

**IN THE MATTER OF
David Clement, CHILD
AND CONCERNING
Collin and Jennifer Clement, RESPONDENTS**

**IN THE DISTRICT COURT OF
Madison COUNTY, MOCK STATE
FIFTH JUDICIAL DISTRICT**

**AFFIDAVIT IN SUPPORT OF EMERGENCY REMOVAL
AND PETITION FOR PROTECTIVE SERVICES**

I, Michael Stout, Social Worker of the Mock State Department of Youth and Family Services (DYFS) with the responsibility for this case, affirm that the facts and allegations stated in this affidavit are within my personal knowledge and are true and correct.

The following facts show necessity for an order of emergency removal, ongoing temporary custody, and provision of protective services.

1. CHILD(REN)

Name: David Clement

DOB: August 1, 2001

2. PARENTS

Name: Collin Clement

Relationship: Father

DOB: March 27, 1979

Name: Jennifer Clement

Relationship: Mother

DOB: October 30, 1981

3. ALLEGATIONS

On April 4, 2011, Nurse Felicia Robinson, St. Vincent's Hospital Emergency Room (ER), called Mock State DYFS to report physical abuse and medical neglect of David Clement. Collin Clement brought his 9 year old son, David Clement, into the ER with intense pain, a broken left arm, and bruising on the left side of his torso.

On 4/4/11, Michael Stout, Social Worker, met with Nurse Felicia Robinson. Nurse Robinson was the first nurse to see David and his father when they arrived at the ER. David was in intense pain and said he fell when fooling around with cousins. David changed his story about how he was injured when he met with the ER doctor, Bob Sykes. Collin Clement, father, was unsympathetic and interrupted David several times to provide information. X-rays showed a spiral fracture with bone splintering inconsistent with a fall. The bruising and swelling of the arm disclosed an injury that was days old.

On 4/4/2011, Michael Stout, Social Worker, met with Dr. Sykes. Dr. Sykes stated David sustained a spiral fracture with bone fragmentation, and the injury was about 3-4 days old. Dr. Sykes stated David would require surgery to realign the bone. Dr. Sykes met with Collin Clement to review examination results, and he became defensive and argumentative. Dr. Sykes stated that in spite of providing definitive medical information to Mr. Clement about the injury, he would not shift from the original explanation for the injury.

On 4/4/2011, Michael Stout, Social Worker, met with Collin Clement at the ER. Collin Clement and his son, David Clement, live with Louise Clement, paternal grandmother. Due to advanced age and failing health, Louise Clement is unable to care for David. Mr. Stout explained to Mr. Clement that he was concerned for David's safety as he had a significant injury and other bruising on his body, and the explanation was inconsistent with the medical reports. Mr. Stout told Mr. Clement that the Department would like to offer services to him and his family so that David would be safe. Mr. Stout asked Mr. Clement about other relatives that might be able to care for David and offered services once again. Mr. Clement became visibly agitated. He shared contact information for David's mother, Jennifer Clement, and said she is unable to care for him due to depression. He said that he did not want or need any services, and shared Louise Clement's (paternal grandmother) phone number. Mr. Clement stated he did not want the Department in his life; he just wanted to get David and leave.

Michael Stout, Social Worker, made attempts to contact the child's mother, Jennifer Clement, and was unable to do so. Officer Blake of the Madison Police Department took David into emergency custody due to Mr. Clement's refusal to accept assistance and the Department's inability to locate the mother. David Clement was placed with DYFS. Mr. Stout contacted Louise Clement, paternal grandmother, by telephone. She provided contact information for David's paternal aunt and uncle.

Michael Stout

Michael Stout

Social Worker

Madison Department of Youth and Family Services

Affiant

SWORN TO AND SUBSCRIBED before me, the undersigned Notary Public on this 5th day of April 2011.

