

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL
RIGHTS AS TO: T.L., A MINOR CHILD,

TONYA MEREDITH,
Appellant,
vs.

WASHOE COUNTY DEPARTMENT OF
SOCIAL SERVICES,
Respondent.

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**Appeal from an Order Terminating Parental Rights in FV15-03927
The Second Judicial District Court of the State of Nevada
Honorable Egan Walker, District Judge, Family Division**

JOINT APPENDIX VOLUME THREE

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IN THE FAMILY DIVISION

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OF THE SECOND JUDICIAL DISTRICT COURT

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OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

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THE HONORABLE EGAN WALKER, DISTRICT JUDGE

9

10 IN THE MATTER OF PARENTAL
RIGHTS:

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as to,

Case No. FV15-03927

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TYLER LENNOX,

Dept. No. 2

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MINOR CHILD. /

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TRANSCRIPT OF PROCEEDINGS

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TERM PARENTAL RIGHTS - CONTESTED PLACEMENT HEARING

18

MAY 2, 2016

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VOLUME II

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TONYA MEREDITH

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1 THE COURT: Good morning, ladies and
2 gentlemen. Please be seated, folks. This is FV15-03927
3 in the matter of the petition to terminate parental
4 rights as to Tyler Lennox.

5 Appearances for the record, please.

6 MR. MARTIN: Good morning, Your Honor.
7 Jeff Martin, Washoe County District Attorney's Office
8 and Melissa Ready for the Washoe County Department of
9 Social Services.

10 THE COURT: Good morning.

11 MS. RILEY: Ms. Riley from the Public
12 Defender's Office on behalf of Tonya Meredith, who's
13 present this morning.

14 THE COURT: Ms. Meredith, good morning.

15 MS. MEYER: Good morning, Emilie Meyer here
16 with Kris Riley and Ms. Meredith.

17 MR. HART: Good morning, Bill Hart from the
18 Alternate Public Defender's Office on behalf of
19 Mr. Lennox, who although we had an order to produce and
20 we faxed it over to the jail on Wednesday, was
21 apparently transported on Friday. I couldn't get a hold
22 of anybody on Friday so I could not set up any kind of
23 appearance for Mr. Lennox this morning.

24 In light of that, and although I know what
25 that the Court might say, I do feel obligated to ask for

1 a continuance in order to get Mr. Lennox here. And so I
2 will make that formal request to the Court.

3 THE COURT: Thank you.

4 MR. GAMBLE: Good morning, David Gamble, Jr.,
5 with the office of the Alternate Public Defender here
6 with Bill Hart.

7 THE COURT: This is the time and date set for
8 the continuation of trial in this matter. As I
9 understood the status of things, we're here really for
10 the testimony of Ms. Ready. There were not
11 representations made to me about, not final
12 representations, I guess, made to me about who else
13 might testify. I know mom was considering whether or
14 not to do so. I had no inkling really one way or
15 another about your client's desire to testify.

16 Thoughts?

17 MS. MEYER: Your Honor, Ms. Meredith will be
18 testifying. One of the reasons that we were holding off
19 is because, unfortunately, Ms. Ready wasn't here to be
20 able to make her representations to the Court. And as I
21 represented, I think it's always beneficial to hear the
22 other side's party, which is why the structure is as it
23 is.

24 I think that we should continue to allow
25 Mr. Lennox to be present to determine whether or not he

1 would like to testify based on Ms. Ready's testimony.
2 We certainly allowed the State to continue its witnesses
3 out to today when Ms. Ready could not appear through no
4 fault of her own. Mr. Lennox is similarly situated in
5 this case. But I know that Ms. Meredith intends to
6 testify today.

