

SESSION 4 AMARILLO CASE

CASE NOTES FOR THE AMARILLO CASE

INITIAL CASE NOTES FOR THE AMARILLO CASE

CPS Case File

Last Name of Case:		Amarillo			
Legal Number(s):		11-7-012345-6			
Child(ren) 's Name	DOB	Age	Ethnicity	Sex	Current Location
Maria Amarillo	May 18	16 years	Hispanic	F	Foster Care Placement Stanley and Karen Becker
Joanna Amarillo	Sept 1	6 years	Hispanic	F	Same
Graciela Amarillo	Aug 19	4 years	Hispanic	F	

Current Caregiver(s)	Address	Phone
Foster Mother: Stanley and Karen Becker	406 N. Dale Street	555-5874

Attorneys for:	Attorney's Name	Attorney's Phone Number
Mother	Jody Franken	555-9894
Father	Mary Holzer	555-1337

CPS Caseworker	Jordan Myers	555-7344
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CASE HISTORY

July 3 (three years ago): Neighbor called police as a result of “loud shouting” in the home of Jose and Myrian Amarillo. Police found three children on the scene (Maria, age 13; Joanna, age 3; Graciela, age 1) and removed the children from the home based upon evidence at the scene including parents too inebriated to provide a safe home for their children and mother’s bruises and bleeding as a result of a fight between her and her husband. CPS was notified and the children were placed together in emergency foster care.

July 6 (three years ago): Following an emergency shelter care hearing, the Amarillo children were placed in three separate placements. Joanna and Graciela were each placed in separate foster homes, and Maria was placed in a group home for girls. The Amarillo parents are undocumented citizens.

September 17 (three years ago): Following a dispositional hearing, parents were ordered to receive drug/alcohol screening, attend a substance abuse treatment program, and provide random urine analysis (UA). Mr. Amarillo was ordered to attend a domestic violence program. Mrs. Amarillo was ordered to attend domestic violence survivors program. Joanna was placed in the same foster home placement as Graciela. Maria remained in group home placement.

November 20 (three years ago): Group home of Maria Amarillo reported Maria ran away two months after admission. Maria has not been in contact with group home or social worker. Parents have reported that they received several calls from Maria but would not disclose her location.

November 27 (three years ago): Maria returned to the group home but was expelled for violating group home policies. Maria was placed in a short-term foster home.

January 8 (two years ago): Following a review hearing, it was ruled that parents have made no progress toward completing court-ordered services. Children will remain in out-of-home placement. A maternal aunt in El Salvador has come forward as a potential placement for the two younger siblings. Maria has been moved from a short-term foster home to a long-term placement.

March 6 (two years ago): Maria called social worker to complain of verbal and physical abuse by foster family. Social worker visited foster home the same evening and interviewed the foster parents and children in the home. Maria was unavailable to talk (drama practice at school). Social worker found no evidence of physical abuse.

March 13 (two years ago): Foster family of Maria Amarillo reported that she did not return home after school.

March 17 (two years ago): County General Hospital called CPS to report Maria Amarillo had been admitted after a 911 call from the home of a friend. Maria was admitted following a severe asthma attack. Social worker visited hospital and found that Maria had been staying with maternal relatives, Pedro and Anna Valdez. Maria has inquired as to the feasibility of placement with the Valdez family.

March 29 (two years ago): Foster family of Maria Amarillo has asked for her to be removed from their home after a second episode of running away.

April 4 (two years ago): Foster family of Joanna and Graciela Amarillo have asked for a new foster placement because they are expecting a baby of their own.