Elaine Torres

NOTARY PUBLIC in and for the

STATE OF MOCK STATE

CAUSE NO: J0812

**IN THE MATTER OF
David Clement, CHILD
AND CONCERNING**

Collin and Jennifer Clement, RESPONDENTS

**IN THE DISTRICT COURT OF
Madison COUNTY, MOCK STATE
FIFTH JUDICIAL DISTRICT**

EX PARTE CUSTODY ORDER

This matter came before the Court on the 5th day of April 2011. The following are named as parties:

Jennifer Clement Mother

DOB: October 30, 1981

568 Oak Court

Madison, Mock State 12006

Collin Clement, Father

DOB: March 27, 1979

1235 Belleflower Drive

Madison, Mock State 12006

Madison Department of Youth and Family Services

Madison County, Mock State

THE COURT FINDS:

1. The court has jurisdiction over this matter.
2. The child, David Clement, is currently without proper parental care and supervision, and continued placement of the child in the home is contrary to the child's welfare.
3. Madison Department of Youth and Family Services made reasonable efforts to prevent the placement of David Clement into foster care by offering Collin Clement services. Collin Clement refused services and refused to provide relatives contact information. Madison Department of Youth and Family Services made attempts to locate Jennifer Clement, and she could not be located.
4. The child is not subject to provisions of the Indian Child Welfare Act.

THE COURT ORDERS:

1. David Clement remain in the custody of Madison Department of Youth and Family Services.
2. The Department of Youth and Family Services continue efforts to locate Jennifer Clement, mother. Once Jennifer Clement has been located, she will be served notice of these proceedings.
3. John Smith, Esquire, is appointed to represent Jennifer Clement.
4. Ray Garley, Esquire, is appointed to represent Collin Clement.
5. Nancy Richards, Esquire, is appointed as Guardian ad Litem for David Clement.

NEXT HEARING: The Custody Hearing is scheduled for the 12th day of April, 2011, at 1:00 p.m., before District Court Judge Gene Sanchez.

This is a final order for purposes of appeal.

Gene Sanchez

Gene Sanchez
District Court Judge

April 5, 2011

April 5, 2011

CAUSE NO: J0812

IN THE MATTER OF
David Clement, CHILD
AND CONCERNING
Collin and Jennifer Clement, RESPONDENTS

IN THE DISTRICT COURT OF
Madison COUNTY, MOCK STATE
FIFTH JUDICIAL DISTRICT

CUSTODY ORDER

This matter came before the Court on the 12th day of April, 2011. The following are named as parties:

Jennifer Clement, Mother
DOB: October 30, 1981
568 Oak Court
Madison, Mock State 12006

Collin Clement, Father
DOB: March 27, 1979
1235 Belleflower Drive
Madison, Mock State 12006

Madison Department of Youth and Family Services
Madison County, Mock State

THE COURT FINDS:

1. The court has jurisdiction over this matter.
2. The child, David Clement, continues to remain without proper parental care and supervision, and reunification with Collin Clement, father, with placement of the child in the home is contrary to the child's welfare.
3. The mother, Jennifer Clement, has been located, and reasonable efforts to reunify the child with his mother have not been possible due to mother's mental health issues.
4. The child is not subject to provisions of the Indian Child Welfare Act.

THE COURT ORDERS:

1. David Clement to remain in the custody of Madison Department of Youth and Family Services, which is responsible for his care and supervision and placement of the child in foster care.
2. The assessment case plan, attached to this order and presented by the Department, shall be adopted.
3. John Smith, Esquire, is appointed to continue to represent Jennifer Clement.
4. Ray Garley, Esquire, is appointed to continue to represent Collin Clement.
5. Nancy Richards, Esquire, is appointed to continue as Guardian ad Litem for David Clement.

NEXT HEARING: The Adjudication and Disposition Hearings are scheduled for the 3rd day of June, 2011, at 1:00 p.m. before District Court Judge Gene Sanchez.

This is a final order for purposes of appeal.

