

IN-HOME TRUANCY SCENARIO

Dillon is a 15 year old boy in the 8th grade that was adjudicated at the beginning of February due to truancy and behavior issues in the school.

At the adjudication hearing, the caseworker testified to the following:

- Dillon had missed a total of 54 days of school, with 45 of those unexcused absences.
- Dillon was averaging 10 absences per month.
- Dillon is at risk of failing if he does not bring up both his math and science grades.
- Dillon tested positive for marijuana.
- Dillon had been given out of school suspension for 6 of the absences due to disruptive behavior in the classroom and pushing another student.
- Dillon's parents are separated, but live in the same school district. Dillon goes back and forth between his mother and father, both of whom work.
- The agency is concerned that the parents both leave for work before the bus and have to rely on Dillon to get himself up and ready.

At the conclusion of the testimony, the Hearing Officer recommended the following:

1. Dillon to attend school daily without any further unexcused absences,
2. Dillon to complete a drug and alcohol evaluation and follow through with any recommended treatment,
3. The agency to provide random drug screenings to Dillon, and
4. The family to be offered a Family Group Decision Making Conference.

At the permanency hearing three months later the caseworker testified to the following:

- Dillon had missed 6 days of school since the last hearing (4 unexcused, 1 excused and 1 medical).
- Dillon completed his drug and alcohol evaluation, which recommended group sessions 1x per week. Dillon missed his last group session.
- The agency has randomly drug tested Dillon a total of 5 times since the last hearing. The first 2 tests were positive for marijuana and the last 3 tests were clean.
- Dillon has not had any behavior issues in the school since the last hearing.
- Dillon failed his last math test, but got a B on a big science test.
- The family had a Family Group Decision Making conference two weeks ago.

The agency is recommending Dillon be placed outside of the home for the remainder of the year due to continued absences, testing positive for marijuana, missing his last group session and being at risk to fail for the school year.

QUESTION:

What are the indicators for each Progress and Compliance?

What would you recommend?

How would you advocate for your client?

INTERNET PARAMOUR SCENARIO

Ms. Jones is a single mother of two daughters, Madison age 9 and Macie age 11. The girls were placed in kinship care back in 2010, by emergency custody order, due to sexual abuse allegations, but were shortly returned to Ms. Jones' care when the allegations were unsubstantiated. The children entered kinship care again on September 1, 2013 following an investigation by Children and Youth due to allegations that the girls were sexually assaulted by Ms. Jones' paramour, Steve, whom she had met on the internet in August 2013. Ms. Jones moved in with Steve a week after they met "in person" stating that she was being evicted and needed a place for her and her children. Ms. Jones herself had been a victim of sexual abuse when she was a child. The girl's father has been identified, but his whereabouts are unknown at this time. A permanency plan was developed with the family and signed by mom.

Included in the initial permanency plan was the following:

- Madison and Macie to receive victimization counseling for sexual abuse,
- Ms. Jones to participate in non-offenders counseling to understand how to better keep her children safe from people and circumstances,
- Ms. Jones to attend victimization counseling for past sexual abuse issues,
- Ms. Jones to receive a mental health evaluation,
- Ms. Jones to obtain and maintain housing,
- Steve to have no contact or communication with the girls, and
- Visitation to occur weekly supervised until Ms. Jones shows her ability to keep the girls safe.

At the first permanency hearing, the following testimony was provided to the court:

- The girls and Ms. Jones had been attending all of their counseling appointments.
- Weekly visitation was going well.
- There is good interaction and affection between Ms. Jones and the girls.
- During an unannounced home visit, the Caseworker found 3 "friends" (2 men and 1 woman) of Ms. Jones, who had spent the night.
- Ms. Jones could not remember the last name of 2 of the individuals. Ms. Jones testified that she makes sure that she gets to know anyone she meets over the internet through several emails and skype occurrences before any face-to-face interaction and doesn't see them as strangers when she finally meets them.
- The girls reported to their Guardian ad Litem that they do not feel comfortable around their mom's friends.

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LIMITED PARENT SCENARIO

Child was adjudicated at the last hearing. The disposition was for the child, age 11, to remain home with the parents. The case is listed for an initial permanency review. At the time of the filing of the petition the child had missed 68 days of school. Mother and father were scheduled for a hearing at District Court regarding a truancy citation. The matter was continued and is still pending. When the caseworker visited the home the caseworker observed that the home smelled like trash. In the home there was soiled clothing all over the floor and dirty dishes in both the kitchen and the living room. Mother and father both have a history of depression and are low functioning. Father and mother receive SSI benefits. Neither parent has ever held full-time employment.

At the adjudicatory hearing mother and father were ordered to:

- Attend parenting education classes,
- Ensure the child attend school daily and on time,
- Both parents were to have mental health evaluations,
- Comply with the family finding coordinator, and
- Provide a list of all of their monthly expenses and a copy of their income statements.

At the initial permanency review hearing the caseworker testified to the following:

- That the week after the adjudicatory hearing the child attended school daily; however, since that time period the child has not returned to school. The caseworker first learned about the absences two days before the hearing when he contacted the school.
- At the home visit that same day the caseworker observed that there was no clothing on the floor and the dishes were clean and put away. The home still had a really strong odor.
- Mother and Father participated in 10 out of 10 parenting classes.
- Mother and Father had both completed their mental health evaluations.
- Mother and Father were not cooperating with the family finding coordinator. Father testified that he did not think it was important and he does not want his family knowing his business.
- Mother and Father did not provide a list of their expenses nor a copy of their income statements.

