

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIFTH APPELLATE DISTRICT

GARRETT THEROLF,

*Petitioner,*

v.

SUPERIOR COURT OF THE  
STATE OF CALIFORNIA,  
COUNTY OF MADERA

*Respondent.*

MADERA COUNTY  
DEPARTMENT OF SOCIAL  
SERVICES

*Real Party in Interest.*

No. \_\_\_\_\_

RELATED APPEALS PENDING

Nos. F082698; F082701

Madera County Superior Court  
Juvenile Division  
Hon. Thomas L. Bender, Dept. 36  
Case Nos. MJP018664; MJP018547

**APPENDIX OF EXHIBITS IN SUPPORT OF PETITION FOR AN  
EXTRAORDINARY WRIT OF MANDATE OR PROHIBITION OR  
OTHER APPROPRIATE RELIEF**

**[Petition and Memorandum Filed Under Separate Cover]**

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## INDEX

<b>Exhibit No.</b>	<b>Description</b>	<b>Date</b>	<b>Page No.</b>
1	Request for Disclosure of Juvenile Case File of Divina Nazareth Sran (Form JV-570)	01/13/21	2
2	Request for Disclosure of Juvenile Case File of Thaddeus Sran (Form JV-570)	01/13/21	8
3	Objection to Release of Juvenile Case File of Divina Nazareth Sran (Form JV-572)	01/27/21	14
4	Objection to Release of Juvenile Case File of Thaddeus Sran (Form JV-572)	01/27/21	19
5	Order on Petition for Access to Juvenile Case File of Divina Nazareth Sran (Form JV-574)	02/26/21	24
6	Order on Petition for Access to Juvenile Case File of Thaddeus Sran (Form JV-574)	02/26/21	28

**EXHIBIT 1**

*Request for Disclosure of Juvenile Case File of Divina Nazareth Sran  
(Form JV-570)*

If you are requesting a court order to obtain the juvenile case file of a child who is alive, fill out all items on this form, and file it with the court. You must also fill out and file Proof of Service—Request for Disclosure (form JV-569).

If you are a member of the public requesting the juvenile case file of a child who is deceased, you can:

a. Fill out items 1–4 and 7 on this form and file it with the court. You must then provide a copy of this form to the Custodian of Records of the county child welfare agency, who will then provide notice of this request.

**Or**

b. Do not complete the form and request the juvenile case file from the child welfare agency under Welfare and Institutions Code section 10850.4.

To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished.

Fill in court name and street address:

**Superior Court of California, County of**

Madera  
Hon. Thomas L Bender  
Dept. 36

Fill in case number if known:

**Case Number:**

① Your name: Garrett Therolf (IRP at UC Berkeley)  
Relationship to child (if any): Journalist  
Street address: 75 Panoramic Way  
City: Berkeley State: CA Zip: 94704  
Telephone number: 213-239-4671  
Lawyer (if any) (name, address, telephone numbers, and State Bar number): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

② Name of child (if known): Divina Nazareth Sran

③ Child's date of birth (if known): 4/14/15

④ a.  A petition regarding the child in ② has been filed under  
 Welfare and Institutions Code section 300  
 Welfare and Institutions Code section 601  
 Welfare and Institutions Code section 602 or

b.  I believe the child in ② died as a result of abuse or neglect. Approximate date of death: 8/16/15  
If you checked box b, you may skip items 5 and 6.

**Note: You must provide a copy of this form to all interested parties if you know their names and addresses.**





Case Number:

Your name: Garrett Therolf (IRP at UC Berkeley)

5 The records I want are: *(Describe in detail. Attach more pages if you need more space.)*  
Complete Juvenile Case File. See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Continued on Attachment 5.

6 The reasons for this request are:  
a.  Civil court case pending in *(name of county)*: \_\_\_\_\_  
Case number: \_\_\_\_\_ Hearing date: \_\_\_\_\_  
b.  Criminal court case pending in *(name of county)*: \_\_\_\_\_  
Case number: \_\_\_\_\_ Hearing date: \_\_\_\_\_  
c.  Juvenile court case pending in *(name of county)*: \_\_\_\_\_  
Case number: \_\_\_\_\_ Hearing date: \_\_\_\_\_  
d.  Other *(specify)*: News reporting  
Case number: \_\_\_\_\_ Hearing date: \_\_\_\_\_

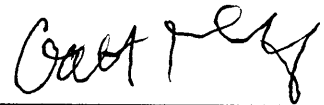
7 I need the records because: *(Describe in detail. Attach more pages if you need more space.)*  
To report on the child's involvement with child protective services.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Continued on Attachment 7.

8 I declare under penalty of perjury under the laws of the State of California that the information in this form is true and correct. This means that if I lie on this form, I am guilty of a crime.

Date: 1/13/21

Garrett Therolf (IRP at UC Berkeley)  
Type or print your name

  
Sign your name

The “juvenile case file” subject to disclosure under subsection (a)(2) includes both juvenile court records and documents outside the court file. A juvenile case file subject to disclosure includes “any petition filed in any juvenile court proceedings, reports of the probation officer, and all other documents filed in the case or made available to the probation officer in making his or her report, or to the judge, referee, or other hearing officer, and thereafter retained by the probation officer, judge, referee, or other hearing officer.” *In re Elijah S.*, 125 Cal. App. 4th at 1551 (quoting 7 Welf. & Inst. § 827(e) (emphasis added)). A juvenile case file ‘necessarily include reports or other written statements by social workers, probation officers, child protective investigators[,] and public agency personnel involved in investigating a suspected case of neglect or abuse concerning a child.’ *Id.* at 1551-52 (quoting Welf. & Inst. § 827(e)).