Gene Sanchez

Gene Sanchez
District Court Judge

April 12, 2011

April 12, 2011

Mock State

Department of Youth and Family Services

Madison District Office

**Case Name:
Clement**

**Child(ren):
David**

Report to the Court

June 3, 2011

Case Summary

The Clement family first came to the attention of the Department on March 20, 2007, when the school referred David Clement for physical neglect due to hygiene issues. The case was unsubstantiated, and a referral was made for prevention services. On Monday, April 4, 2011, St. Vincent's Hospital Emergency Room (ER) staff called Statewide Central Intake to report that Collin Clement brought his son, David, into the emergency room with a fractured left arm and bruising to the left torso. DCYF responded and saw David and Collin Clement at St. Vincent's ER. David's left arm was swollen with bruising to the forearm and wrist, along with left torso. David was administered pain medication due to intense level of pain. David stated, "I was fooling around with my cousins and fell." David changed his story about how he was injured when he met with the doctor, saying he and cousins were in the back of his Dad's truck, and he fell off. Collin Clement, father, was present and interrupted David several times to provide information. The father was visibly irritated and made no attempts to comfort David. X-rays revealed a days-old spiral fracture consistent with intense twisting of the arm. The x-rays showed bone splintering, and a CT scan determined surgery would be required due to bone fragmentation. There were also concerns about possible nerve damage.

This worker met with Collin Clement, father, in a hospital consultation room. Mr. Clement stated he and David live with his mother, Louise Clement. He stated his mother is in her 80s and suffers from diabetes, high blood pressure, neuropathy, and circulation issues. He takes her to doctor appointments and to get medications. Mr. Clement has a sister, Jackie Wright, who also helps with Louise's care. David and Collin Clement live with Louise Clement because Mr. Clement is underemployed. He receives public assistance for food. Mr. Clement is the oldest of four children and his father left his mother after his youngest brother was born. Collin Clement describes himself as stepping up to be "the man of the house," and he kept things going at home while his mother worked. Mr. Clement worked at a very young age to help his mother provide for the household. He graduated from high school and started to attend community college. He met Jennifer Kolbe, and they married and established their own household. He was working and attending night online classes when Ms. Clement became pregnant. His construction job suffered as the result of the housing bubble burst, and, soon after David was born, Ms. Clement suffered from postpartum depression that became so serious that she required medication and ultimately moved in with her parents. Mr. Clement and David moved in with Louise Clement.

Mr. Clement's psychosocial assessment revealed an intelligent, capable father with chronic, high-level stress that would benefit from a reduction of stressors in the home environment and a structured, intensive parent coaching program. Mr. Clement disclosed physical abuse to his son. Mr. Clement is enduring chronic stress as the result of family and job-related events and demands. He admits this chronic stress results in anxiety. He eats poorly and has gained weight, has digestive and sleep problems, and admits to memory and concentration impairment. Mr. Clement would benefit from assistance in reducing stresses associated with caring for his mother. The report recommends short-term therapy, an intensive and structured parent coaching program with his son, and time for exercise and/or socialization.

Jennifer Clement has a diagnosis of major depressive disorder. Ms. Clement has received services intermittently for years. Previous treatment included a Prozac regimen and individual counseling. Her compliance with meds and counseling have been sporadic at best. Ms. Clement's evaluation

Mock State

Department of Youth and Family Services

Madison District Office

Case Name:
Clement

Child(ren):
David

Report to the Court

June 3, 2011

recommended combination prescription therapy, an in-home monitoring component to ensure medication compliance, and consistent counseling sessions.

David Clement had a behavioral health assessment and was diagnosed with Attention Deficit Hyperactivity Disorder (ADHD). This diagnosis is in line with David's difficulty staying focused and paying attention, difficulty controlling behavior, and hyperactivity (over-activity). David has a combined type of ADHD, wherein he is hyperactive, impulsive, and with some inattentiveness. David is now on a minimum dose medication regimen of Quillivant XR. The assessment recommended close monitoring with regular medication reviews. It was recommended that David attend 3-6 sessions of individual counseling before beginning the parent coaching program with his father.

Reason(s) for Continued Removal from Home:

Psychosocial assessment, psychological evaluation, and behavioral assessments have been completed, and the family will benefit from actively entering into the recommended therapies to ensure David's safety before returning home.

