

INITIAL HEARING SCENARIO

A new case comes into court. Two children, a 12 year old girl (Brianna), and a 1 year old boy (Jason), have been detained from their young mother (Martha) due to allegations of drug use and domestic violence between the mother and her boyfriend (Jason's father Frank). Brianna has a different father (Fred) who has not been around for several years.

Additional information contained in the detention materials includes a short police report detailing a home call made by the police a month earlier in which screaming had been heard coming from the home, but no arrests were made and all parties denied any problems. At that time, the Mother did admit that Brianna's father Fred, whom she hasn't seen in a couple of years, used to beat her. She denies current domestic violence between herself and Jason's father. There was no follow up until the current detention, which resulted from Jason's father being arrested for selling methamphetamine in the alleyway adjacent to the family apartment building. A search of the family's apartment incident to the arrest yielded more drugs, and as the children were present with their mother, they were detained in the ensuing chaos. There is no police report attached relating the events that led to the actual detention of the children.

At an interview conducted by the social worker after removal from the home, Brianna, whose speech is somewhat difficult to understand, made statements indicating she had seen Jason's father hit her mother, and also that her mother sleeps a lot during the day. Additionally, while Brianna may meet the requirements for sixth grade, she has not been enrolled for the new school year. The social worker's report indicates that Mother has a sister who may be available to take the children into her home, but the children are currently placed in a foster home together.

ADDITIONAL FACTS AT INITIAL HEARING

Brianna and her mother are present at the hearing. Brianna was brought in through court transportation. Jason's father was released from custody and is now whereabouts unknown. The maternal aunt also comes with the mother to court.

ADDITIONAL FACTS AT THE JURISDICTIONAL HEARING

SW's report states that Mother continues to deny sale or use of drugs, current domestic violence or other problems in the home. She very much wants her children returned to her and has pledged to keep Jason's father away from the children. She has been visiting consistently, but cries when the visit is over, which is difficult for the children, and they start crying too.

Neither father is available for interview.

Brianna is interviewed for the jurisdictional report and she is now saying that nobody has ever hit anybody, but still says that mother sleeps a lot during the day. She has no knowledge of drug use or sales in the home. Brianna also states that she stopped going to school because she was constantly bullied because she felt more comfortable in boys' clothes and that is what she would wear to school. After an assessment, both children were placed on an emergency placement with the maternal aunt and she begins the resource family approval process.

Further CSW investigation reveals that Mother had a child in between Brianna and Jason who is living with a different maternal relative in another county. That maternal relative was contacted and tells the CSW that Mother had a prior Child Welfare referral and she gave that child up for legal guardianship a couple years ago. She doesn't know if Brianna was ever involved in these proceedings. Maternal relative tells the CSW that she took this child in because the Mother was

overwhelmed by caring for two children, and that the father was abusive. The father of this child is also Jason's father.

Jason's hospital/birth records are attached and they reveal that no testing for drugs was done, but that he was a low birth weight baby and had difficulty breast feeding. Mother had no prenatal care with regard to Jason as far as the CSW can tell.

The jurisdictional report requests that the petition be sustained as pled and that all parents be denied family reunification services.

ADDITIONAL FACTS AT THE STATUS REVIEW HEARINGS

Mother has been complying with the case plan somewhat sporadically, but visiting often and appropriately. She enrolled late in a DV class, and attends occasionally, completed parenting, and has missed drug tests. She is currently employed. She continues to maintain that she has had no contact with Jason's father. She is living in a small studio apartment in a rough area of town that she insists is appropriate for both children.

Brianna and Jason are doing well in the home of their maternal aunt. Brianna is in school, but a grade behind and continues to have some difficulties completing assignments, and still complains of bullying. Jason, now close to a year old, is just beginning to sit up and is not verbalizing at all.

Maternal Aunt states that if Mother can "get her act together," she should get her children back, but in her opinion, Mother is doing the bare minimum to reunify just so she can get the welfare check. Maternal aunt reports no problems with visits and also states that she has not seen either Father nor heard that they are around. Maternal aunt would be interested in either legal guardianship or adoption if reunification efforts fail.

Brianna wishes to return to Mother but is happy at the aunt's house. Even though Maternal Aunt provides day care for other children and Jason, Jason is now relating to his aunt as his mother, and treats mother as a "friendly visitor," when mom visits.

ADDITIONAL FACTS AT THE SELECTION AND IMPLEMENTATION and/or THE POSTPERMANENCY HEARING

Mother's services were terminated at the last review hearing, and a WIC 366.26 Hearing was set for consideration of adoption or guardianship in the home of the Maternal Aunt.

Mother has continued to visit often and appropriately, with Maternal Aunt supervising. Mother has now completed 75% of her domestic violence classes, has continued to test clean when testing, but has missed a few drug tests. Mother also maintains the same job and apartment.

Brianna and Jason are still doing well in the aunt's home, and both children state they would like to stay with maternal aunt.

Jason is pending a guardianship with his aunt. Brianna has been moved to a foster home due to escalating behavior and difficulty in school. Her aunt no longer wishes to assume guardianship and Brianna and her current plan is "Placement with Smith Foster Home, with a permanent plan of placement with a fit and willing relative." The Agency is hopeful that the aunt will reconsider

placement of Brianna once the aunt's resource family approval process is complete and she has acquired more resources and knowledge to assist her in caring for Brianna.

Brianna still visits her aunt and her mother, but is struggling with her placement, school and social activities.

Brianna expresses a desire to meet more of her father's side of the family. She has not had a relationship with her paternal relatives and her father has not provided much information about his side of the family.