

GOOD COPY

SHAPE * MERGEFORMAT

REPORT TO THE COURT

Date Written: March 10, 2009

Hearing Date: March 23, 2009

Minor: Danielle Doe	Case: 06-Z-XX-XXX	DOB: 03/05/1996
----------------------------	--------------------------	------------------------

Persons Interviewed Regarding the Situation:

<u>Name</u>	<u>Title/Relationship</u>	<u>Contacts</u>
Danielle Doe	Minor Child	10/6/08; 10/13; 10/20; 10/27; 11/10; 11/24; 12/1; 12/8; 12/15; 1/5; 1/12; 1/14; 2/2; 2/9; 2/23
Valerie L.	Current Foster Parent	11/10/08; 11/17; 12/15; 1/4; 1/26; 2/9
Kate Cost	DHHS Social Worker	10/6/08; 10/7; 10/27; 11/3; 11/13; 1/12; 2/26
Melissa Becker	Child's Attorney	10/6/08; 12/9; 2/26
Jessica Peebles	Child's Special Education Teacher	10/27/08; 11/13; 12/15; 1/14
Deborah Bowman	Special Education Coordinator	11/13/08; 1/14/09
Mary Hampton	Special Education Parent Surrogate	12/6/08; 2/24/09
Ebony Wyle	Current Therapist	11/10/08; 2/24/09
Jessica Zeek	Previous Therapist	10/6/08
Karen Thompson	Principal, Counsel H.S. – VA	2/19/09
George L.	Maternal Grandfather	1/23/09; 2/19; 3/2
Blanche R.	Maternal Great-Aunt	1/23/09; 2/19
Teresa H.	Maternal Aunt	1/23/09
Marla B.	Maternal Cousin	2/10/09

Orders from November 1, 2008 hearing:

<u>Ordered</u>	<u>Status</u>
Danielle shall remain a CINA, under the jurisdiction of the Court and committed to DHHS;	Implemented

Danielle shall participate in individual therapy;	Partially Implemented
DHHS shall explore adoptive resources for Danielle;	Implemented
A home study and ICPC shall be completed on Danielle's maternal grandfather and maternal great-aunt's home;	Implemented
Danielle shall participate in regular visitation with her extended family in Virginia if transportation can be arranged;	Partially Implemented
Danielle shall be permitted liberal phone contact with extended family;	Implemented
Contact between Danielle and her biological mother shall occur at Danielle's discretion;	Implemented
Guardianship shall be reaffirmed to Agnes Leshner or her designees;	Implemented
Danielle's permanency plan shall remain adoption;	Implemented

Situation:

This case came to the attention of the Montgomery County Department of Health and Human Services in March of 2007, when a report alleging physical and medical neglect of Danielle by her mother, Michelle H., was received and subsequently substantiated. This family had prior involvement with DHHS, dating from an initial report alleging physical abuse of Danielle by her half-brother when Danielle was four years old. The half-brother was eventually removed from the home and placed with his father in another state. Since that time, Danielle and her mother were intermittently involved with DHHS. Danielle was previously placed in foster care on at least one occasion. Danielle was returned to her mother's custody, after it was discovered she was being abused in her current foster placement; despite continuing issues regarding Ms. H's alleged substance abuse and failure to comply with the orders of the Court. Danielle's case was closed in June 2005, when Danielle's home situation was reported to be improved. Danielle was most recently removed from her mother's care after having been admitted to Brook Lane Psychiatric Center in April of 2007. Ms. H was indicated for neglect after refusing to follow-up on hospital recommendations and Danielle was placed in shelter care on April 17, 2007. Since May of 2007, Danielle has been placed in a therapeutic foster home affiliated with the Foundation program in Columbia, MD. On October 1, 2008, the Court terminated Ms. H's parental rights and guardianship of Danielle was granted to DHHS with the right to consent to adoption. Danielle's current foster family has indicated that they are unable to commit to adopting Danielle, although they are willing to serve indefinitely as a foster placement for her. DHHS located Danielle's maternal grandfather, George L., and maternal great-aunt, Blanche R., who reside in rural southwestern Virginia. A home study was completed on George L. and Blanche R.'s residence and it was determined that they would be a satisfactory placement for Danielle and could serve as an adoptive resource.