A “juvenile case file” includes “written reports and documentation [that] are not always required to be filed directly with the juvenile court, and are frequently under the control of the applicable county agencies rather than in the possession of the juvenile court.” *Id.* at 1552. Even “documents generated or maintained by social workers, probation officers and public agency personnel with respect to suspected cases of child neglect or abuse” are “included in the definition of ‘juvenile case files’ subject to release under section 827, subdivision (a)(2).” *Id.* In sum, “‘juvenile case file,’ as defined and used in section 827, covers a wide range of records, including agency files where no juvenile court proceedings have been instituted and the matter is handled informally.” *Id.* (internal quotations and citations omitted).

California Rule of Court 5.552(a) defines a “juvenile case file” to include: “(1) [a]ll documents filed in a juvenile court case; (2) [r]eports to the court by probation officers, social workers of child welfare services programs, and CASA volunteers; (3) [d]ocuments made available to probation officers, social workers of child welfare services programs, and CASA volunteers in preparation of reports to the court; (3) [d]ocuments relating to a child concerning whom a petition has been filed in juvenile court that are maintained in the office files of probation officers, social workers of child welfare services programs, and CASA volunteers; (4) [t]ranscripts, records, or reports related to matters prepared or released by the court, probation department, or child welfare services program; and (6) [d]ocuments, video or audio tapes, photographs, and exhibits admitted into evidence at juvenile court hearings.” Cal. R. Ct. 5.552(a)(1)-(6).

A court may redact or withhold juvenile case files of deceased children under only two narrow circumstances: (1) where the information relates to or identifies another child, or (2) where a showing by “preponderance of the evidence” that the release of the file, in part or as a whole, would be “detrimental to the safety, protection, or physical, or emotional well-being of another child who is directly or indirectly connected to the juvenile case that is the subject of the petition.” Welf. & Inst. § 827(a)(2)(A). “[N]o weighing or balancing of the interests of those other than a child is permitted.” *Id.* § 827(a)(2)(C).

If a document in the juvenile case file of a deceased child is privileged or confidential pursuant to federal or state law, the court must release that document to a petitioner unless disclosure is "detrimental to the safety, protection, or physical or emotional well-being of a child who is directly or indirectly connected to the juvenile case that is the subject to the petition." Welf. & Inst. § 827(a)(3)(A).

**Petitioner Requests the Following Documents in the child's Juvenile Case File Be Disclosed**

Petitioner requests that the Court order the disclosure of the documents listed below from the child's juvenile case file. A "juvenile case file" consists of a large category of documents. In re Elijah S., 125 Cal. App. 4th at 155-52; Welf. & Inst. § 827(e); Cal. R. Ct. 5.552(a)(1)-(6). Petitioner has successfully filed several JV-570 petitions before and received the types of documents listed below as part of a juvenile case file, including, but not limited to:

1. The California Law Enforcement Telecommunication System ("CLETS") history for the Sran family, the computer database used to review criminal history;
2. The Child Abuse Central Index ("CACI") history for the family, which is used to review the family's history with the child welfare system; and
3. The Madera County Social Services Agency records reflecting public assistance for the family, including the family's history of cash assistance welfare benefits and food stamps.
4. The recordings or transcripts of all child abuse hotline calls, including the date and time;
5. The information and narrative that hotline workers wrote down memorializing hotline calls about any abuse of the child, including the "screener narrative";
6. The recommended response to the hotline call that the hotline worker recommended (i.e. evaluate out, immediate response, five-day response, etc.);
7. The response to the hotline call that was approved by the hotline supervisor; and
8. Any information that was forwarded to the emergency response child maltreatment investigator after the hotline call;
9. Records reflecting any of the agency's decision making and interactions with the family following ER investigations, including the delivered services log and emails; and
10. Recordings of calls to the police that were forwarded to or summarized in reports to Children and Family Services.

11. All county email and correspondence related to the handling of the child's case.

12. All county correspondence related to former employee Sierra Lindman, to the extent that it concerns the child's case, or a group of cases including the child's.

**EXHIBIT 2**

*Request for Disclosure of Juvenile Case File of Thaddeus Sran  
(Form JV-570)*

*If you are requesting a court order to obtain the juvenile case file of a child who is alive, fill out all items on this form, and file it with the court. You must also fill out and file Proof of Service—Request for Disclosure (form JV-569).*

*If you are a member of the public requesting the juvenile case file of a child who is deceased, you can:*

a. *Fill out items 1–4 and 7 on this form and file it with the court. You must then provide a copy of this form to the Custodian of Records of the county child welfare agency, who will then provide notice of this request.*

**Or**

b. *Do not complete the form and request the juvenile case file from the child welfare agency under Welfare and Institutions Code section 10850.4.*

① Your name: Garrett Therolf (IRP at UC Berkeley)  
Relationship to child (if any): Journalist  
Street address: 75 Panoramic Way  
City: Berkeley State: CA Zip: 94704  
Telephone number: 213-239-4671  
Lawyer (if any) (name, address, telephone numbers, and State Bar number): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

② Name of child (if known): Thaddeus Sran

③ Child's date of birth (if known): 5/16/18

- ④ a.  A petition regarding the child in ② has been filed under  
 Welfare and Institutions Code section 300  
 Welfare and Institutions Code section 601  
 Welfare and Institutions Code section 602 **or**

b.  I believe the child in ② died as a result of abuse or neglect. Approximate date of death: Summer 2020  
*If you checked box b, you may skip items 5 and 6.*

To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished.