7 THE COURT: Your thoughts about the request
8 to continue the matter.

9 MR. MARTIN: Well, I guess I'm still -- I'm
10 still not clear. If -- because there's two -- I mean,
11 there is two issues. If Mr. Lennox is not here but he
12 desires to testify, that's one thing. I think the other
13 issue is if he simply wishes to participate in this
14 proceeding and can't, I would simply request that if --
15 there be sufficient time for him -- to allow him to
16 appear by telephone. Other than that, I don't really
17 have a position at this point. We are prepared to
18 proceed with Ms. Ready at this point.

19 THE COURT: Well, the issue from my
20 perspective is really placement for this minor child, in
21 light of, my description, no one else's, the late
22 identification of a possible relative placement. We're
23 here. Substantial resources have been applied to make
24 mom available. However, I'm uncomfortable proceeding
25 without the presence of both parents when, through no

1 fault of the parents, he is not available.

2 I guess, in the broadest sense, we could say
3 but for his criminality, he would be available, but
4 that's not really the point. I guess the point is that
5 his actual physical location is no longer within his
6 control.

7 I don't really think I should proceed without
8 him, quite honestly. And so I don't know if we can
9 spend some time this morning and see if we can locate
10 him somewhere. Deputy, I don't know if you have any
11 suggestion about how we could figure out where he is.

12 THE BAILIFF: From what I understand, he was
13 already transported to NDOC out of Washoe County.

14 THE CLERK: Your Honor, on the NDOC's
15 website, he is at NNCC.

16 MR. HART: That's my understanding too. I
17 had been trying to contact the Northern Nevada
18 Correction Center on Friday and this morning, and I just
19 couldn't get a hold of anybody to even give the -- to
20 fax the order over to, so.

21 THE COURT: Let's see if we can get somebody
22 from NNCC on the phone and let me talk to them and see
23 perhaps if we can track him down.

24 THE CLERK: Your Honor, I have contact
25 information for the administrative assistant of the

1 Warden's office. Would you like me to call her?

2 THE COURT: Yes, what's her name?

3 THE CLERK: Her name is Serena (phonetic),
4 and last name, I believe, is Rupert.

5 THE COURT: Okay.

6 THE CLERK: Do you just want it over the
7 overhead?

8 THE COURT: Yes, and I'll talk to whoever
9 answers.

10 (Whereupon, the Court Clerk called NNCC and
11 put the call over the audio sytem for the Court to speak
12 with)

13 UNIDENTIFIED SPEAKER: Northern Nevada
14 Correctional Center. This is Tasha, can I help you?

15 THE COURT: Hi Tasha, my name is Egan Walker.
16 I'm a District Judge here in Washoe County in the Second
17 Judicial District. I'm actually calling you from the
18 courtroom in a case involving a petition to terminate
19 parental rights as to a minor child named Tyler Lennox.
20 Tyler's father is a gentleman by the name of
21 Eric Lennox.

22 UNIDENTIFIED SPEAKER: Uh-huh.

23 THE COURT: Until last week, Mr. Lennox was a
24 resident of the Washoe County jail. He was sentenced
25 approximately a week and a half to ten days ago to the

1 Nevada Department of Corrections by another District
2 Judge here in Washoe County.

3 UNIDENTIFIED SPEAKER: Right.

4 THE COURT: Despite my order that he be
5 available for trial this morning, he was transported on
6 Friday, and I'm given to believe he's with you guys.

7 UNIDENTIFIED SPEAKER: Yes, he is.

8 THE COURT: We need him on the phone.

9 UNIDENTIFIED SPEAKER: Okay, hang on just a
10 second. Let me see where he's at.

11 Mr. Walker.

12 THE COURT: Yes.

13 UNIDENTIFIED SPEAKER: Okay, they're going to
14 get the inmate. It will be just a few minutes.

15 THE COURT: All right. Can you give me an
16 estimate of how many?

17 UNIDENTIFIED SPEAKER: How many minutes?

18 THE COURT: Yes.

19 UNIDENTIFIED SPEAKER: Oh, hang on just a
20 second.

21 THE COURT: Sure.

22 UNIDENTIFIED SPEAKER: Okay, Mr. Walker.

23 THE COURT: Yes.

24 UNIDENTIFIED SPEAKER: It's going to be about
25 15 minutes. They're going to go get the inmate and set

1 him up in a caseworker's office.