CASA/GAL Volunteer			
Previous CASA/GAL Volunteer:	Beth Smith	Date Assigned:	7/3
		Date Terminated:	5/3
Current CASA/GAL Volunteer:	You	Date Assigned:	Today's Date
Initial CPS Worker:	Gerri Grady	Date Assigned:	7/3 (three years ago)
Previous CPS Worker	Danielle Mancuso	Date Assigned:	9/19 (three years ago)
Current CPS Worker:	Alberta Gillis	Date Assigned:	Last month

Court Ordered Services
<p>For the Child (Maria):</p> <ul style="list-style-type: none"> • Medical health needs reviewed per physician's orders due to issues with asthma (see case notes by physician below). • Educational needs to be met as appropriate <p>For the Child (Joanna):</p> <ul style="list-style-type: none"> • Educational needs to be met as appropriate <p>For the Child (Graciela):</p> <ul style="list-style-type: none"> • Age-appropriate childcare to ensure educational needs are met <p>For the Father:</p> <ul style="list-style-type: none"> • Rights have been terminated <p>For the Mother:</p> <ul style="list-style-type: none"> • Rights have been terminated

Medical History for Maria Amarillo

Prepared by: Dr. Madeline Bemelmans, County General Hospital

Patient was first admitted on 3/17 (two years ago) for a severe, acute asthma episode. Medication was administered and episode passed. Patient has described a history, dating back to age 7, of attempting to control her asthma through natural and behavioral methods and was reluctant to accept medication. On October 23 of last year, patient began a new prescription: Ortho-Cept (28) Oral.

AMARILLO CASE INTERVIEWS

Social Worker: Alberta Gillis (First Contact)

Telephone Interview:

I was assigned to this case about a month ago, I'm still getting up to speed. This one seems pretty stable, so honestly I haven't spent much time on it. The previous social worker moved out of state.

I'm honestly wondering about the possibility of having Maria join her aunt in El Salvador. Her aunt wants her there and is asking about the holdup. She says she needs Maria's help, and it would be a family placement.

The Valdez family is not legal in this country. Beyond that I really haven't learned much about them. They don't speak English and I don't speak Spanish.

We aren't going to give custody to undocumented immigrants. We're already pushing it a bit to let her visit over there, but the Valdezes checked out okay in combined records and they have no criminal records. On the plus side, it's free respite care, to give the Becker's a break.

Maria Amarillo (First Contact)

AMARILLO CASE INTERVIEWS

Hi, it's nice to meet you. What can I tell you about myself? I've been living in foster care for about 10 years.

My father and mother have had a lot of fights. But it feels like everyone is taking that out on me and my sisters. They separated us. They've put me in all these different homes. We'd be fine if we just all lived at the Valdez house. They're like my family. I love Lourdes, she's my best friend. Me and my sisters just feel comfortable over there, like it's a good fit. Like we're home.

My Aunt Consuela lives in El Salvador. I see her every couple of years, I guess. She's cool. I did tell CPS that I'd like to live with her at one point. But that's when I was living in the group home. Any place would have been better than that dungeon. I'm not sure now. I don't want to just go to my Aunt's house so I can work for her and miss out on a chance to go to college.

The Beckers are not that bad, but they're so strict about religion. It's not a fun place to live. I love them and respect them for taking care of my sisters and taking me in. Their house is nice and they've been good to us. But it's not home. And they drag me and my sisters to their church, but it's really not like what we're used to. We're Catholic, and I was always taught that you have to choose your church—you shouldn't bounce from one church to another.

Susan Becker is another story. She acts all perfect around her parents, but she can be really mean. And I bet they have no idea how she sneaks around at night.

School is going okay I guess. I like my Guidance Counselor a lot, Ms. Mansfield. She is trying to convince me that I can go to college if I apply myself more and said she would help me with applications and stuff. I think I am behind some credits to graduate on time with my class and I guess I would have to take the SAT or something like that. I just don't know how I could pay for taking the classes that help you study for the SAT. I wouldn't mind being able to go to the community college here in town but I just don't have a clue about how to make that all happen. I'm hoping I can stay at this school because Lourdes is here and Ms. Mansfield.

You should come visit me at the Valdez home. Go ahead and call them. They don't speak English that well, but Lourdes can translate on the phone for you.

