

## Child Welfare Case Plan (Child in Substitute Care, DHS has Custody)

Case.....SMITH, IRVIN P - FT61448	Date..... 04/22/2007
Worker.....Michelle Straughan(32AF)	
Branch.....Wallowa(32)	

### Child Information

Child Name..... <u>Ann S. Jones</u>	Person Letter. <u>C</u>
Date of Birth..... <u>01/10/2000</u>	Age..... <u>Yr: 7 Mo: 3</u>
Primary Language... <u>EN - English</u>	
Most Recent Removal from Home: <u>03/30/2007</u>	

### Mother's Information

Mother's Name..... <u>STEPHANIE A. SMITH</u>
Date of Birth..... <u>9/5/1980</u>
Primary Language... <u>EN - English</u>

### Father's Information

Father's Name..... <u>RANDALL JONES</u>
Date of Birth..... <u>4/6/1999</u>
Primary Language... <u>EN - English</u>
Fathers Legal Status: <u>Legal</u>
Legal Status: Stephanie and Randall were married at the time of Ann's conception and birth. Randall is the legal father on Ann's Birth Certificate. Randall's whereabouts are currently unknown. He has had no contact with Ann since Stephanie and Randall divorced when Ann was 1 year old. Stephanie thinks Randall may be living in Washington state. A search is underway to locate Randall Jones.

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Child Name..... Michael I. Smith Person Letter. D  
Date of Birth.....01/24/2002 Age.....Yr: 5 Mo: 2  
Primary Language... EN - English  
Most Recent Removal from Home: 03/30/2007

### **Mother's Information**

Mother's Name..... STEPHANIE A. SMITH  
Date of Birth.....9/5/1980  
Primary Language... EN - English

### **Father's Information**

Father's Name..... IRVIN P. SMITH  
Date of Birth.....4/1/1980  
Primary Language... EN - English  
Fathers Legal Status: Legal

#### Legal Status:

Irvin and Stephanie were married at the time of Michael's conception and birth. Irvin is listed as legal father on Michael's birth certificate. Stephanie and Irvin remain married and are living together in the family home.

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### Identified Safety Threats

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Oregon Safety Threat # 2 - One or both parents' or caregivers' behavior is violent and/or they are acting (behaving) dangerously. Irvin has perpetrated physical and emotional violence against Stephanie in the presence of the children on multiple occasions. The children have both attempted to physically and verbally intervene on behalf of their mother on more than one occasion. Both children report being very fearful of Irvin and have said they are afraid that he will hurt or kill their mother.

Oregon Safety Threat # 3 - One or both parents' or caregivers' behavior is impulsive or they will not/cannot control their behavior. Stephanie and Irvin both report that they decide to go to "party" on the spur of the moment and leave the children without adequate supervision. The parents have addictive patterns and behaviors that are uncontrolled and leave the children in unsafe situations such as alone, after dark, on a busy roadside.

Oregon Safety threat #8 - A situation, attitudes and/or behavior is such that one or both parents or caregivers lack parenting knowledge, skills and/or motivation necessary to assure a child's safety. Both parents admit there have been at least 6 occasions in the past few months when the children have been left alone for a minimum of several hours. Despite being advised of the children's statements that they were afraid, neither parent understands the threat to the children's safety caused by leaving them without appropriate supervision and protection.

### Safety Analysis

#### Safety Analysis

The unsafe circumstances including lack of supervision and exposure to domestic violence have occurred on at least 6 recent occasions and appear to be increasing in frequency over the past several months. Both parents lack an understanding of their protective role in relation to adequate supervision and protection for the children. Both parents are choosing to party (including excessive use of alcohol and possible meth use) several nights a week rather than providing appropriate supervision for the

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children. Irvin has perpetrated violence against Stephanie in front of the children placing the children at threat of severe harm. Irvin does not recognize the significant negative effects of his violent and controlling behaviors on his children. Stephanie is minimizing the seriousness of the domestic violence, is blaming herself for Irvin's violent and controlling behaviors, and denies the children have been afraid or are at threat of severe harm from the violence perpetrated by Irvin.

