



Chambers of
JOANNE MOTOIKE
PRESIDING JUDGE OF JUVENILE COURT

Superior Court of California County of Orange

FILED
ORANGE COUNTY SUPERIOR COURT

MAY 21 2021

DAVID H. YAMASAKI, Clerk of the Court

BY: 
R. BRACKEN, DEPUTY

341 THE CITY DRIVE
ORANGE, CA 92868
PHONE: (657) 622-5502

Orange County Juvenile Court
Miscellaneous Order M-2021-5
Re: Court-Appointed Counsel and SharePoint Access

A. Applicability of Order:

1. This order and the authorization granted pursuant to it shall apply only to the Orange County Public Defender's Office, The Law Offices of Harold LaFlamme, and the Juvenile Defenders.
2. Welfare and Institutions Code § 317, 634, and 700 authorize the court to appoint counsel on behalf of a minor or the minor's parent in a juvenile court proceeding where the minor or the minor's parent desires or requires legal representation but is unable to employ counsel.
3. When the court appoints an attorney to represent a minor or the minor's parent, the attorney must respond with availability to provide representation within 15 minutes of being appointed by the Judicial Officer, which may be extended at the discretion of the Judicial Officer.
4. Because of the immediacy of the appointment, it is not always possible for an attorney to know if a conflict of interest exists with the minor or the minor's parent that would prohibit the attorney from accepting the appointment and representing the minor.
5. It is in the public interest for the court to establish and maintain agreements with qualified counsel from which it may appoint such attorneys to render the usual and customary legal services to minors and their parents in juvenile court cases.

Page 2

B. SharePoint Access:

1. Each court-appointed attorney is an officer of the court, with the relevant rights and responsibilities that pertain to that role and shall act consistently with the laws and rules governing court-appointed counsel. Court-appointed counsel who represent parties in a juvenile proceeding are expressly authorized to inspect and receive copies of a juvenile case file. (Welf. & Inst. Code, § 827 (a)(1)(E) and § 827(a)(5).)
2. The Orange County Superior Court, Juvenile Division, has created a dedicated SharePoint site for the Orange County Social Services Agency to upload case-specific reports, e.g., petitions, detention reports, jurisdictional reports, etc., in cases pending before the Juvenile Court. This SharePoint site is a web-based document library system that allows authorized users to review documents prior to and in anticipation of initial detention hearings, where expediency is of the essence.

FOR GOOD CAUSE SHOWN THEREFOR, IT IS HEREBY ORDERED:

1. In order to better facilitate the early identification of conflicts of interest, the Orange County Public Defender's Office, The Law Offices of Harold LaFlamme, and the Juvenile Defenders, and the attorneys who work for and on behalf of those agencies, are granted access to the SharePoint site and the documents it contains for the sole purpose of allowing counsel in their court-appointed capacities to more expediently determine potential conflict of interests with court appointments at the earliest opportunity in the proceedings, including prior to and in anticipation of initial detention hearings. This authorization is contingent upon a need for information as it pertains to court-appointed counsel's conduct of official activities only.
2. The juvenile case reports and documents uploaded to the SharePoint site, both in electronic and hard-copy format, are confidential and may be accessed by court-appointed counsel without a separate order of the juvenile court pursuant to Welfare and Institutions Code §827 and Orange County Superior Court Local Rule §903.1. Court-appointed counsel shall not disclose, publish, or disseminate any of the documents accessed through the SharePoint site nor any information obtained through those documents, with the exception of the existence of a conflict of interest, without further order from the court.

Page 3

3. This authorization for electronic access is granted after having considered and balanced the necessity of protecting the health and safety of the public, judicial officers, courthouse staff, counsel, and other interested parties as a result of the COVID-19 pandemic by reducing the number of persons present in courtrooms and court hallways against the need to keep juvenile court case file information and documents confidential.

This order will expire May 21, 2022.

SO ORDERED:

Dated this 21st day of May, 2021



Joanne Motoike
Presiding Judge of the Juvenile Court