Fill in court name and street address:

**Superior Court of California, County of**  
**Madera**  
**Hon. Thomas L Bender**  
**Dept. 36**

Fill in case number if known:

**Case Number:**

**Note: You must provide a copy of this form to all interested parties if you know their names and addresses.**



Case Number: \_\_\_\_\_

Your name: Garrett Therolf (IRP at UC Berkeley)

5 The records I want are: *(Describe in detail. Attach more pages if you need more space.)*  
Complete Juvenile Case File. See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Continued on Attachment 5.

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Case number: \_\_\_\_\_ Hearing date: \_\_\_\_\_  
b.  Criminal court case pending in *(name of county)*: \_\_\_\_\_  
Case number: \_\_\_\_\_ Hearing date: \_\_\_\_\_  
c.  Juvenile court case pending in *(name of county)*: \_\_\_\_\_  
Case number: \_\_\_\_\_ Hearing date: \_\_\_\_\_  
d.  Other *(specify)*: News reporting  
Case number: \_\_\_\_\_ Hearing date: \_\_\_\_\_

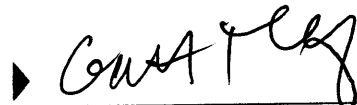
7 I need the records because: *(Describe in detail. Attach more pages if you need more space.)*  
To report on the child's involvement with child protective services.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Continued on Attachment 7.

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Date: 1/13/21

Garrett Therolf (IRP at UC Berkeley)  
Type or print your name

  
Sign your name

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#### Petitioner Requests the Following Documents in the child's Juvenile Case File Be Disclosed

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6. The recommended response to the hotline call that the hotline worker recommended (i.e. evaluate out, immediate response, five-day response, etc.);
7. The response to the hotline call that was approved by the hotline supervisor; and
8. Any information that was forwarded to the emergency response child maltreatment investigator after the hotline call;
9. Records reflecting any of the agency's decision making and interactions with the family following ER investigations, including the delivered services log and emails; and
10. Recordings of calls to the police that were forwarded to or summarized in reports to Children and Family Services.

11. All county email and correspondence related to the handling of the child's case.

12. All county correspondence related to former employee Sierra Lindman, to the extent that it concerns the child's case, or a group of cases including the child's.

**EXHIBIT 3**

*Objection to Release of Juvenile Case File of Divina Nazareth Sran  
(Form JV-572)*

Therok

**JV-572**

# Objection to Release of Juvenile Case File

Clerk stamps date here when form is filed.

Objections to the release of information and records described in the attached Petition for Access to Juvenile Case File (form JV-570) must be filed with the juvenile court.

1 Name of child: DAVINA SRAN

2 My relationship to the child, if any, is: Attorney for Dept. of Social Srvs.

3 I object to the release of information and records relating to the child named in item 1.

4 I do not want the juvenile court to release the records because (describe in detail, attach additional pages if necessary):

Fill in court name and street address:

Superior Court of California, County of Madera, Juvenile Division  
200 S. G Street  
Madera, CA 93637

Court fills in case number when form is filed.

Case Number:

No dependency case exists for Davina Sran; cases were commenced with respect to her siblings, subsequent to her death, but she was never a dependent herself. To the extent that any records pertaining to Davina exist that are maintained by this Court or Madera County Department of Social Services, those records would have been generated in relation to her siblings. Further, there is currently an ongoing law enforcement investigation into the death of a brother of Davina's surviving siblings, and any release of such information could potentially jeopardize the investigation and disclosure would violate WIC 10850.4(c), 10850.45(d) and 10850.4(e)(1)(B).

Petitioner herein seeks release of this information solely for the purpose of "report[ing] on the child's involvement with child protective services." This admitted purpose serves only the self-interest of the petitioner, who would stand to benefit financially from such reporting, and in no way serves a legitimate purpose related to the well-being of Davina Sran or any of her surviving siblings. Conversely, during the pendency of these proceedings, these children have a statutory right to the preservation of their privacy. Any release of the requested information could be potentially detrimental to the safety, protection, emotional and physical well-being of the surviving siblings.

No legitimate purpose bearing on the well-being of Davina Sran or her siblings would be served by the granting of this petition. No purpose has been articulated that outweighs the children's right to privacy and confidentiality. Objecting party is further informed and believes that Petitioner has previously made a Public Records request and/or request for records pertaining to child deaths/near deaths, which request was denied with the exception of disclosure of the SOC 826 (attached); Petitioner now seeks to circumvent that denial with the instant request to this Court.