### **Disposition**

#### Disposition

The assessment was founded for Neglect: Lack of Supervision and Protection against both parents in relation to both children; and Threat of Harm: Domestic Violence against Irvin in relation to both children.

### **Indian Child Welfare Summary**

#### Indian Child Welfare Summary

ICWA forms were completed by Stephanie and Irvin indicating ICWA does not apply. A search is underway to locate Ann's legal father and an ICWA inquiry will be made upon locating him.

### **Hearing Information**

#### Type of Hearing:

Dispositional  
Jurisdictional

#### Type of Hearing Narrative:

Stephanie and Irvin have denied the allegations. Randall Jones has not yet been located. The Jurisdictional/Dispositional hearing is scheduled for May 15, 2007.

### **Legal Information**

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**Jurisdictional Basis:**

The children are in the temporary custody of DHS pending the jurisdictional hearing.

**Location of Child**

Type of Current Placement(s):  
Relative foster home

Type of Current Placement(s) Narrative:

The children were placed in Shelter Care on 3/30/07. The children were moved to a relative foster home (maternal grandmother) on 4/22/07 as part of an out-of-home ongoing safety plan developed at the Child Safety Meeting.

**Relative Search and Current Placement**

**Relative Search and Current Placement:**

The maternal grandmother was identified as a potential placement resource at the time the children were taken into care. DHS needed some additional information regarding her appropriateness to serve as a relative provider, so the children were originally placed together in Shelter Care. The maternal grandmother has continued to engage with DHS and has recently been certified as the relative foster provider. She has indicated she is willing to be considered as both a temporary and permanent placement resource as needed. Letters have been sent to a maternal sister, aunt and cousin, and to Irvin Smith's parents and siblings. Family foster care is the most appropriate and least restrictive placement for these children as they have spent substantial time in their grandmother's home and have a strong relationship with her. Out of home placement is necessary as Irvin and Stephanie are currently unable and/or unwilling to comply with the requirements of an in-home ongoing safety plan.

**Child Safety and Well Being**

**Child Description, Their Needs and Well-Being:**

Both children have had medical and mental health assessments since placement. Both children are currently within normal ranges for physical development and have

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no unmet health needs. Both children reported to the assessing mental health worker that they have been having nightmares and feel anxious and fearful that their mother will be hurt or die while they are away from her. Recommendations were made within the mental health assessments that both children enter into mental health counseling to address past trauma as well as the current separation from their parents. Both children attended their first counseling session this past week. The children reportedly enjoyed meeting with their counselors and told their grandma they think they will like having someone to talk to about the things that have been scaring them. Ann is functioning quite well at school both academically and with her peers. Her teacher reports she has recently seemed much more quiet and distracted than usual, but continues to complete her work and requires no special assistance. Over the past few months, Michael has been experiencing some increasing behavioral problems with peers (aggressively taking toys away from others, pushing other children down, raising his fist to hit, etc.) at his Preschool. The preschool teacher and maternal grandmother have agreed to meet with the mental health therapist and caseworker next week to discuss some of the behavioral concerns and ways to assist Michael. Ann and Michael are very close and rarely experience conflict with each other. They are unable to sleep unless they are together in one bedroom. Ann frequently "parents" Michael and maternal grandmother is currently working with the therapist to help reassure Ann that Ann does not have to feel responsible to take care of Michael.

Youth Transitional Programs and Services:  
n/a

### **Protective Capacity**

Relationship: Mother

Protective Capacity

Existing Protective Capacity:

Stephanie has and demonstrates the ability to provide for the basic physical needs of

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her children. She provides nutritious meals, seeks appropriate medical care as needed, provides a clean and physically appropriate home, and assists the children with their personal hygiene routines.