2 THE COURT: Okay. Thank you for that. We're
3 going to keep you on the line --

4 UNIDENTIFIED SPEAKER: Okay.

5 THE COURT: -- but we're going to go ahead
6 and take a recess in the proceedings until we actually
7 connect with Mr. Lennox. I see little point to be
8 served by --

9 MS. MEYER: Your Honor, before we take a
10 recess, if I may, it's my understanding that the Brown
11 family has arrived. We had spoken with Mr. Martin
12 toward the -- toward the beginning of this morning and
13 asking -- we will not be calling them, and we would
14 waive the ability to call them as rebuttal witnesses, if
15 they'd like to be present for the proceedings today. If
16 they do proceed forward, we would ask the Court allow
17 them to be present, as they've already testified, and
18 their testimony can no longer be influenced by any
19 further testimony if we waive their appearance.

20 THE COURT: Any objection to the Browns
21 sitting in?

22 MR. MARTIN: No, Your Honor, thank you.

23 THE COURT: All right.

24 MS. MEYER: Thank you, Your Honor.

25 THE COURT: Thank you. We'll all be in

1 recess then until we can connect.

2 (Whereupon, court recessed)

3 THE COURT: Thank you all, please be seated.
4 We're again on the record in FV15-03927.

5 Mr. Lennox, can you hear me, sir?

6 MR. LENNOX: Yes, Your Honor.

7 THE COURT: All right. Good morning,
8 welcome. I'm glad you can join us telephonically. Your
9 attorneys are both present.

10 MR. LENNOX: Thank you.

11 THE COURT: Let's go ahead and proceed. Your
12 next witness. I think we're kind of bouncing back and
13 forth, so.

14 MR. MARTIN: We are, Your Honor. And thank
15 you for your indulgence. We call Melissa Ready to the
16 stand.

17 THE COURT: Okay.

18 THE CLERK: Do you solemnly swear that the
19 testimony you're about to give in this case to be the
20 truth, the whole truth, and nothing but the truth, so
21 help you God?

22 MS. READY: I do.

23 THE COURT: Thank you, please be seated.
24 Please, go ahead, Mr. Martin.

25 MR. MARTIN: All right.

1 MELISSA READY

2 (Sworn as a witness, testified as follows)

3 DIRECT EXAMINATION

4 BY MR. MARTIN:

5 Q. Good morning. Could you please state your name and
6 spell your last name for the record.

7 A. My name is Melissa Ready, R-E-A-D-Y.

8 Q. Okay. And where are you currently employed?

9 A. I'm employed at Washoe County Department of Social
10 Services.

11 Q. And what do you do for the Department?

12 A. I'm a senior social worker.

13 Q. Okay.

14 MR. MARTIN: Excuse me, sorry. Getting a
15 little bit of an echo here.

16 BY MR. MARTIN:

17 Q. How long -- and how long have you been employed by
18 the Department?

19 A. I started working there in 2009 so approximately
20 seven years.

21 Q. Okay. What did you do when you first worked for the
22 Department?

23 A. When I first started for the County, I was what we
24 refer to as an assessment worker. So I went out and
25 investigated reports of child maltreatment. I did that

1 for approximately two years, and then I moved on to what
2 we call permanency or ongoing. I did that for two
3 years. And then when we started -- it's kind of echoey.

4 Q. Go ahead.

5 A. When we started the research project, which is
6 called SAFE-FC, I was part of the research project and
7 so I've done that for the last couple years. And then I
8 was just promoted as a senior social worker into the
9 training unit.