Date: 1/27/21

Ann Hanson, Deputy County Counsel

Type or print your name



Sign your name

**Warning: If you do not object, the court may grant access to the child's case file.**

## SOC 826 - CHILD FATALITY/NEAR FATALITY COUNTY STATEMENT OF FINDINGS AND INFORMATION

**INSTRUCTIONS:**

Counties shall complete this form for each child fatality/near fatality determined to be a result of abuse and/or neglect. The form shall be submitted to CDSS within ten business days of notification of final determination from the investigating agency.

For a child fatality/near fatality complete parts A and B.

**PART A – CIRCUMSTANCES OF FATALITY/NEAR FATALITY**

1. Date form completed: 07/30/2020 2.  Fatality  Near Fatality

**Note: Redact information in this box prior to the public release of this document.**

3. Child Victim's 19-Digit Client Number:

0216-3817-4194-2088100

4. CWS/CMS 19 Digit Referral Number of Child Victim:

0609-5055-7247-2094974

5. County Contact and Phone Number (Individual That CDSS Would Contact for Additional Information):

Danny Morris, Deputy Director, 559-675-7841

6. Reporting County:

Madera

7. County Where Incident Occurred (If Different):

8. Child's Sex:

Male  Female

9. Child's Age:

2

10. Date of Fatality/Near Fatality (If Known):

11. Residence of The Child at The Time of The Abuse/Neglect That Lead to The Fatality/Near Fatality:

Home of Parent/Legal Guardian

Foster Care/Out-of-Home Care

12. Residence of The Child at The Time of Fatality:

Home of Parent/Legal Guardian

Foster Care/Out-of-Home Care

13. Investigation Conducted By (Check All That Apply):

Law Enforcement

CWS/Probation

**PART B – CHILD FATALITY/NEAR FATALITY DETERMINATION**

Determination Made By (Check All That Apply):

14.  CWS/Probation

Law Enforcement

Coroner/Medical Examiner

15. Child Fatality/Near-Fatality Due To:

Abuse

Neglect

Child Fatality/Near-Fatality Due To:

Abuse

Neglect

Child Fatality Due To:

Abuse

Neglect

**DO NOT INCLUDE A NARRATIVE; CHECK THE APPROPRIATE BOXES ABOVE.**

Please fax this form to:  
Children's Services Operations Bureau,  
Attention: Bureau Chief at (916) 651-8144

**BACKGROUND**

Pursuant to the Child Abuse Prevention and Treatment Act (CAPTA), states are required to publicly disclose findings or information related to child fatalities and near fatalities that are determined to be the result of abuse and/or neglect.

In accordance with WIC 10850.4, WIC 10850.45, Manual of Policies and Procedures (MPP) Division 31 (sections 31-502.12 and 31-502.122), the county welfare department or agency is required to notify the California Department of Social Services (CDSS) of every child fatality and near fatality that occurs within its jurisdiction and is the result of abuse and/or neglect and release certain case file documents upon request. The mechanism to notify CDSS is the Statement of Findings and Information Form (SOC 826). The SOC 826 must be submitted to CDSS within ten business days of notification of the final determination from the investigating agency.

**FORM INSTRUCTIONS****PART A – CIRCUMSTANCES OF FATALITY/NEAR FATALITY**

1. Enter the date the SOC 826 form is completed in MM/DD/YYYY format.
2. Check the appropriate box for a child fatality or child near fatality.
3. Enter the child victim's 19-digit client number.
4. Enter the Child Welfare Services/Case Management System (CWS/CMS) 19-digit referral number of the child victim's critical incident referral.
5. Enter the county representative's name and phone number who can provide additional information to CDSS, if necessary.
6. Enter the name of the reporting county.
7. Enter the name of the county where the incident of abuse/neglect occurred that lead to the fatality or near fatality (if different from the reporting county).
8. Check the appropriate box for the child's sex.
9. Enter the child's exact age at the time of the incident, (i.e. if in years old put age in year, if in under 1 year put age in months, if under 1 month put age in days).
10. Enter the date of the fatality or near fatality in MM/DD/YYYY format (if known).
11. Check the appropriate box to indicate whether the child resided in the home of his/her parent/legal guardian or in foster care/out-of-home care at the time of the abuse/neglect incident.
12. Applies to child fatalities only. Indicate place of residence at the time of the fatality. If reporting a near fatality, leave blank.
13. Check all the boxes that apply to indicate all agencies that are currently investigating or have previously investigated the incident.

**PART B – CHILD FATALITY/NEAR FATALITY DETERMINATION**

14. Check all the boxes that apply to indicate all agencies that determined abuse or neglect contributed to the fatality or near fatality.
  - a) A county child protective services agency determined that the abuse or neglect was substantiated.
  - b) A law enforcement investigation concluded that abuse or neglect occurred.
  - c) A coroner or medical examiner concluded that the child who died had suffered abuse or neglect.
15. Check all the boxes that apply to indicate whether the child fatality/near fatality was due to abuse and/or neglect (as determined by the agency selected).

**PROOF OF SERVICE**  
(Code Civ. Proc. Secs. 1013a, 2015.5)

1. I do hereby declare that I am a citizen of the United States, employed in the County of Madera, over 18 years old, and that my business address is 1610 Sunrise Avenue, Madera, California 93638. I am not a party to the within action.

2. I served the **OBJECTION TO RELEASE OF JUVENILE CASE FILE** on the persons named below by

XX placing said envelope(s) for collection and mailing on the date and at the place shown in item 3 following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid to the name and address listed below.