Stephanie has a history of being protective. She has made efforts at safety planning with the children in response to the violence perpetrated by Irvin.

**Diminished Protective Capacities:**

Stephanie does not demonstrate impulse control. She has failed to plan for her children's safety prior to acting on her urges/desires to "party" including excessive use of alcohol and occasional meth use.

Stephanie does not fully understand her protective role and does not adequately plan to protect the children. She is unrealistic in her expectations of the children to keep themselves safe and underestimates the dangers to the children related to lack of adequate supervision and exposure to the domestic violence perpetrated by Irvin.

Stephanie does not perceive her family's life circumstances accurately. She does not adequately recognize the safety threats to the children posed by the lack of supervision and exposure to Irvin's violent/controlling behaviors. Stephanie minimizes the seriousness of the level of violence that the children have experienced in their home and does not recognize the resulting negative emotional impacts on the children.

Relationship: Father

**Protective Capacity**

(Stepfather to Ann, father to Michael)

**Existing Parental Protective Capacity:**

Irvin has and demonstrates the ability to take action to provide for the material needs of the children. He maintains steady, stable employment in order to financially support the family in obtaining nutritious meals, medical care as needed, and maintaining a physically adequate home.

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**Diminished Protective Capacities:**

Irvin does not demonstrate impulse control. He has failed to plan for the children's safety prior to acting on his urges/desires to "party" including excessive use of alcohol.

Irvin does not understand his protective role and does not adequately plan to protect the children. He is unrealistic in his expectations of the children to keep themselves safe and underestimates the dangers to the children related to lack of adequate supervision and exposure to his violent and controlling behaviors.

Irvin is not self-aware as a caregiver. He does not understand the cause and effect relationship between his violent/controlling behaviors and the negative impacts on the children. Irvin does not recognize his behaviors as being dangerous to others and in conflict with his responsibilities as a caregiver.

**Reasonable/Active Efforts to Prevent Placement**

**Reasonable/Active Efforts to Prevent Placement:**

There were no efforts possible at the time of placement to prevent placement. Irvin was too intoxicated to provide for the safety of the children and Stephanie's whereabouts were unknown. Since the time of placement, efforts to reunify have included multiple contacts between the caseworker and family members to analyze how the safety/lack of safety is operating within the family in the attempt to develop an in-home safety plan. Relative search activities including the certification of a relative foster provider (maternal grandmother) and placement of the children in her care. A Child Safety Meeting was held in the attempt to create an in-home ongoing safety plan.

**Ongoing Safety Plan**

Ongoing Safety Plan:

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Neither Stephanie nor Irvin currently acknowledge any recognition the threats to the children's safety posed by the lack of supervision and exposure to domestic violence. Neither Stephanie nor Irvin are willing to consider Irvin leaving the home to allow Stephanie and the children to be in the family home with another responsible adult present to ensure adequate supervision and no further exposure to domestic violence. Both parents consistently stated if the children cannot come home with both parents, and no one else, in the home, they should stay with Stephanie's mother, Mrs. Jones. Further interviews with Mrs. Jones have allowed DHS to conclude that she is willing and able to serve as a safe relative foster parent to the children. Provisional certification will occur over the next 24 hours to allow the children to transition to her home from Family Foster Care. All contact between the children and their parents will be supervised by DHS. Mrs. Jones has agreed to immediately report to the caseworker if either parent attempts to make any type of contact with the children without DHS supervision. The SSA, Certifier and Caseworker will make unannounced visits to the relative foster home to ensure the safety and well-being of the children.

\* SAFETY THREATS  
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\*CPS worker selects identified safety threats that are still present at the conclusion of the CPS assessment. Justify the selection below. Safety threats identified that no longer exist are explained in assessment activities.