10 Q. Okay. And what were your duties for the SAFE-FC?

11 A. The SAFE-FC, basically, it was a new model that they
12 developed in regards to permanency. The research
13 project was based on kids. There's a --

14 Sorry, that echo is like throwing me off.

15 -- that we started noticing that there was a lot of
16 recidivism when it came to Child Protective Services and
17 that foster kids were lingering in care. So it was
18 basically like a paradigm switch in how we were working
19 with families instead of being compliance-based, which
20 means you're ordered to do 12, you know, domestic
21 violence classes, you'd come back with your list, and
22 you said I did my 12 classes but nothing has changed.

23 So SAFE-FC is very much about change, sustained
24 change, and it's also about helping families develop an
25 informal safety plan. So basically when social services

1 steps out of your life, you've got some connections and
2 supports that can help you. But the main thing is
3 change, that we're change-based now, not
4 compliance-based.

5 Q. Okay. And how long have you -- how long were you
6 with SAFE-FC?

7 A. I started -- the actual project started in two
8 thousand --

9 MS. RILEY: Your Honor, I object to the
10 relevance of SAFE-FC as far as this case goes.

11 THE COURT: Mr. Martin.

12 MR. MARTIN: I'll withdraw the question.

13 THE COURT: All right.

14 BY MR. MARTIN:

15 Q. Could you please tell us -- describe your education.

16 A. I have a bachelor's degree in social work at UNR. I
17 graduated in 2009.

18 Q. Okay. And were you at any time assigned to a case
19 involving Tyler Lennox?

20 A. Yes, I was assigned to the case in February 2015.

21 Q. Okay. And what was your role in Tyler's case?

22 A. The case was transferred to me from a previous
23 worker who had left the Agency. So I got the case
24 approximately at six months, and my job was
25 reunification. And so it was to take over the case plan

1 that had been developed by Ms. Barmore, Ms. Lennox, and
2 Ms. Meredith to continue to provide services. They
3 hadn't really engaged their case plans at that point,
4 and so my primary focus was submitting vouchers and
5 trying to get the family engaged in services was really
6 my initial goal.

7 Also visitation, to facilitate visitation. The
8 visitation was supervised and so I was in the visitation
9 providing hands-on parenting assistance and feedback,
10 and then to also talk about relative resources that may
11 or may not be available. Because in this case, we do
12 have two full siblings, Maybel and Tyrone, who are in
13 the guardianship with an adult half-sibling, and so it
14 was sort of strange to me that we had another full
15 sibling and that we didn't have any viable relatives at
16 that time.

17 So it was really just to build rapport with the
18 parents and --

19 Q. Okay, okay. And at the time you received the case,
20 where was Tyler placed?

21 A. Tyler was placed with Brittina Kogan-Hill, who's a
22 foster parent.

23 Q. Okay. And did Tyler have any clinical needs when
24 you took over the case?

25 A. Yes, he was engaged in Childrens Behavioral

1 Services. His therapist was Tricia Woodliff. He, at
2 the time, was being assessed for the Day Treatment
3 program. I don't believe at the time, when I received
4 the case, he was actually in the Day Treatment program.
5 I think he might have started the Day Treatment program
6 a couple months after I got the case, but he was being
7 assessed for it. And he was also in Pre-K at Hunter
8 Lake Elementary?

9 Q. Okay. And what were those services designed to
10 address?

11 A. The services at Childrens Behavioral Services were
12 designed to address post-traumatic stress disorder, as
13 well as an adjustment disorder. He was at the Pre-K
14 program because he had some speech delays and also had
15 some behavioral issues.

16 Q. Okay. What type of behavioral issues to your
17 knowledge?

18 A. Tantrums and the kind of tantrum that couldn't be on
19 a typical strategy, which would be like redirection or
20 removing him from his -- the situation and putting him
21 into a calmer environment. Those types of strategies
22 weren't working. I actually was able to be present a
23 couple times for his tantrums, and we did -- the foster
24 parent had videotaped one of them, and it was just an
25 uncontrollable like kind of yelling and sobbing and so

1 not able to be soothed as a typical child would.