Child's Perception of Situation:

David understands and recognizes the stress the family was in and the need for change before he can safely return home.

Child(ren) Information

Physical Health

David Clement is in good overall physical health, and immunizations are up to date. David has also received dental screening and requires three fillings. David has received medical care recommended for his arm fracture.

Mental/Behavioral Health

David Clement presented initially as inattentive and hyperactive, and his father and teacher both described challenging behavior due to hyperactivity. David was diagnosed with ADHD and is benefitting from medication therapy.

Education

David Clement is in the 5th grade at Madison Elementary School. David is an average student. His performance in the classroom has benefitted from medication to address his ADHD.

Mock State

Department of Youth and Family Services

Madison District Office

**Case Name:
Clement**

**Child(ren):
David**

Report to the Court

June 3, 2011

Social/Emotional Development

David Clement's teacher initially described him as everyone's friend and no one's close friend. ADHD medication has allowed David to regulate his behavior, and the teacher and foster parents both report it is easier for David to interact with peers. David is also involved in summer baseball and is enjoying this team activity.

Placement

Relative as Placement Resource

At the time of removal, David Clement was placed with his paternal aunt and uncle, Jackie and Mark Wright. On 4/25/11, he was removed from this home at the foster parent's request. The Wrights indicated they had hoped for a short-term placement and wanted to remain in contact with David.

Description of Current Placement

Placement Type and Description:

On 4/25/11, David Clement was placed in the home of Maria and Daniel Thompson, licensed foster parents. The Thompsons have been licensed foster parents for years and have no other children in the home.

Needs of Foster Parents:

Foster parents have been provided with known background information on David and his family and have been actively involved in case planning. They have been provided with a Medicaid card to secure health care services for David and have been provided with the name of his primary care provider. The foster parents have also been involved in counseling and obtain information about the administration and monitoring of David's medication. Foster parents receive monthly foster care maintenance and are reimbursed for transportation costs. Foster parents will receive ongoing regular contact with social worker for ongoing needs assessments.

Safety and Risk Assessment

Safety threats include:

- 1) Father is the primary caregiver, and his violent action caused a severe injury, spiral fracture to David Clement. The father's injury to the child was inconsistent with his explanation.
- 2) The father was not able to control his behavior and lost his temper when attempting to discipline his son. Father lacks the knowledge to use other alternatives to hitting and injuring child.
- 3) David and his father live with the paternal grandmother who is advanced in age and suffers from diabetes, high blood pressure, and neuropathy and cannot physically intervene to ensure his safety.

Mock State

Department of Youth and Family Services

Madison District Office

Case Name:
Clement

Child(ren):
David

Report to the Court

June 3, 2011

Permanency Plan

Reunification

Signatures		
Social Worker: Timothy Riggs	<i>Timothy Riggs</i>	Date: 06-03-2011
Social Work Supervisor: Sara Perry	<i>Sara Perry</i>	Date: 06-03-2011

CAUSE NO: J0812

**IN THE MATTER OF
David Clement, CHILD**

AND CONCERNING

Collin and Jennifer Clement, RESPONDENTS

**IN THE DISTRICT COURT OF
Madison COUNTY, MOCK STATE**

FIFTH JUDICIAL DISTRICT

ADJUDICATION AND DISPOSITIONAL ORDER

This matter came before the Court on the 3rd day of June, 2011. The following are named as parties:

Jennifer Clement, Mother

DOB: October 30, 1981

568 Oak Court

Madison, Mock State 12006

Collin Clement, Father

DOB: March 27, 1979

1235 Belleflower Drive

Madison, Mock State 12006

Madison Department of Youth and Family Services

Madison County, Mock State

THE COURT FINDS:

1. The court has jurisdiction over this matter.
2. The parties stipulate that the child, David Clement, is adjudicated as an abused and neglected child as defined in Madison State Family Code, Section 32A-1-1, et seq. MSSA 1970.
3. The Department has made the following reasonable efforts to reunify David Clement with his father, Collin Clement:
 - Arranged for the following services to address the causes and conditions that resulted in the abuse and neglect of the child:
 - a) Psychosocial evaluation for Collin Clement;
 - b) Psychological evaluation for Jennifer Clement;
 - c) Individual counseling, medication, and medication monitoring program for Jennifer Clement;
 - d) Short-term therapy as precursor to structured parent coaching program for Collin Clement; and
 - e) Services to assist with caretaking for Louise Clement, paternal grandmother, to alleviate stress for Collin Clement.
4. Arranged for and provided visitation between David Clement and Collin and Jennifer Clement.

5. Arranged for behavioral assessment and services for David Clement to determine diagnosis of ADHD and arranged for counseling as a precursor for his participation in structured parent coaching program with his father.
6. Despite the reasonable efforts made by the Department, reunification of the child with his parent is not in the child's best interest at this time and is contrary to the welfare of the child as Mr. Clement still requires full participation and completion in the intensive and structured parent coaching program in order for reunification to occur.
7. The Department has exercised reasonable care in providing for David Clement's physical health, behavioral health, and educational needs. The child is safe in the current placement. The child's placement is in the least restrictive setting possible, given the child's needs, and is in close proximity to his parents. The placement has allowed for the child to maintain his educational placement setting.
8. The child has no siblings in foster care.

THE COURT ORDERS:

1. David Clement to remain in the custody of the Department of Youth and Family Services, which is responsible for his care and supervision and placement of the child in foster care for an indeterminate period of time not to exceed 6 months from the date of this order.
2. A permanency plan goal of reunification is adopted.
3. That the case plan, attached to this order that was developed by the parties and presented by the Department, shall be adopted.
4. John Smith, Esquire, is appointed to continue to represent Jennifer Clement.
5. Ray Garley, Esquire, is appointed to continue to represent Collin Clement.
6. Nancy Richards, Esquire, is appointed to continue as Guardian ad Litem for David Clement

NEXT HEARING: The Periodic Review Hearing is scheduled for the 29th day of November, 2011, at 4:00 p.m. before Judge Sanchez.

This is a final order for purposes of appeal.

Gene Sanchez

Gene Sanchez

District Court Judge

June 3, 2011

June 3, 2011

Mock State

Department of Youth and Family Services

Madison District Office

**Case Name:
Clement**

Child(ren):

David

Report to the Court

November 29, 2011

Case Summary

The Clement family first came to the attention of the Department on March 20, 2007, when the school referred David Clement for physical neglect due to hygiene issues. The case was unsubstantiated, and a referral was made for prevention services. On Monday, April 4, 2011, St. Vincent's Hospital Emergency Room (ER) staff called Statewide Central Intake to report that Collin Clement brought his son, David, into the emergency room with a fractured left arm and bruising to the left torso. DCYF responded and saw David and Collin Clement at St. Vincent's ER. David's left arm was swollen with bruising to the forearm and wrist, along with left torso. David was administered pain medication due to intense level of pain. David stated, "I was fooling around with my cousins and fell." David changed his story about how he was injured when he met with the doctor, saying he and cousins were in the back of his Dad's truck, and he fell off. Collin Clement, father, was present and interrupted David several times to provide information. The father was visibly irritated and made no attempts to comfort David. X-rays revealed a days-old spiral fracture consistent with intense twisting of the arm. The x-rays showed bone splintering, and a CT scan determined surgery would be required due to bone fragmentation. There were also concerns about possible nerve damage.