- > (2) One or both parents' or caregivers' behavior is violent and/or they are acting (behaving) dangerously.
- > (3) One or both parents' or caregivers' behavior is impulsive or they will not/cannot control their behavior.
- > (8) A situation, attitudes and/or behavior are such that one or both parents or caregivers lack parenting knowledge, skills, and motivation necessary to assure a child's safety.

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### Visitation Plan

Visitation Plan:  
See attached supervised visitation plan.

### Permanency Planning

#### Case Plan Development:

Both Stephanie and Irvin participated in the Protective Capacity Assessment process to assist in identifying the goals of the case plan. Oregon Family Decision Meetings (one was held for each parent and their extended family members) were held on May 22nd and extended family members from both Stephanie and Irvin's families were present to contribute to the case planning process. The caseworker advised the participants of both meetings as to services available within the community to support the parents in achieving the outcomes of the case plan.

Primary Permanency Plan: Place with parent (return to parent home)

#### Explanation:

This option was discussed and decided upon at both OFDMs.

#### Conditions for Return:

1. Stephanie and/or Irvin must demonstrate a basic recognition of how their own thoughts, emotions and behaviors have contributed to the current lack of child safety and demonstrate a desire to increase her/his ability to protect the children from the safety threats.
2. Stephanie and/or Irvin must agree that they will not be in the presence of each other while the children are present.
3. Stephanie and/or Irvin must demonstrate a willingness and ability to comply with an in-home ongoing safety plan, including accepting the services/presence of safety service providers as determined necessary by DHS to assure the children's safety.

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Expected Outcomes:

1. Ann and Michael will have parent(s)/legal caretaker(s) who can and will consistently and appropriately plan for and provide for the children's safety prior to acting on their own urges/desires.
2. Ann and Michael will have parent(s)/legal caretaker(s) who understand the damaging impacts on Ann and Michael of exposure to domestic violence and who consistently take appropriate actions to effectively protect the children from exposure to domestic violence.

Actions:

Stephanie has chosen to begin to participate in the Women's Empowerment Group, individual mental health therapy, and will attend her children's mental health therapy sessions as directed by the children's therapists. The intent of these actions is for Stephanie to gain knowledge about the safety needs of her children, including the impacts on the children from the lack of adequate supervision and exposure to domestic violence. Stephanie may also choose to attend AA meetings if she is unable to maintain a level of sobriety that will allow her to meet her children's needs. DHS has also offered additional referrals to Stephanie including a substance abuse assessment and any necessary treatment referrals, and one-on-one Parent Training services, but Stephanie reports she is not interested in those services at this time.

Irvin reports he has decided to enroll in the Batterer's Intervention Group to learn more about domestic violence in general and to further consider whether his behaviors have had any negative impacts on his family. DHS has also offered referrals to a substance abuse assessment and mental health assessment and support in obtaining any necessary treatment and/or counseling services as needed. Irvin was also advised of the parent education services available through DHS and within the local community. Irvin reports he is not interested in substance abuse, mental health or parent education services at this time.

Concurrent Permanency Plan: Adoption

Explanation:

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**Progress to Date:**

Conditions for Return: Stephanie and Irvin are not yet ready to enter into an ongoing safety plan that would require anything other than the return of the children to both of them at the family home with no other safety services. Those conditions are not adequate to manage the identified safety threats and the current placement in relative foster care is the most appropriate, least restrictive safety plan at this time.

Expected Outcomes: Stephanie has begun attending the Women's Empowerment Group and has an intake appointment scheduled next week with a mental health therapist. Stephanie appears to be considering the possibility that her children require more supervision than was provided prior to them coming into care, but has not reached that conclusion quite yet. Stephanie continues to blame herself for the violence perpetrated on her by Irvin and to minimize the seriousness of the violence and the impacts of the violence on her children. The Department will continue to reassess with Stephanie the appropriateness/effectiveness of the services/activities and will make additional referrals if needed in order to assist Stephanie in reaching the expected outcomes.