2 Q. Okay. And was he receiving therapy?

3 A. Yes, he was receiving therapy once a week by
4 Ms. Woodliff at CBS.

5 Q. Okay. And when you first received the case, were
6 Tyler's parents visiting him?

7 A. Yeah, it was sporadic, though. They were scheduled
8 to visit two days a week. It was --

9 MR. HART: Objection, relevance, Your Honor.

10 MR. MARTIN: I think it's relevant to the
11 child's -- excuse me, the child's improvement while in
12 care and with the -- in the care of the foster parents.

13 THE COURT: Let me offer, you're all welcome
14 to remain seated. Thank you for the courtesy or the
15 compulsion you felt to rise. But in light of
16 Mr. Lennox's telephonic participation, I should have
17 offered that we should all remain seated.

18 I'm going to overrule the relevance
19 objection. That means you can answer the question,
20 Ms. Ready.

21 THE WITNESS: Can you repeat the question,
22 please.

23 MR. MARTIN: Certainly.

24 BY MR. MARTIN:

25 Q. When you first received the case, were Tyler's

1 parents visiting him?

2 A. When I got the case, there was already a visitation
3 plan in place, and as I recall, it was two days a week
4 for one-hour supervised at Washoe County Department of
5 Social Services, and the parents were very sporadic in
6 their visitation. At times, they would show up
7 together, and then there was times where Mr. Lennox
8 would show up or Ms. Meredith would show up on her own.
9 I do have to say that Ms. Meredith attended the
10 visitation more often than Mr. Lennox did.

11 Q. Okay.

12 A. And then around May, I believe is when visitation
13 completely stopped. I can't recall exactly when
14 Mr. Lennox became incarcerated, but I think it was
15 approximately May, and that's the same time that
16 Ms. Meredith left town and went to Sacramento.

17 Q. Okay.

18 A. And so basically visitation stopped at that point.

19 Q. Okay. And when they were visiting, albeit
20 sporadically, did you have -- were you observing the
21 visits?

22 A. Yes, I was supervising them.

23 Q. Okay. And how did -- what were your observations of
24 the visits? How was Tyler behaving?

25 A. When the visits would stop, like if let's say Tyler

1 came out of the elevator and the parents were there or
2 vice versa, there really wasn't that normal reaction
3 that you would typically see of a child who hasn't seen
4 their parent, where they show some emotion, whether it's
5 excitement, sadness. There really was not a lot of
6 emotion demonstrated by him.

7 Ms. Meredith would come up and hug him. Mr. Lennox
8 would hug Tyler. The visit room was typically on the
9 fourth floor in sort of a smaller room. Ms. Meredith
10 really remained quiet throughout the visit. It really
11 seemed that when she was with Mr. Lennox, she was much
12 more reserved than when she wasn't with him.

13 But Mr. Lennox really focused the visitation on him
14 and his case plan and what he felt the Agency was or
15 wasn't doing or what the foster parent was or wasn't
16 doing. Ms. Meredith really wasn't vocal during the
17 visit, but she would put Tyler on her lap, and they'd,
18 you know, look through a book or --

19 Q. Okay. Specifically, what was Tyler's affect during
20 these visits?

21 A. Flat.

22 Q. Very flat?

23 A. Flat.

24 Q. Okay.

25 A. Like there was no mommy, daddy, no over-emotion, no

1 under-emotion. It was just very flat. Saying hi and
2 saying goodbye, like it wasn't -- in some situations
3 when we're ending visits, the child will get emotional
4 or the parent will get emotional, and we'll have to kind
5 of adjust how visitation ends.

6 The visitations ending in this situation were very
7 easy. You know, he would see Brittina or see the runner
8 and would go right to them and the visit would end
9 and -- so he didn't have a positive reaction nor an
10 adverse reaction.