\*\*\* hand delivery of the document to the Juvenile Court Clerk at Madera County Juvenile Court located at 200 South "G" Street, Madera, CA 93638.

\_\_\_\_\_ by facsimile to (916) 817-6355

**NAME OF EACH PERSON UPON WHOM DOCUMENT WAS SERVED**

XX GARRETT THEROLF  
75 PANORAMIC WAY  
Berkeley, CA 94704

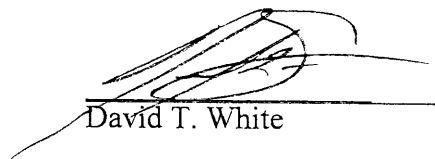
\*\*\* Errin Woodward (Mother's Attorney)

\*\*\* Edmund Gill (Father's Attorney)

\*\*\* Ari Atoori (Minor's Attorney)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED at Madera, California, on January 27, 2021  
by:

  
\_\_\_\_\_  
David T. White

**EXHIBIT 4**

*Objection to Release of Juvenile Case File of Thaddeus Sran  
(Form JV-572)*



**Objection to Release of  
Juvenile Case File**

Clerk stamps date here when form is filed.

Objections to the release of information and records described in the attached Petition for Access to Juvenile Case File (form JV-570) must be filed with the juvenile court.

1 Name of child: THADDEUS SRAN

2 My relationship to the child, if any, is: Attorney for Dept. of Social Svcs.

3 I object to the release of information and records relating to the child named in item 1.

4 I do not want the juvenile court to release the records because (describe in detail, attach additional pages if necessary):

Fill in court name and street address:

**Superior Court of California, County of  
Madera, Juvenile Division  
200 S. G Street  
Madera, CA 93637**

Court fills in case number when form is filed.

**Case Number:**

There is currently an ongoing law enforcement investigation into the death of Thaddeus Sran, and any release of such information could potentially jeopardize the investigation and should not be disclosed pursuant to WIC 10850.4(c), 10850.45(d) and 10850.4(e)(1)(B). Further, any records on Thaddeus Sran would include extensive information on his surviving siblings who are under this Court's jurisdiction.


Petitioner herein seeks release of this information solely for the purpose of "report[ing] on the child's involvement with child protective services." This admitted purpose serves only the self-interest of the petitioner, who would stand to benefit financially from such reporting, and in no way serves a legitimate purpose related to the well-being of Thaddeus Sran or any of his surviving siblings. Conversely, during the pendency of these proceedings, these children have a statutory right to the preservation of their privacy. Any release of the requested information could be potentially detrimental to the safety, protection, emotional and physical well-being of the surviving siblings.

No legitimate purpose bearing on the well-being of Thaddeus Sran or his siblings would be served by the granting of this petition. No purpose has been articulated that outweighs the children's right to privacy and confidentiality. Objecting party is further informed and believes that Petitioner has previously made a Public Records request and/or request for records pertaining to child deaths/near deaths, which request was denied due to the ongoing criminal investigation, with the exception of the disclosure of the SOC 826 (attached), and Petitioner now seeks to circumvent that denial with the instant request to this Court.

Date: 1/27/21

Ann Hanson, Deputy County Counsel

Type or print your name



Sign your name

**Warning: If you do not object, the court may grant access to the child's case file.**

# SOC 826 - CHILD FATALITY/NEAR FATALITY COUNTY STATEMENT OF FINDINGS AND INFORMATION

### INSTRUCTIONS:

Counties shall complete this form for each child fatality/near fatality determined to be a result of abuse and/or neglect. The form shall be submitted to CDSS within ten business days of notification of final determination from the investigating agency.

For a child fatality/near fatality complete parts A and B.

### PART A – CIRCUMSTANCES OF FATALITY/NEAR FATALITY

1. Date form completed: 07/30/2020 2.  Fatality  Near Fatality

**Note: Redact information in this box prior to the public release of this document.**

3. Child Victim's 19-Digit Client Number:

0216-3817-4194-2088100

4. CWS/CMS 19 Digit Referral Number of Child Victim:

0609-5055-7247-2094974

5. County Contact and Phone Number (Individual That CDSS Would Contact for Additional Information):

Danny Morris, Deputy Director, 559-675-7841

6. Reporting County:

Madera

7. County Where Incident Occurred (If Different):

8. Child's Sex:

Male  Female

9. Child's Age:

2

10. Date of Fatality/Near Fatality (If Known):

11. Residence of The Child at The Time of The Abuse/Neglect That Lead to The Fatality/Near Fatality:

Home of Parent/Legal Guardian  Foster Care/Out-of-Home Care

12. Residence of The Child at The Time of Fatality:

Home of Parent/Legal Guardian  Foster Care/Out-of-Home Care

13. Investigation Conducted By (Check All That Apply):

Law Enforcement  CWS/Probation

### PART B – CHILD FATALITY/NEAR FATALITY DETERMINATION

Determination Made By (Check All That Apply):

14.  CWS/Probation  Law Enforcement  Coroner/Medical Examiner

15. Child Fatality/Near-Fatality Due To:

<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> Abuse	<input type="checkbox"/> Abuse
<input checked="" type="checkbox"/> Neglect	<input type="checkbox"/> Neglect	<input type="checkbox"/> Neglect

**DO NOT INCLUDE A NARRATIVE; CHECK THE APPROPRIATE BOXES ABOVE.**

Please fax this form to:  
Children's Services Operations Bureau,  
Attention: Bureau Chief at (916) 651-8144

## BACKGROUND

Pursuant to the Child Abuse Prevention and Treatment Act (CAPTA), states are required to publicly disclose findings or information related to child fatalities and near fatalities that are determined to be the result of abuse and/or neglect.

