

Judicial Review Report to Court
October 7, 2016

Case Summary

Samantha Stewart is a married, 35-year-old, Caucasian female. She has five biological children: Charles Stewart, age 10; Simon Stewart, age 7; Jessica and Kyle Stewart, age 5; and Courtney Stewart, age 3. Ms. Stewart's husband and father of all 5 children is Solomon Stewart. Mr. Stewart is currently incarcerated for involuntary manslaughter and is scheduled to be released in November 2016.

Mrs. Stewart denies a history of child abuse or domestic violence. She denies the regular use of alcohol prior to her husband's incarceration. Mrs. Stewart is employed in the financial of a local retailer. She receives public assistance, specifically SNAP, a housing subsidy and assistance with her heating bills.

The Stewart family first came to the attention of the Department on December 13, 2015, for a report of physical abuse. It was reported that both Jessica and Kyle Stewart were observed to have bluish bruises and welts on their arms and thighs as a result of their mother hitting them with a belt. This report was substantiated for physical abuse, and Mrs. Stewart agreed to voluntary in-home services.

A second report was received in the afternoon of April 6, 2016. Law enforcement called when Mrs. Stewart was arrested and jailed for driving while intoxicated with her children in the car. This was Mrs. Stewart's third offense and there was no one to care for the children. Mrs. Stewart could not think of any relatives for the children to stay. The children were very upset that their mother was arrested.

The Department substantiated neglect and lack of supervision and took emergency custody of all five children. Courtney, Kyle, Jessica, Simon, and Charles Stewart were placed in foster care after determining the family friend specified in a previous safety plan was unable to provide care for them.

On April 7, 2016, the Court signed an ex parte order and granted emergency custody of the Stewart children to the Department. On April 8, 2016, the Department met with Mrs. Stewart following her arraignment and release from jail. The Department met with Mrs. Stewart on April 8, 2016, to develop an assessment plan. Concurrent permanency plans of reunification and adoption were established for all five children on May 6, 2016. The Department made contact with Mr. Stewart on April 23, 2016, in the Mock State Correctional Facility and informed him that his children were in the legal and physical custody of the Department.

The Department scheduled a substance abuse assessment for Ms. Stewart. Ms. Stewart completed the assessment on June 3, 2016.

Solomon Stewart continues to be incarcerated. Despite the Department efforts, the Department has not been able to get written reports from Mock State Correctional Facility. Mr. Stewart's case manager reports that Mr. Stewart is a model inmate and actively involved in the fathers parenting group at the facility. He completed a substance abuse treatment program and attends regular AA meetings. The Department has continued to support Mr. Stewart's relationship with his children through written correspondence. In addition, the Department has been forwarding copies of the children's report cards and other educational documents to Mr. Stewart.

Reason(s) for Continued Removal From Home:

The children were removed on an emergency basis as there was no parent available to execute their parental responsibilities. Neither Mrs. Stewart nor Mr. Stewart are in a position where they can assume full-time parenting responsibilities for the children as Mrs. Stewart is addressing substance abuse issues and Mr. Stewart continues to be incarcerated.

Children's Perception of Situation:

The children, given their developmental level, have each been able to discuss their understanding of their mother's need for help. Simon Stewart has recently shown some signs of being fearful of his mother during and after visits.

Child(ren) Information

Physical Health

Courtney, Kyle, Jessica, Simon, and Charles Stewart are all in good general health. The children are up to date on their immunizations. The children have no unmet physical health, including vision and dental, needs at this time.

Mental/Behavioral Health

Simon experiences minor behavior issues in the foster home.

Education

Children are performing well in their new school, and all are at grade level. Simon Stewart is receiving special education services through the school. An IEP planning meeting was held for Simon Stewart in March 2016.

Social/Emotional Development

Courtney, Kyle, Jessica, and Charles Stewart appear to be developmentally on target. The children have been described as outgoing, and each has made new friends at their new school. Simon Stewart's enrollment in a supervised after-school program has improved his socialization skills at school.

Placement

Relative as Placement Resource

In mid-May, with the help of Solomon Stewart, the Department was able to identify and locate a paternal great aunt whom they worked with to license as a foster parent.

On June 7, 2015, the Department placed all five children in the home of paternal great aunt Jill Francis and her husband, Logan Morris.

Description of Current Placement

Placement Type and Description:

Courtney, Kyle, Jessica, Charles, and Simon Stewart are placed in the licensed family foster home of their paternal great aunt Jill Francis and her husband, Logan Morris. The placement provides the least restrictive placement option. The foster care placement is considered stable.

Needs of Foster Parents:

The foster parents have been provided with known background information on Courtney, Kyle, Jessica, Charles, and Simon Stewart. They have also been provided with Medicaid cards to secure health care services for the girls and with

the name of their primary care provider. Foster parents will receive monthly foster care maintenance.

Visitation

Ms. Stewart is currently involved in an intensive outpatient treatment at the Keystone Treatment Center. The Department has facilitated supervised visits between Ms. Stewart and her children at Department offices. Staff observed Ms. Stewart being verbally harsh with the children during visits, so the Department began monitoring the visits more closely and intervening and redirecting the mother. Mr. Stewart is incarcerated, visitation with the children consists of letter writing.

Safety and Risk Assessment

Safety threats include:

- None

Risk level: Moderate

Permanency Plan

Reunification and Adoption

Signatures		
Foster Care Worker: Sally Jordan	<i>Sally Jordan</i>	Date: 10/7/2016
Foster Care Supervisor: Robin White	<i>Robin White</i>	Date: 10/7/2016