Objective Information:

Danielle remains placed in the home of Valerie and Mark L., along with the L.'s two daughters, ages 17 and 5. In my conversations with Danielle, she has said that she is comfortable in her current placement. She describes enjoying being included in family activities, trips, meals and chores. She reports being particularly close to the L's oldest daughter who will be going away for college next fall. Initially, when Danielle's permanency plan was changed to adoption, the L. family expressed an interest in adopting her. Mrs. L. has now stated that they are unwilling to

commit to adopting Danielle, but that they would be willing to keep Danielle as a foster child indefinitely. DHHS social worker, Kate Cost, has indicated that DHHS will be recommending that Danielle's permanency plan be changed from adoption to APPLA at the next hearing. Ms. Cost reported that they were recommending a change in plan because Danielle desires to remain in her current foster home.

When the L. family stated that they would not be able to commit to adopting Danielle, contacts with several members of Danielle's biological family DHHS and I pursued to determine whether they might be willing to provide a permanent placement for Danielle. Danielle also began having regular contact by phone with her grandfather, George L., and her great-aunt, Blanche R. George L. and Blanche R. received a satisfactory home study by Virginia social services, and expressed they were eager to adopt Danielle and to provide a permanent placement for her. They indicated that a number of family members live in close proximity and were willing to help in any way possible. Ms. H, Danielle's aunt, who lives right down the road from George L. and Blanche R., indicated that she is a teacher and would be willing to assist with any schooling and special education needs Danielle may have.

Danielle is currently in the 8th grade at Bonnie Branch Middle School in Ellicott City, Maryland. Danielle receives special education services at Bonnie Branch based on her most current IEP. Based on Danielle's IEP, Danielle's basic academic skills are very limited and she requires considerable support in her current school. Danielle's special education coordinator at Bonnie Branch, Jessica Peebles, reported that Danielle's reading, writing, and other language skills were that of a 1st or 2nd grade level. Danielle was described by school staff as hard-working, motivated, cooperative, and readily accepting and making use of the intensive services and assistance provided in her current school setting. This will be Danielle's last year at Bonnie Branch, as she will transition to high school next year. According to reports from school staff, Danielle's current foster parents continue to have minimal contact with the school and have not attended any recent IEP meetings. Additionally, according to Ms. Peebles, the L. family did not follow-through on enrolling Danielle in the recommended after-school program until prompted by DHHS to do so. The L. family also did not complete and return a parent rating scale requested by the school as part of a comprehensive assessment of Danielle's functioning. Karen Thompson, the principal of Counsel High School, of which Danielle would attend should she transfer to the home of her family in Virginia, indicated that although Counsel is a small school, it provides considerable opportunity for individualized attention and has the ability to provide for any documented special education needs necessary.

Danielle was Court ordered to participate in weekly individual therapy. Sessions were arranged through the Way Station, which is an outpatient satellite program of Sheppard Pratt. According to Danielle's previous therapist, Jessica Zeek, Danielle attended therapy sporadically from the spring of 2007 to the summer of 2008. Both Ms. Zeek and Danielle's foster parents reported that scheduling has been problematic. The foster parents indicated that they have irregular schedules making it difficult for them to consistently transport Danielle to therapy. An in-home therapist was arranged, and after several months without therapy, Danielle met with individual therapist, Gail Atchison, in November of 2008. After their initial meeting, Danielle reported that she had not met with Ms. Atchison again. On February 23, 2009, Danielle reported that she had met with a new therapist, Ms. Wyle, who was sent by Ms. Atchison. Danielle reported that Ms. Wyle visited with her in her foster home and she felt that Ms. Wyle was easy to talk to. Danielle did express reticence about talking freely to Ms. Wyle when the L. family was within earshot. According to all parties, Ms. Wyle will begin meeting with Danielle in the L. home on a weekly basis. In my conversation with Ms. Thompson from Counsel High School in Virginia, she indicated that the regional mental health center is available to provide mental health services to

Danielle, and will meet with Danielle at school.