In accordance with WIC 10850.4, WIC 10850.45, Manual of Policies and Procedures (MPP) Division 31 (sections 31-502.12 and 31-502.122), the county welfare department or agency is required to notify the California Department of Social Services (CDSS) of every child fatality and near fatality that occurs within its jurisdiction and is the result of abuse and/or neglect and release certain case file documents upon request. The mechanism to notify CDSS is the Statement of Findings and Information Form (SOC 826). The SOC 826 must be submitted to CDSS within ten business days of notification of the final determination from the investigating agency.

## FORM INSTRUCTIONS

### PART A – CIRCUMSTANCES OF FATALITY/NEAR FATALITY

1. Enter the date the SOC 826 form is completed in MM/DD/YYYY format.
2. Check the appropriate box for a child fatality or child near fatality.
3. Enter the child victim's 19-digit client number.
4. Enter the Child Welfare Services/Case Management System (CWS/CMS) 19-digit referral number of the child victim's critical incident referral.
5. Enter the county representative's name and phone number who can provide additional information to CDSS, if necessary.
6. Enter the name of the reporting county.
7. Enter the name of the county where the incident of abuse/neglect occurred that lead to the fatality or near fatality (if different from the reporting county).
8. Check the appropriate box for the child's sex.
9. Enter the child's exact age at the time of the incident, (i.e. if in years old put age in year, if in under 1 year put age in months, if under 1 month put age in days).
10. Enter the date of the fatality or near fatality in MM/DD/YYYY format (if known).
11. Check the appropriate box to indicate whether the child resided in the home of his/her parent/legal guardian or in foster care/out-of-home care at the time of the abuse/neglect incident.
12. Applies to child fatalities only. Indicate place of residence at the time of the fatality. If reporting a near fatality, leave blank.
13. Check all the boxes that apply to indicate all agencies that are currently investigating or have previously investigated the incident.

### PART B – CHILD FATALITY/NEAR FATALITY DETERMINATION

14. Check all the boxes that apply to indicate all agencies that determined abuse or neglect contributed to the fatality or near fatality.
  - a) A county child protective services agency determined that the abuse or neglect was substantiated.
  - b) A law enforcement investigation concluded that abuse or neglect occurred.
  - c) A coroner or medical examiner concluded that the child who died had suffered abuse or neglect.
15. Check all the boxes that apply to indicate whether the child fatality/near fatality was due to abuse and/or neglect (as determined by the agency selected).

**PROOF OF SERVICE**  
(Code Civ. Proc. Secs. 1013a, 2015.5)

1. I do hereby declare that I am a citizen of the United States, employed in the County of Madera, over 18 years old, and that my business address is 1610 Sunrise Avenue, Madera, California 93638. I am not a party to the within action.

2. I served the **OBJECTION TO RELEASE OF JUVENILE CASE FILE** on the persons named below by

XX placing said envelope(s) for collection and mailing on the date and at the place shown in item 3 following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid to the name and address listed below.

\*\*\* hand delivery of the document to the Juvenile Court Clerk at Madera County Juvenile Court located at 200 South "G" Street, Madera, CA 93638.

       by facsimile to (916) 817-6355

**NAME OF EACH PERSON UPON WHOM DOCUMENT WAS SERVED**

XX GARRETT THEROLF  
75 PANORAMIC WAY  
Berkeley, CA 94704

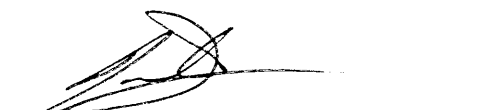
\*\*\* Errin Woodward (Mother's Attorney)

\*\*\* Edmund Gill (Father's Attorney)

\*\*\* Ari Atoori (Minor's Attorney)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED at Madera, California, on January 27, 2021  
by:

  
\_\_\_\_\_  
David T. White

**EXHIBIT 5**

*Order on Petition for Access to Juvenile Case File of Divina Nazareth Sran  
(Form JV-574)*

**The Court finds and orders:**

- 1  The child is alive and the request is denied.
  - a.  Petitioner has not shown good cause for the release of the requested records.
  - b.  Petitioner has not met the notice requirements of rule 5.552(c) of the California Rules of Court.
  - c.  Request for records is overbroad or records sought are insufficiently identified.
  - d.  Other: \_\_\_\_\_

- 2  The child is alive and the court sets a hearing on the request. Applicant has shown good cause for release of the juvenile case file, but the court must balance the interests of the applicant, the child, other parties to the juvenile court proceedings, and the public. Clerk to send notice under rule 5.552 of the California Rules of Court.
 

Date of hearing: \_\_\_\_\_

Time of hearing: \_\_\_\_\_

Location: \_\_\_\_\_

- 3  The child is alive and the court will conduct a review of the juvenile case file and any filed objections.