This worker met with Collin Clement, father, in a hospital consultation room. Mr. Clement stated he and David live with his mother, Louise Clement. He stated his mother is in her 80s and suffers from diabetes, high blood pressure, neuropathy, and circulation issues. He takes her to doctor appointments and to get medications. Mr. Clement has a sister, Jackie Wright, who also helps with Louise's care. David and Collin Clement live with Louise Clement because Mr. Clement is underemployed. He receives public assistance for food. Mr. Clement is the oldest of four children and his father left his mother after his youngest brother was born. Collin Clement describes himself as stepping up to be "the man of the house," and he kept things going at home while his mother worked. Mr. Clement worked at a very young age to help his mother provide for the household. He graduated from high school and started to attend community college. He met Jennifer Kolbe, and they married and established their own household. He was working and attending night online classes when Ms. Clement became pregnant. His construction job suffered as the result of the housing bubble burst, and, soon after David was born, Ms. Clement suffered from postpartum depression that became so serious that she required medication and ultimately moved in with her parents. Mr. Clement and David moved in with Louise Clement.

Mr. Clement's psychosocial assessment revealed an intelligent, capable father with chronic, high-level stress that would benefit from a reduction of stressors in the home environment and a structured, intensive parent coaching program. Mr. Clement disclosed physical abuse to his son. Mr. Clement is enduring chronic stress as the result of family and job-related events and demands. He admits this chronic stress results in anxiety. He eats poorly and has gained weight, has digestive and sleep problems, and admits to memory and concentration impairment. Mr. Clement would benefit from assistance in reducing stresses associated with caring for his mother. The report recommends short-term therapy, an intensive and structured parent coaching program with his son, and time for exercise and/or socialization. Mr. Clement has successfully engaged in the recommended parent coaching program with his son. Mr. Clement has benefitted from the ancillary supports the agency facilitated for his mother that allow Mr. Clement focused time for positive activities aimed at stress reduction.

Mock State

Department of Youth and Family Services

Madison District Office

**Case Name:
Clement**

Child(ren):

David

Report to the Court

November 29, 2011

Jennifer Clement has a diagnosis of major depressive disorder. Ms. Clement has received services intermittently for years. Previous treatment included a Prozac regimen and individual counseling. Her compliance with meds and counseling have been sporadic at best. Ms. Clement's evaluation recommended combination prescription therapy, an in-home monitoring component to ensure medication compliance, and consistent counseling sessions. Ms. Clement has engaged in counseling sessions, the recommended combination prescription therapy and in-home medication monitoring.

David Clement had a behavioral health assessment and was diagnosed with Attention Deficit Hyperactivity Disorder (ADHD). This diagnosis is in line with David's difficulty staying focused and paying attention, difficulty controlling behavior, and hyperactivity (over-activity). David has a combined type of ADHD, wherein he is hyperactive, impulsive, and with some inattentiveness. David is now on a minimum dose medication regimen of Quillivant XR. Foster parents are monitoring his medication and have facilitated regular medication reviews. David attended individual counseling before beginning the parent coaching program with his father. David's foster parent, Maria Thompson, benefitted from listening to individual session summaries at the end of sessions and reports she is seeing positive behavior changes. Some areas addressed have been how to set fair, clear, and consistent expectations, direction, and limits; following a regular schedule and limiting distractions; acknowledging success and positive behavioral choices; creating a home system to help David stay on schedule with regard to schoolwork and projects; establishing a regular feedback loop with David's teacher; and discussing how David and his foster parents can stay calm during disagreements. David successfully engaged in the parent coaching program, and TCPA reports that father and son are learning new skills aimed at positive parenting and strengthening their relationship.

Collin and David Clement require continued participation and successful completion of the intensive, structured parent coaching program in order to achieve reunification.

Child's Perception of Situation:

David is enjoying learning new ways to relate with his father. He expresses that he enjoys the parent coaching program and sees a difference in the way they get along. David understands that completing the parent coaching program is important.

Child(ren) Information

Physical Health

David Clement is in good overall physical health and immunizations are up to date. David has received dental screening and requires three fillings. David has received medical care recommended for his arm fracture.

Mental/Behavioral Health

David Clement presented initially as inattentive and hyperactive, and his father and teacher both described challenging behavior due to hyperactivity. David was diagnosed with ADHD and continues to benefit from medication therapy. Maria Thompson, foster parent, monitors his medication to ensure that if side effects occur, they will be addressed immediately. David Clement has not exhibited any side effects of the medication and is more focused in the classroom and at home.