During Christmas break, DHHS arranged for Danielle to visit her grandfather and great-aunt, after not having seen them for approximately four to five years. Upon her return, Danielle expressed that she enjoyed her visit with family and was excited about the family-like feeling she had in that environment. Danielle did report that her biological mother phoned several times during her visit to Virginia; however, family members reported that Danielle did not want to speak to her mother and they did not force her to do so. Both her grandfather and great-aunt stated independently that, since hearing Danielle's accounts of life with her mother, they believe that Ms. H. should never have any form of unsupervised contact with Danielle. They also reported that they expressed this concern directly to Ms. H. Since Danielle's holiday visit, she has had regular weekly phone contact with her grandfather, great-aunt and aunt. However, according to DHHS social worker, Kate Cost, and Danielle's attorney, Melissa Becker, Danielle continues to state that she would like to remain in her current foster placement, though she has not stated this directly to me.

Assessment:

Although Danielle has expressed interest in remaining with the L. family, I do not believe it is in Danielle's long-term, best interest to remain in her current foster placement. Both placements appear to have both positive and negative aspects. While I believe that Danielle's expressed opinions should be taken into consideration when making a determination regarding placement, I do not believe she has had ample time or experience with her biological family in Virginia to make an educated decision. I would recommend that Danielle be permitted monthly visitation with her family in Virginia, particularly this summer, with transportation arrangements to be made by DHHS. This may enable Danielle to make a more informed decision about residing with her grandfather and great-aunt. The course of action to change Danielle's permanency plan to APPLA would necessitate her continued involvement in the foster care system, and although the L. family has committed to keeping Danielle long-term, there is no guarantee. Based on my conversations with all parties involved, I truly believe that Danielle's biological relatives appear more significantly invested in Danielle and in her long-term wellbeing. Although there is no doubt that Danielle has bonded with the L. family, I question if the L. family has bonded with Danielle. I believe Danielle is happy in her current placement, as it is the most stable placement she has ever known; however, I believe Danielle is fearful of change, and after some time, would likely find happiness with her family in Virginia as well.

In my conversations with Danielle's various family members in Virginia, as well as my conversation with Ms. Thompson, I was lead to believe that Danielle would be provided with intensive academic support, both at school and within the family environment. I do believe that Danielle has received exceptional support from Bonnie Branch, but she will be transitioning to high school next year. I believe that if Danielle were to transition to Virginia, this would be the optimum time, as she will already be changing schools.

Danielle's current circumstances and history indicate a need for continuing, consistent weekly individual therapy. I recommend that Danielle's individual therapy sessions with Ms. Wyle continue; however, I would suggest that they meet in a neutral location rather than the L. home so that Danielle is more comfortable speaking openly. Should Danielle be placed with her extended family in Virginia, arrangements for therapy in Virginia, to help support Danielle during any transition, would be strongly recommended.

Recommendations:

Therefore, I respectfully recommend that:

Danielle remain under the jurisdiction of the Court and committed to DHHS;
Danielle's permanency plan remain adoption;
Danielle spend the summer and extended visits with her family in Virginia;
If Danielle is to transition to her family in Virginia, that this transition be made prior to next school year;
Danielle participate in consistent, weekly individual therapy.

Respectfully Submitted,

Your Name
Court Appointed Special Advocate
Date Appointed: October 19, 2007

Case Supervisor's Name
Case Supervisor

PAGE

PAGE 1

Voices for Children Montgomery
Court Appointed Special Advocate Program

1010 Grandin Avenue · Room B-3 · Rockville, Maryland 20851

Phone: (301) 340-7458 · Fax: (240) 319-7210

HYPERLINK "<http://www.casamontgomery.org>" www.casamontgomery.org ·
email: mail@casamontgomery.org