- 4  The child is deceased and the court sets a hearing on the request.
 

Date of hearing: \_\_\_\_\_

Time of hearing: \_\_\_\_\_

Location: \_\_\_\_\_

- 5  The child is deceased and the court will conduct a review of the juvenile case file and any filed objections.

- 6  Other: \_\_\_\_\_

Clerk stamps date here when form is filed.

**FILED**  
MADERA SUPERIOR COURT

FEB 26 2021

\_\_\_\_\_  
CLERK

\_\_\_\_\_  
DEPUTY

Fill in court name and street address:

Superior Court of California, County of Madera  
200 S G Street  
Madera, CA 93637

Juvenile Division

Fill in child's name and date of birth:

**Child's Name:**  
Davina Nazareth Sran

**Date of Birth:**  
04-14-2015

Court fills in case number when form is filed.

**Case Number:**  
MSJPO18664

Date: 2-26-21

  
\_\_\_\_\_  
Judicial Officer

County Counsel - Placed in will-call box in the Juvenile Division  
mailed to Garrett Theroff, Briseida Sran, Sukhinder Sran

**Order After Judicial Review on  
Petition for Access to  
Juvenile Case File**

1 Name of petitioner: Garrett Therolf (IRP at UC Berkeley)

**The court finds and orders:**

2  After a review of the juvenile case file and review of any filed objections  and a noticed hearing, the court denies the request.

Reason(s) for denial:

- a.  Access is not in the child's best interests.
- b.  The need for access does not outweigh the privacy rights of the child and the policy considerations favoring confidentiality of the juvenile case file.
- c.  Petitioner has not shown by a preponderance of the evidence that the records requested are necessary and have substantial relevance to the legitimate need of the petitioner.
- d.  There are no responsive records.
- e.  Other: No Records List

3  After a review of the juvenile case file and review of any filed objections  and a noticed hearing, the court grants the request. The petitioner has shown by a preponderance of the evidence that access to records is necessary and that records have substantial relevance to the legitimate needs of the petitioner. The court has balanced these needs with the child's best interest. The court finds that the need for access outweighs the policy considerations favoring confidentiality of juvenile records.

a.  The following records may be disclosed:  with redactions

b.  The procedure for providing access is:

c.  See attached.

4  The child is deceased, and the request is granted.

a.  The court has read and considered the following:

*Clerk stamps date here when form is filed.*

**FILED**  
MADERA SUPERIOR COURT

FEB 26 2021

\_\_\_\_\_  
CLERK  
\_\_\_\_\_  
DEPUTY

*Fill in court name and street address:*

Superior Court of California, County of  
Madera  
200 S G Street  
Madera, CA 93637  
  
Juvenile Division

*Fill in child's name and date of birth:*

Child's Name:  
Davina Nazareth Sran  
  
Date of Birth:  
04-14-2015

*Court fills in case number when form is filed.*

Case Number:  
MJP018664

*mailed to: Briseida Sran + Sukhjinder Sran  
cc: mailed to Garrett Therolf (Petitioner), County Counsel - Inter-Office*

Case Number: \_\_\_\_\_

Your name: Garrett Therolf (IRP at UC Berkeley)

- 4 b.  There is a presumption under Welfare and Institutions Code section 827(a)(2)(B) in favor of the release of the documents unless a statutory reason for confidentiality is shown to exist. The court has balanced only the interests of the child who is the subject of the juvenile case file and the interests of other children who may be named in the file with \_\_\_\_\_.
- c.  The following records may be disclosed:  with redactions  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- d.  The procedure for providing access is:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- e. Any information that relates to another child or could identify another child, except for information about the deceased, must be redacted.
- f.  See attached.
- 5  The child is deceased and the request is denied. The court finds by a preponderance of the evidence that access to the juvenile case file or of any portion of it is detrimental to the safety, protection, or physical or emotional well-being of another child who is directly or indirectly connected to the juvenile case that is the subject of the request.

**Additional orders:**

- 6 a.  Petitioner may not disseminate the information to anyone who is not specified in Welfare and Institutions Code section 827 or 827.10.
- b.  Petitioner may disseminate the disclosed records listed in item 3a only to: \_\_\_\_\_  
 \_\_\_\_\_  
 as redacted     subject to protective order     additional orders attached
- 7  Disclosure subject to protective order (*list orders*): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 8  Other: \_\_\_\_\_  
 \_\_\_\_\_
- 9  See attached.

Date: 2-24-21

  
 \_\_\_\_\_  
 Judicial Officer



**EXHIBIT 6**

*Order on Petition for Access to Juvenile Case File of Thaddeus Sran  
(Form JV-574)*

**The Court finds and orders:**

- 1  The child is alive and the request is denied.
  - a.  Petitioner has not shown good cause for the release of the requested records.
  - b.  Petitioner has not met the notice requirements of rule 5.552(c) of the California Rules of Court.
  - c.  Request for records is overbroad or records sought are insufficiently identified.
  - d.  Other: \_\_\_\_\_

- 2  The child is alive and the court sets a hearing on the request. Applicant has shown good cause for release of the juvenile case file, but the court must balance the interests of the applicant, the child, other parties to the juvenile court proceedings, and the public. Clerk to send notice under rule 5.552 of the California Rules of Court.
 