Maria's guidance counselor: Julia Mansfield

AMARILLO CASE INTERVIEWS

Telephone Interview:

I've been Maria's guidance counselor for two years now. I'll follow her class through graduation. Here is her academic record if you'd like to see it. Her GPA is 2.8 on a 4-point scale. Her grades in high school have been average to good. They were lower in middle school, especially when Maria's CPS case opened. I think she would do well in community college to start with and then perhaps transfer to a four year university. But she is still some credits behind that are needed for her to graduate high school with her class. We've been working on getting her caught up with that.

Sometimes Maria comes to school feeling down about her home life. She has cried about it in this office more than once. Maria feels bad to be so ungrateful, but she just doesn't feel at home with the Beckers. Their religion is very different from Catholicism and she believes they are trying to convert her. This is really uncomfortable, and she doesn't get along with their daughter either.

Maria puts on a happy face and shows her cheerful side to the world, but deep inside she's pretty upset about a few things. She is really sad that her family broke up the way it did. She lived apart from her sisters for about a year and felt extremely guilty about that. She said she ran away a few times in hopes she'd be able to see them or be placed with them. And she's worried about her mother. She's worried about her dad too, especially because of his drinking. She's mad at him of course, but she loves him too. The whole situation is painful and difficult.

She is also really concerned about her status in this country. You know she doesn't want to go back to El Salvador. She says she doesn't want to go live with her aunt and just help in the house until she finds a husband, if she can find one. I imagine her opportunities will be so limited in El Salvador compared to here. But when she turns 18 and graduates from high school, she will be an undocumented immigrant, a so-called "illegal alien." Unfortunately, I don't know enough about all that stuff to figure out what she needs to be able to do to stay in this country past 18. Maybe if she got adopted by an American family?

I don't know Lourdes Valdez that well. I see her in the halls, though, and she seems like a nice kid. Maria is very attached to her and her family.

I've noticed, or heard, that Maria has had a crush on a couple different guys at school, but nothing serious. I don't see Maria as being one of those girls who gets pregnant and becomes a teenage mother. But you never know about things like that. I am guessing that the Beckers haven't told her anything about birth control or safe sex practices. I have shared some of that information with her but I am not in a position to take her to see someone at a family planning agency. I sure hope her case worker is following up on stuff like that. If I ask, they tell me they can't share anything.

I do hope that Maria is able to stay in the United States and pursue an education. I think with the right supports she really could do well and find success. On the other hand, I really worry that if she ends up living on her own, she won't have the skills to manage adulthood. I think she said she is taking some Independent Living classes through the child welfare agency, but I'm not sure.

AMARILLO CASE INTERVIEWS

Maria's Foster Parents: Karen and Stanley Becker

Karen: Thanks for coming over to our home on a Saturday morning. It's impressive that you'd work on a Saturday! What? Oh, you're a volunteer? Does that mean you have a "day job," so to speak? Can we offer you some coffee?

Stanley: I don't know how you do that. I work in insurance. And I'm beat when I come home at the end of the day. I'm very thankful my wife takes good care of our home and our family.

Karen: We're in this with the Amarillo girls for the long haul. Maria has told us of all the places she's been. That's tragic! We're willing to provide a home for them as long as they'd like to live here. We'd even adopt them, if you think that's an option.

Stanley: I'm not sure Maria would want that. She doesn't exactly get along with our daughter Susan, who's about the same age. But Joanna and Graciela seem to like it here. And Susan loves having little sisters around to play with. Well, and sometimes boss around.

Karen: Do you mind if we're frank with you about Maria for a second? We're a little concerned about her. She likes to spend time at the Valdez house. Which we totally understand. They're family. But it doesn't seem to be the best atmosphere. They seem to have a party every weekend. There are always teenage guys milling about.

Stanley: And believe me, I was a teenage boy once. I know what they're thinking.

