

## PROCEDURE FOR REQUESTING COURT ORDERS FOR RELEASE OF INFORMATION

In any case where the minor's mental health service provider determines it is necessary to speak with a person not currently authorized to receive confidential mental health information; the following procedure must be used to secure a court order authorizing the release of information.

STEP	ACTION
1	<p>MH provider must complete a request form by specifying the following:</p> <ul style="list-style-type: none"> <li>a. Specify the name of the person with whom the MH provider would like to speak with regarding the minor's mental health;</li> <li>b. State the reason for why the MH Provider wants to speak with that person in relation to treating the minor's mental health;</li> <li>c. Contact the minor's Child Welfare Worker to discuss the request and document CWW's position on the form;</li> <li>d. Contact the minor's parent/guardian to seek approval for the request to release information. Document three attempts to contact the parent/guardian. If contact was successful, have the parent/guardian sign the release. If contact was successful, but the parent refuses to sign the release, identify position of the parent/guardian on the form.</li> </ul>
2	MH provider forwards the request form to minor's counsel.
3	<p>Minor's counsel reviews the request form.</p> <ul style="list-style-type: none"> <li>a. If minor's counsel agrees with the request and there are no objections from the parent/guardian, minor's counsel documents agreement on the request form and attaches the Order Granting Request For Release Of Information previously issued by the Court.</li> <li>b. If minor's counsel disagrees with the request, minor's counsel documents the objection on the request form and return it to the MH provider.</li> <li>c. If minor's counsel agrees with the request but there is an objection documented from the parent/guardian, minor's counsel will submit an ex parte request to the Court pursuant to Local Rule 5.507.</li> <li>d. If minor's counsel disagrees but the MH provider continues to request the release, the CWW will submit an ex parte request the Court pursuant to Local Rule 5.507.</li> </ul>