Date of hearing: \_\_\_\_\_

Time of hearing: \_\_\_\_\_

Location: \_\_\_\_\_

- 3  The child is alive and the court will conduct a review of the juvenile case file and any filed objections.

- 4  The child is deceased and the court sets a hearing on the request.
 

Date of hearing: \_\_\_\_\_

Time of hearing: \_\_\_\_\_

Location: \_\_\_\_\_

- 5  The child is deceased and the court will conduct a review of the juvenile case file and any filed objections.

- 6  Other: \_\_\_\_\_

*Clerk stamps date here when form is filed.*

**FILED**  
**MADERA SUPERIOR COURT**

**FEB 26 2021**

\_\_\_\_\_  
 CLERK

\_\_\_\_\_  
 DEPUTY

*Fill in court name and street address:*

**Superior Court of California, County of Madera**  
 200 S G Street  
 Madera, CA 93637

Juvenile Division

*Fill in child's name and date of birth:*

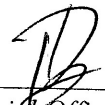
**Child's Name:**  
 Thaddeus Sran

**Date of Birth:**  
 05-16-2018

*Court fills in case number when form is filed.*

**Case Number:**  
 MJP018547

Date: 2-21-24

  
 \_\_\_\_\_  
 Judicial Officer

cc: County Counsel - Placed in will-call box in Juvenile Division  
 cc: Mailed to: Garrett Herolf, Briseida Sran, Sukhinder Sran

**Order After Judicial Review on  
Petition for Access to  
Juvenile Case File**

1 Name of petitioner: Garrett Therolf (TRP at UC Berkeley)

**The court finds and orders:**

2  After a review of the juvenile case file and review of any filed objections  and a noticed hearing, the court denies the request.

Reason(s) for denial:

- a.  Access is not in the child's best interests.
- b.  The need for access does not outweigh the privacy rights of the child and the policy considerations favoring confidentiality of the juvenile case file.
- c.  Petitioner has not shown by a preponderance of the evidence that the records requested are necessary and have substantial relevance to the legitimate need of the petitioner.
- d.  There are no responsive records.
- e.  Other: \_\_\_\_\_

3  After a review of the juvenile case file and review of any filed objections  and a noticed hearing, the court grants the request. The petitioner has shown by a preponderance of the evidence that access to records is necessary and that records have substantial relevance to the legitimate needs of the petitioner. The court has balanced these needs with the child's best interest. The court finds that the need for access outweighs the policy considerations favoring confidentiality of juvenile records.

a.  The following records may be disclosed:  with redactions  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  The procedure for providing access is:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c.  See attached.

4  The child is deceased, and the request is granted.

a.  The court has read and considered the following:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Clerk stamps date here when form is filed.*

**FILED**  
MADERA SUPERIOR COURT

FEB 26 2021

\_\_\_\_\_  
CLERK  
\_\_\_\_\_  
DEPUTY

*Fill in court name and street address:*

Superior Court of California, County of  
Madera  
200 S G Street  
Madera, CA 93637  
  
Juvenile Division

*Fill in child's name and date of birth:*

Child's Name:  
Thaddeus Sran  
  
Date of Birth:  
05-16-2018

*Court fills in case number when form is filed.*

Case Number:  
MJP018547

*CC: County Counsel - Placed in will-call box in Juvenile Division  
CC: Mailed to: Garrett Therolf, Briseida Sran Subjinder Sran*



Your name: Garrett Therolf (IRP at UC Berkeley)

- 4 b.  There is a presumption under Welfare and Institutions Code section 827(a)(2)(B) in favor of the release of the documents unless a statutory reason for confidentiality is shown to exist. The court has balanced only the interests of the child who is the subject of the juvenile case file and the interests of other children who may be named in the file with \_\_\_\_\_.
- c.  The following records may be disclosed:  with redactions  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d.  The procedure for providing access is:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e. Any information that relates to another child or could identify another child, except for information about the deceased, must be redacted.
- f.  See attached.

5  The child is deceased and the request is denied. The court finds by a preponderance of the evidence that access to the juvenile case file or of any portion of it is detrimental to the safety, protection, or physical or emotional well-being of another child who is directly or indirectly connected to the juvenile case that is the subject of the request.

**Additional orders:**


- 6 a.  Petitioner may not disseminate the information to anyone who is not specified in Welfare and Institutions Code section 827 or 827.10.
- b.  Petitioner may disseminate the disclosed records listed in item 3a only to: \_\_\_\_\_  
\_\_\_\_\_  
 as redacted     subject to protective order     additional orders attached

7  Disclosure subject to protective order (list orders): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8  Other: \_\_\_\_\_  
\_\_\_\_\_

9  See attached.

Date: 2-24-21

  
\_\_\_\_\_  
Judicial Officer

**PROOF OF SERVICE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Francisco, State of California. My business address is 560 Mission Street, 27th Floor, San Francisco, California 94105.

On June 29, 2021, I served true copies of the foregoing document on the interested parties in this matter as follows:

**Superior Court of California, County of Madera  
Department 36, Juvenile Division  
200 South G Street  
Madera, California 93637**

**Madera County Department of Social Services  
720 East Yosemite Avenue  
Madera, California 93637**

**BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on June 29, 2021, at San Francisco, California.

/s/ Irving Girshman