Karen: Seriously, these are teenage boys, and there's been more than one occasion I've seen some of those teenagers with beers in their hands. I know she's been friends with her cousin Lourdes for a long time, and really Lourdes seems like a nice girl. She's always polite when she comes over here. But, my Lord, that house is so small. I don't know how they all fit in over there.

Stanley: Karen, do you want to tell the volunteer what you found the other day?

Karen: Ortho-cept pills. Birth control. I haven't spoken to Maria about them yet, but it just raised our level of concern for her.

Stanley: We're doing our best with a houseful of girls, and we're really trying to make sure Maria has the support she needs. And guidance. I know she's Catholic. We're Christian too and we make sure we go to church as a family every Sunday. With all the scandal in the Catholic church lately, I think she might even be getting a better message in our church. It's non-denominational. But The Message is powerful.

Karen: She is a pretty good student but I'm not sure how she will be able to go to college with her citizenship status and lack of financial support. It would be great if there were some scholarships or funds especially for kids like Maria living in foster care. Do you know of anything?

Maria's Maternal Aunt: Consuela Amarillo

AMARILLO CASE INTERVIEWS

Telephone Interview:

Hello. Yes, of course I speak English. I've studied it since I was a schoolgirl, but I also work in the local office of an international aid agency based in the United States. I travel there from time to time for work. And I see family when I'm there. I see Maria, Joanna, and Graciela once every eighteen months or so. I haven't seen them in about two years. Graciela was so tiny last time I saw her!

I'm actually a "double aunt" because Myrian is my sister and we married brothers. Unlike my brother-in-law, my husband was a good man and a good provider. He died about five years ago.

I would love for Maria to come back here and live with me. I have three daughters of my own and I could really use the help. But beyond that, I know there are some questions about her residency status. I'd hate for her to end up getting deported. I've heard stories from friends about that and it doesn't sound like a good situation. I'd actually love for all the girls to come back here. Family is important. But I understand the allure of staying in North America.

I really wish Myrian would leave Jose. His drinking has always been such a problem, and he gets violent with her. We've talked though, and she won't leave him.

Myrian and Jose both do the same farm labor that Pedro Valdez does. They see each other regularly, but they're not allowed to visit the house if Maria's there. Maria's not supposed to be visiting with her parents since the TPR, but I know they do see each other. Especially if Maria goes to church with the Valdez family. I just don't think it is right to keep kids from the parents especially in places like church where there isn't a risk of danger.

If Maria did come to live with us in El Salvador, I'm not sure what her educational opportunities would be. In this country, it is really only the wealthy families who are able to send their kids to college. I guess that would be an advantage for Maria if she stays in the United States. I just don't know how she would be able to figure out all the steps about getting in college, etc. I do love Maria and I really only hope for the best for her.

Maria's Relatives: Uncle Pedro, Aunt Anna and Cousin Lourdes Valdez

AMARILLO CASE INTERVIEWS

Lourdes: Hello, please come in.” It’s good to meet you. Please excuse the mess around the house. We’re a somewhat busy and cluttered family!

Pedro: Usted quiere quedar para la cena?

Lourdes: My father asks “Would you like to stay for dinner?”

Anna: Usted es de los servicios sociales, verdad? O es abogada?

Lourdes: My mother asks, “Are you from social services? Or are you an attorney?”

Pedro: Maria es buena chica. Es como nuestra hija. Es una lastima lo que paso con sus padres, pero ellos necesitan aprender que hay leyes en este pais. No se lo que Usted esta pensando sobre lo que pasara con las chicas Amarillo. Pero si necesitan un hogar, nuestra puerta esta abierta.

Lourdes: My father says, “Maria is a good kid. She’s like a daughter to us. It’s really a shame what happened in that family.” He wants to know if the Amarillo girls need a home, because he feels they could live here. I think that would be fun to have them here. I’m guessing you knew that Maria’s aunt in El Salvador was married to my father’s cousin down there. So we’re kind of like family.

