JELS confirming 04-3 has been issued.• If a signed hard copy of the 04-3 was provided by the court unit, follow ERMS and Record Management procedures for document storage.• Notify the child's parents/guardians and caregiver/resource parent that an 04-3 has been issued.

Following Up On An 04-3

The Sheriff's Juvenile Court Office will forward all 04-3's to the Sheriff's Warrant Office for entry in their warrant system. SWs can contact the Sheriff's Office at 858-974-2110 to determine if an 04-3 has been entered in the warrant system.

NOTE: The Sheriff's Office refers to 04-3's as Juvenile Detention Orders (JDOs), and if requested, the "number" corresponds to the petition number, located at the top of the minute order.

When a Child/Youth is Located Out of County

SWs who need to have an 04-3 sent to a law enforcement agency outside San Diego County will:

- call the Warrant Office at (858) 974-2210
- inform the Warrant Office that an 04-3 needs to be sent to a law enforcement agency outside San Diego County, *and*
- provide the Warrant Office with the residential address outside San Diego County where the SW believes the child/youth may be found.

NOTE: Some counties may require other/additional procedures be followed when requesting assistance. See “When the Child/Youth is Located Outside of California” for out of state steps.

When A Child/Youth Is Located or Returns Voluntarily

Within one day after the child/youth is located or voluntarily returns, the SW will:

- notify all appropriate parties (parents, caregivers/resources parents, attorneys, CASA, etc.)
- complete an Ex Parte to:
 - notify court of the date and time the child/youth returned or
 - notify the court of the whereabouts of the child/youth, and
 - request to vacate the 04-3.
- call the law enforcement agency involved and ask to vacate the 04-3.

If the child/youth returns prior to the issuance of the 04-3, but after law enforcement has been contacted, the SW must call and notify law enforcement that the child/youth has returned.

When the Child/Youth Is Located Outside California

If the child/youth is located outside the state of California, the child/youth will be temporarily detained in that state. The SW must:

- Contact the IJC Office at (916) 683-7772
- Speak to the Duty Officer to inform them of the state where the child/youth is located.
- Inform parties that the child/youth was located outside of state.

NOTE: A 04-3 does not need to be filed if the child/youth is located out of state as an 04-3 can only be executed in California, the state of the child/youth’s jurisdiction.

The Duty Officer will assist in providing the SW the necessary forms to complete and facilitate the return of the child/youth.

NOTE: For reference, IJC forms can also be found in the [IJC](#) site listed under the FORMS tab. For information on assistance locating youth out of country, refer to International Liaison policy.

Typically, a court hearing will be held in the state where the child/youth is located. At this hearing, the child/youth will be asked to sign a Consent for Voluntary Return of Out-of-State Juvenile (IJC) FORM III. If the child/youth signs the form, the Duty Officer will contact the SW to make travel arrangements for the child/youth.

When the Child/Youth Is Located Outside California (cont.)

If the child/youth does not sign the consent form, the SW will follow the steps below:

Step	Action
1	<ul style="list-style-type: none"> • Set a Special Hearing • Complete the following for the Special Hearing: <ul style="list-style-type: none"> ○ Complete three original copies of the Petition for Requisition to Return a Runaway Juvenile (IJC) FORM A provided by the Duty Officer. ○ Notarize all three copies of the form (see Birth Certificates). ○ Obtain two certified minute orders that state the child/youth is a dependent and awards care, custody and control to CFWB (SWs can get certified minute orders from the court). ○ File one original notarized copy of the IJC FORM A with the court ○ Make additional copies of IJC FORM A and provide to all assigned attorneys ○ Upload the remaining original notarized copies in ERMS. ○ Complete three copies of the Requisition for Runaway Juvenile (IJC) FORM I.
2	Attend the Special Hearing and ask the court to grant the IJC FORM A. If the petition is granted, the judge must sign all three notarized copies of the IJC FORM I.
3	<p>Once the IJC Form I is signed:</p> <ul style="list-style-type: none"> • Via overnight mail, send two original notarized copies of the IJC FORM I, and two copies of the IJC FORM A to: Interstate Compact on Juveniles <p>The Duty Officer will review the documents for completeness and accuracy and will send the forms to the state where the child/youth is detained. The state's appropriate court will hear the IJC FORM I matter.</p>
4	<p>Contact the Travel Clerk and make tentative travel arrangements for the child/youth within five days of being notified by the Duty Officer that the IJC FORM I was granted.</p> <p>NOTE: The SW (or designee) must be able to pick up the child/youth unless the state holding the child/youth is willing to transport the child/youth. Refer to Travel Policy for Children for additional information on travel requirements/policy.</p>
5	Email/fax the IJC Duty Officer a copy of the travel itinerary for the child/youth at least three business days before the travel date.

**Alignment
With SET**

This policy supports the following SET [Value 3](#): Helping Children and Youth Achieve Their Full Potential and Develop Lifelong Relationships by keeping them safe at home or in their respective placements, [Value 4](#): Shared Responsibility with Community Partners by ensuring the children/youth's safety and well-being, [Value 5](#): A Strong Working Relationship with the Legal System by collaborating with legal and law enforcement partners to ensure the children/youth's safety.