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INDEPENDENT LIVING SCENARIO

Case history:

- 10/02/14: Agency received a report that Child, Jessie, has an extensive history of unstable mental health, substance abuse and frequent runaway behaviors. The report further stated that Mother is addicted to pain medication and suffers from severe mental health issues. Mother and Child were engaged in services to address the concerns. Jessie is 15 years of age and is enrolled in the 9th grade of the local high school. Child is diagnosed with PTSD, Oppositional Defiance Disorder, and Mood Disorder. Child is currently active with the Truancy Unit. Child has been hospitalized several times and has threatened suicide on more than one occasion.
- 10/23/14: Father advised Children and Youth that Mother was hospitalized for overdosing on her prescribed medication. It reportedly occurred several times in the past.
- 10/24/14: Father stated he was unable to control Child's behavior and is unable to ensure Child's safety. Father requested voluntary placement of Child.
- 12/03/14: Child adjudicated and temporary custody was transferred to the Agency with a placement goal of reunification to parents and a concurrent goal of Another Planned Living Arrangement (APPLA).

At the adjudication hearing the following was ordered:

1. Mother shall maintain a stable mental health, and participate in mental health counseling
2. Mother and Father shall exhibit the ability to manage the behaviors of an adolescent with mental health and drug/alcohol issues, and participate in the following services:
 - a. Family therapy;
 - b. Al-Anon Family Group
 - c. Parenting education geared toward adolescents.
3. Child shall exhibit the ability to maintain a stable mental health, and a clean and sober lifestyle. Child will participate in the following services:
 - a. Family therapy, and
 - b. Outpatient drug/alcohol services, including random urine screens.
4. Child shall follow the rules of his placement provider, including attending school on a regular basis.

At the permanency hearing on 5/3/15, the following testimony was provided:

- Mother attended all mental health services and did not have any reports of overdose incidents or mental health admissions.
- Mother and Father participated in all family therapy sessions.
- Mother and Father attended all Al-anon family services.
- Child had a stable adjustment at his group home placement.
- Child attended outpatient drug and alcohol treatment as scheduled.
- Child attended school daily.

- Home passes began on 01/15/15. During the first home pass, child visited with friends and did not return home at the scheduled time. When parents' addressed this with child, the child became argumentative.
- During the second home pass, child visited with friends and returned home at the scheduled time. When child returned to the group home, he was found to be in possession of marijuana. Child stated he got it from one of his friends he visited while on the home pass.
- During the rest of the home passes, child was able to follow parents' directions. He did not present with any drug/alcohol use issues.

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DRUG AND ALCOHOL/SEXUAL ABUSE

Case History:

- Child 5 years old was adjudicated dependency in January 2014 due to homelessness, mother's drug and alcohol use of heroin, unsafe caretakers and child's sexual abuse by one of mother's paramours.
- Child was placed into foster care at the shelter hearing and remained in care until October 2014, at which time the mother had secured housing, completed drug and alcohol and remained clean.
- Child was placed again a few weeks after his return home due to another sexual abuse allegation by a caretaker.
- Child was returned in December 2014 upon the mother's completion of parenting counseling and non-offender counseling. At the permanency hearing in March, mother continued to remain clean and attended methadone clinic regularly, child was attending counseling to address the sexual abuse, the child was attending head start and mental health counseling regularly. Mother had missed a few medical and counseling appointments for the child due to work, but rescheduled the appointments.

At the permanency hearing in June 2015:

The agency recommended continued dependency to monitor continued progress due to the following:

- The child continues to wet and soil himself at school
- The mother waits until the last minute to schedule things for the child
- The mother will not complete her methadone treatment until October
- The agency had to help mother get an appointment to refill the child's medication on two occasions
- The agency had to assist the mother in completing a school meeting to address his needs in head start
- The mother and child are currently living with the grandmother, opposed to mother having her own housing
- The complexity of the case issues when the case was first opened warrant a longer demonstration in compliance of services

The Mother does not agree with the agency's recommendations and asks for dependency to be terminated based on the following testimony presented by mother and sexual abuse counselor:

- The mother has been clean for a year
- When she started methadone, she was at 80% and now is at 17%. Mother decreases 2% every 2 weeks and expects to be done with methadone completely by October
- Mother has made all of the appointments for the child, except the medication appointment because the doctor refused to talk to the mother without confirming with the agency since the child was dependent
- The mother has provided and been using a list of caretakers, including family, which was approved by the agency

- The mother testified that she works Monday through Friday from 7:00am – 2:00pm. Mother testified to her weekly calendar of appointments for she and the child and admitted that sometimes she is last minute getting things done, but things always get done
- Sexual Abuse Counselor expressed mothers active involvement in the child's treatment, that mother is always the one making the appointments and that she had no concerns of mother continuing the child's counseling
- Mother is working with the school to address his wetting and soiling of his pants, which are both behaviors that can be present after a child has experienced sexually abuse, as indicated by the Counselor during phone testimony

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