Anna: Le parece que Usted nos puede ayudar con la situacion? Parece que las muchachas pueden vivir aqui?

Lourdes: My mother is asking “Do you think you can help in this situation and perhaps have Maria and her sisters live here?” Maria has talked about her experiences in other homes and it just doesn’t sound good. She doesn’t sound at all happy even where she is now. We’d love to have them stay with us. I think a social worker came out here a few years ago when they were first taken out of their home. But then we didn’t hear anything more.

Maria In Valdez Home: (Second Contact)

AMARILLO CASE INTERVIEWS

Thanks for meeting me here. ARGH! I can't stand Ms. Gillis. That CPS worker just doesn't seem like she likes me. Or maybe she doesn't like her job. People like that shouldn't have jobs like that. She never listens to me. I'm 16. Doesn't my opinion matter? I miss the last social worker.

School is going fine. My grades are fine. I like some of my teachers. Others I could do without. Again, some of those people shouldn't have those jobs if they don't like teaching. I like my guidance counselor, Miss Mansfield. She seems like she has my back when I tell her things.

I've been thinking about what I could do after high school. I've been thinking of the army or navy actually. I'd get to see some of the world. And I've heard that they help you get your papers in order. Plus I'd be able to earn money to help my family and my sisters out. Going the college route right now just feels impossible.

Is the birth control thing any of your business? Yes, I'm taking pills. But it's not what you think. I've had a lot of problems with my period and my doctor said these would help. But they make me break out. And I feel fatter. I might see if I can stop taking them.

Yeah, I see mom and dad in church sometimes. Yes, I see them here sometimes, too. But that's between you, me, and the wall. Please don't tell anyone about that. Especially not Ms. Gillis.

I don't think my Aunt Consuela really needs my help in El Salvador. But my sisters have been asking about her. The Beckers don't let us make international calls. I need a phone card, I guess. Would you be able to buy one? It's kind of a weird thing to ask, but I don't have any extra cash right now. I just feel like I have no freedom at all.

CASA/GAL Volunteer Discussion with CASA/GAL Supervisor

You're looking for information about *US Immigration and Customs Enforcement (ICE) policy*? These don't come up very often, but when they do, it's super important to know the options—you're dealing with a young girl's life. I've done a little research and it turns out that Maria may qualify for **Special Immigrant Juvenile Status (SIJS)**.

Juveniles who are under the supervision of juvenile court (both delinquency and dependency cases) can apply for lawful immigration status if the court order has specific language. They must apply for both special immigrant juvenile status and for permanent residency (the "green card," which actually isn't green at all).

Maria is in good shape because she is under 18 years of age, which can be the cutoff for these applications. (In some cases, a youth can apply up to the age of 21.) Maria can easily fulfill most of the requirements for SIJS, as she is:

- Under the jurisdiction of juvenile court.
- "Deemed eligible for long-term foster care" (legal language to indicate that she cannot be reunited with her parents).
- In her case, the court's findings were based on abuse, neglect, or abandonment, rather than for the purpose of seeking immigration status.
- And it is not in her best interest to return to her home country.

Now, this final requirement may be hard to prove in Maria's case because she has a relative in El Salvador willing and available to take her.

However, if all these requirements can be met, Maria will need an order from a juvenile court judge specifically stating that all of the above listed findings required for SIJS have been made. With that order in hand, her attorney can proceed with the SIJS application.

What I'm about to tell you is really, really important. This is kind of an all- or-nothing deal. If Maria applies for special immigrant juvenile status and is turned down, ICE may attempt to deport her from the United States.

Therefore, it will be best to not make the application for SIJS unless it is likely to be successful. You might want to look into speaking with an immigration attorney to learn more.

If SIJS is granted, there will be additional requirements related to getting a "green card," Permanent Resident Status. If Maria successfully obtains her green card, she will be able to work legally, travel in and out of the country and, after five years, apply for citizenship.