

Emergency Placement - Placement Prior to Resource Family Approval (RFA)

414.1 PURPOSE AND SCOPE

Probation may make an emergency placement of a youth ordered into its care, custody, and control with a relative or non-relative extended family member (NREFM). The Resource Family Approval (RFA) policy informs Probation Officers of best practices and legal requirements related to securing an emergency resource family placement.

414.2 DEFINITIONS

Non-relative extended family member (NREFM): As defined in Welfare and Institutions Code 11400(n), this is an adult caregiver who has an established familial or mentoring relationship with the youth as defined in Welfare and Institutions Code 362.7.

Non-minor dependent (NMD): is a foster youth who is at least 18 years of age and not more than 21 years of age or a non-minor former dependent or ward, as defined in Welfare and Institutions Code 11400(v).

Relative: is an adult who is related to the youth by blood, adoption, or affinity within the fifth degree of kinship, including stepparents, step-siblings, and all relatives whose status is preceded by the words "great", "great-great", or "grand" or the spouse of any of these persons even if the marriage was terminated by death or dissolution, as defined in Welfare and Institutions Code 11400(m).

414.3 POLICY

It is the policy of the San Diego County Probation Department to place a youth, who may be a candidate for emergency placement, if specific requirements, as outlined in the adjoining procedures, are met.

414.4 COURT'S AUTHORITY

Notwithstanding Welfare and Institutions Code 727.05(c)(2) and 727.05(c)(5), or the placement recommendation of the Probation Department, the court may authorize the placement of a youth on an emergency basis in the home of a relative, as defined by Welfare and Institutions Code 11400(m), regardless of the status of any criminal record exemption or RFA, if the court finds that the placement does not pose a risk to the health and safety of the child.

414.5 REFERENCES

Welfare and Institutions Code 727.05

ACL 16-10

Background Assessment Guide