Irvin has verbally expressed a willingness to participate in the Batterer's Intervention Program, but has failed to attend two recently scheduled intake sessions. Irvin continues to blame Stephanie, the children, and DHS for the family's problems and appears unable or unwilling to consider what role his beliefs and behaviors have had on the lack of child safety. The Department will continue to reassess with Irvin the appropriateness/effectiveness of the services/activities and will make additional referrals if needed in order to assist Irvin in reaching the expected outcomes.

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Primary and Concurrent Permanency Plan Parental Discussion:  
Concurrent permanency planning and ASFA timelines were discussed individually with both parents by this caseworker during the Protective Capacity Assessment and prior to and during the OFDMs.

### **Filing Decision**

Filing Decision:  
Circumstances requiring filing of a TPR petition do not exist at this time.

### **Substitute Caregiver Information**

The relative foster provider has actively connected with Michael's preschool teacher and both children's mental health therapists in order to support her in meeting the children's specific needs while they are in her care.

### **Face-to-Face Contact**

Caseworker Contact with Child and Parent:

Contact dates with child:

Contact dates with mother:

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Contact dates with father:

Contact dates with relative caregiver/foster parent/provider:

Collaterals, Relatives, others:

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**Child and Family Information**

Mother Information

Mother's Name..... STEPHANIE A. SMITH  
Whereabouts..... In Home Confidential Address **No**  
Bldg/Apt..... \_\_\_\_\_  
Street..... \_\_\_\_\_  
City, State, Zip..... \_\_\_\_\_ , \_\_\_\_\_  
Phone Number ..... \_\_\_\_\_

Father Information

Father's Name..... RANDALL JONES  
Whereabouts..... Unkn Whrabts Confidential Address **No**  
Bldg/Apt..... \_\_\_\_\_  
Street..... \_\_\_\_\_  
City, State, Zip..... \_\_\_\_\_ , \_\_\_\_\_  
Phone Number ..... \_\_\_\_\_

Father's Name..... IRVIN P. SMITH  
Whereabouts..... In Home Confidential Address **No**  
Bldg/Apt..... \_\_\_\_\_  
Street..... \_\_\_\_\_  
City, State, Zip..... \_\_\_\_\_ , \_\_\_\_\_  
Phone Number ..... \_\_\_\_\_

CASA Information

CASA Name..... \_\_\_\_\_  
Bldg/Apt..... \_\_\_\_\_  
Street..... \_\_\_\_\_  
City, State, Zip..... \_\_\_\_\_ , \_\_\_\_\_  
Phone Number ..... \_\_\_\_\_

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Attorney Information

Attorney Name..... \_\_\_\_\_  
Representing..... \_\_\_\_\_  
Bldg/Apt..... \_\_\_\_\_  
Street..... \_\_\_\_\_  
City, State, Zip..... \_\_\_\_\_, \_\_\_\_\_  
Phone Number ..... \_\_\_\_\_

Other Significant Persons/Relatives:

Name..... \_\_\_\_\_  
Relationship..... \_\_\_\_\_  
Bldg/Apt..... \_\_\_\_\_  
Street..... \_\_\_\_\_  
City, State, Zip..... \_\_\_\_\_, \_\_\_\_\_  
Phone Number ..... \_\_\_\_\_

**Additional Information**

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**Signature**

Caseworker: \_\_\_\_\_

Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

Parent/Legal Guardian: \_\_\_\_\_

Date: \_\_\_\_\_

Parent/Legal Guardian: \_\_\_\_\_

Date: \_\_\_\_\_

**Mailing Information**

Copies of this form mailed by (signature): \_\_\_\_\_

Date: \_\_\_\_\_

To:

Mother: \_\_\_\_\_

\_\_\_\_\_

Father: \_\_\_\_\_

\_\_\_\_\_

Attorney: \_\_\_\_\_

\_\_\_\_\_

Legal Guardian: \_\_\_\_\_

\_\_\_\_\_