Mock State

Department of Youth and Family Services

Madison District Office

**Case Name:
Clement**

**Child(ren):
David**

Report to the Court

November 29, 2011

Education

David Clement is in the 5th grade at Madison Elementary School. David is an average student. His performance in the classroom has benefitted from medication to address his ADHD.

Social/Emotional Development

David Clement's teacher initially described him as everyone's friend and no one's close friend. ADHD medication has allowed for David to regulate his behavior, and the teacher and foster parents both continue to that report it is easier for David to interact with peers. David is also involved in summer baseball and is enjoying this team activity.

Placement

Relative as Placement Resource

At the time of removal, David Clement was placed with his paternal aunt and uncle, Jackie and Mark Wright. On 4/25/11, was removed from this home at the foster parent's request. The Wrights indicated they had hoped for a short-term placement and wanted to remain in contact with David.

Description of Current Placement

Placement Type and Description: On 4/25/11, David Clement continues in placement with Maria and Daniel Thompson, licensed foster parents. The Thompsons ensure that David attends all medical and behavioral health appointments, as well as parent coaching sessions.

Visitation

Collin Clement and David Clement visit once a week at the Department. Mr. Clement also attends David's baseball games, and foster parents have monitored other visitation opportunities. Father and son are actively involved in the parent coaching program once a week. These sessions are providing concentrated quality time that is improving their relationship. TCPA is recommending extended visits begin for father and son. T Jennifer and David Clement have also visited and the Department will continue these visitation efforts.

Safety and Risk Assessment

Safety threats include:

1) Father is the primary caregiver, and previous violent actions caused a severe injury. Father's successful completion of the parent coaching program with his son will allow him to perform basic parenting duties and responsibilities that ensure child safety.

Mock State
Department of Youth and Family Services
Madison District Office

Case Name:
Clement
Child(ren):
David

Report to the Court
November 29, 2011

2) Father is actively engaged in services to increase his parenting knowledge, skills or motivation necessary to assure a child's safety.

3) Mother is not actively involved in the child's care and does not have protective capacity.

Risk level: Moderate

Permanency Plan

Reunification

Signatures		
Social Worker: Timothy Riggs	<i>Timothy Riggs</i>	Date: 11/29/11
Social Work Supervisor: Sara Perry	<i>Sara Perry</i>	Date: 11/29/11

CAUSE NO: J0812

**IN THE MATTER OF
David Clement, CHILD**

AND CONCERNING

Collin and Jennifer Clement, RESPONDENTS

**IN THE DISTRICT COURT OF
Madison COUNTY, MOCK STATE**

FIFTH JUDICIAL DISTRICT

JUDICIAL REVIEW ORDER

This matter came before the Court on the 29th day of November, 2011. The following are named as parties:

Jennifer Clement, Mother

DOB: October 30, 1981

568 Oak Court

Madison, Mock State 12006

Collin Clement, Father

DOB: March 27, 1979

1235 Belleflower Drive

Madison, Mock State 12006

Madison Department of Youth and Family Services

Madison County, Mock State

THE COURT FINDS:

1. The court has jurisdiction over this matter.
2. David Clement, is adjudicated as an abused and neglected child as defined in Madison State Family Code, Section 32A-1-1, et seq. MSSA 1970.
3. The Department has made the following reasonable efforts to reunify David Clement with Collin Clement:

Arranged for the following services to address the causes and conditions that resulted in the abuse and neglect of the child:

- a. Psychosocial assessment for Collin Clement and facilitated arrangements for him and David to participate in an intensive, structured, parent coaching program
- b. Provided support to Collin Clement by arranging for ancillary services for his mother, Louise Clement
- c. Arranged for and provided visitation between David Clement and Collin Clement
- d. Arranged for and provided visitation between David Clement and Jennifer Clement
- e. Arranged for behavioral assessment, medication therapy, and counseling services for David Clement to address issues related to his behavior

- f. Arranged for David Clement to participate in the structured parent coaching program with his father
4. By reports of and testimony received from treatment providers, Collin Clement has made considerable progress in addressing the causes and conditions that resulted in the abuse and neglect of David Clement.
5. Despite the reasonable efforts made by the Department, reunification of the child with his parent is not in the child's best interest at this time and is contrary to the welfare of the child. Collin Clement and David Clement still require continued participation in the parent coaching program.
6. The Department has exercised reasonable care in providing for David Clement's physical health, behavioral health, and educational needs. The child is safe in the current placement. The child's placement is in the least restrictive setting possible given the child's needs and is in close proximity to his parent. The placement has allowed for the child to maintain his educational placement setting.
7. The child has no siblings in foster care.

THE COURT ORDERS:

1. David Clement to remain in the custody of the Department of Youth and Family Services, who is responsible for his care and supervision.
2. A permanency plan goal of reunification is adopted.
3. David and Collin Clement will continue to attend and successfully participate in the structured parent coaching program.
4. Jennifer Clement will continue to participate in individual counseling, medication therapy, and in home monitoring of medication therapy.
5. The Department will facilitate and monitor extended visits between David Clement and his father, Collin Clement, on December 10, 18, 21-26, and 28-January 3, 2012, for purposes of beginning the reunification process.
6. John Smith, Esquire, is appointed to continue to represent Jennifer Clement.
7. Ray Garley, Esquire, is appointed to continue to represent Collin Clement.
8. Nancy Richards, Esquire, is appointed to continue as Guardian ad Litem for David Clement

This is a final order for purposes of appeal.

Gene Sanchez

Gene Sanchez
District Court Judge

November 29, 2011

November 29, 2011

CAUSE NO: J0812

**IN THE MATTER OF
David Clement, CHILD
AND CONCERNING
Collin and Jennifer Clement, RESPONDENTS**

**IN THE DISTRICT COURT OF
Madison COUNTY, MOCK STATE
FIFTH JUDICIAL DISTRICT**

DISMISSAL ORDER

This matter came before the Court on the 4th day of January, 2012. The following are named as parties:

Jennifer Clement, Mother
DOB: October 30, 1981
568 Oak Court
Madison, Mock State 12006

Collin Clement, Father
DOB: March 27, 1979
1235 Belleflower Drive
Madison, Mock State 12006

Madison Department of Youth and Family Services
Madison County, Mock State

THE COURT FINDS:

1. The court has jurisdiction over this matter.
2. David Clement, is adjudicated as an abused and neglected child as defined in Madison State Family Code, Section 32A-1-1, et seq. MSSA 1970.
3. The Department has made the following reasonable efforts to reunify David Clement with Collin Clement:

Arranged for the following services to address the causes and conditions that resulted in the abuse and neglect of the child:

- a. Individual counseling, medication therapy, and medication monitoring for Jennifer Clement;
 - b. Ongoing medication and monitoring for David Clement following diagnosis of ADHD;
 - c. David's participation in, and successful completion of, both individual counseling focused on his behavior and the parent coaching program with his father;
 - d. Collin Clement's successful completion of the intensive, structured, parent coaching program with David Clement;
 - e. Support to Collin Clement by arranging for ancillary services for Louise Clement, paternal grandmother;
 - f. Visitation between David Clement and his parents, Collin Clement and Jennifer Clement.
4. By the social worker's report and testimony received from treatment providers, Collin Clement has made considerable progress in addressing the causes and conditions that resulted in the abuse and neglect of David Clement.
 5. The causes and conditions that resulted in the abuse and neglect of David Clement by Collin Clement have been remediated or mitigated, and therefore, it is no longer in the child's best interest at this time to remain outside the home, and there is no justifiable cause to prevent the return of custody of David Clement to his father.

THE COURT ORDERS:

1. That full custody of David Clement be returned to Collin Clement.

This is a final order for purposes of appeal.

Gene Sanchez

Gene Sanchez

District Court Judge

January 4, 2012

January 4, 2012