11 Q. Okay. And did you have an opportunity to observe
12 Tyler with Ms. Kogan-Hill?

13 A. Yes, I did, often.

14 Q. And how did he seem to respond to Ms. Kogan-Hill?

15 A. He seemed comfortable in her care. I observed them
16 together in her household, at the daycare, in the
17 community, at the County. He definitely looked to her
18 as the person that was somebody that he needed to look
19 to to respond to his needs, but there was definitely not
20 an over-attachment with her. He never called her mom.

21 THE WITNESS: Am I doing something wrong?

22 THE COURT: No. You just talk a lot with
23 your hands, and you're leaning forward, and you're just
24 fine.

25 THE WITNESS: Okay, I'm sorry. I'll try to

1 back up.

2 THE COURT: It's quite all right.

3 THE WITNESS: Okay. So there wasn't --
4 because sometimes what you see with kids is there's
5 either an over-attachment or there's an
6 under-attachment. And with Tyler, it was really clear
7 that he was comfortable in Ms. Brittina Kogan-Hill's
8 home, but there was not an over-attachment. And, to me,
9 he really didn't look at her like his mom or look at her
10 significant other like her dad, even though there was
11 two other kids in the home that referred to her as --
12 the older one refers to her as mom.

13 And so it's like Tyler never picked that up,
14 which I always thought was interesting. And we had had
15 conversations along the way that this kid is not looking
16 at this person as their main care provider. And the
17 word mom and dad had never came out of Tyler's mouth, at
18 least that I had heard, whether it's to Ms. Meredith,
19 Mr. Lennox, or to Ms. Brittina Kogan-Hill. He wasn't
20 calling -- he wasn't identifying anybody as mom and dad
21 at that point.

22 MR. MARTIN: Okay.

23 BY MR. MARTIN:

24 Q. Okay. And how long did Ms. Kogan-Hill provide care
25 for Tyler?

1 A. She -- a year. It was approximately a year.

2 Q. Okay. And did you find his affect or his response
3 to her consistent over that time?

4 A. Yeah. Yeah, like he enjoyed her, and he moved
5 around his -- you know, her home with ease, and they
6 participated in activities. And I never saw him
7 demonstrate any fear around her or hesitation. You
8 know, he had his own little bedroom that he'd keep his
9 little bed clean and --

10 Q. Okay. So when you received the case, what did you
11 have in the way of potential relative placements?

12 A. Okay. So at the time when I received the case,
13 there was two ICPC's that had already been submitted --

14 Q. And I'm sorry, just because there's a judicial
15 record here, what is an ICPC?

16 A. An Interstate Compact for the Placement of Children.

17 Q. Okay.

18 A. So there was two open IC -- can I say ICPC's now?

19 Q. Yes.

20 A. Okay. So there was two open ICPC's once I got the
21 case. One was for Tina Mitchell, and one was for
22 Yvonne Davis, who are both paternal relatives. And then
23 there was other names we had, but those were the only
24 two relatives that had presented themselves as placement
25 options. So the ICPC's were submitted by Ms. Barmore.

1 So when I got the case, my job was to follow up on
2 the ICPC's, not only following up with Sacramento County
3 ICPC, but also following up with Ms. Yvonne Davis and
4 Ms. Tina Mitchell to find out what was going on with
5 them. Eventually, due to lack of contact, the ICPC's
6 were denied.

7 Q. Okay. And was there a potential relative in Erma
8 Lennox?

9 A. So Erma Lennox is Mr. Lennox's daughter. So she's a
10 half adult sibling to Maybel, Tyrone, and Tyler. So I
11 had contacted her. The last time I had spoken to her on
12 the phone was approximately September 3rd.

13 At that point in time, again, I approached her about
14 what's -- kind of what's going on with Maybel, Tyrone,
15 was she in a position to look at an ICPC. She said no.
16 She said she had just had a new child of her own. She
17 also said that she was kind of sharing custody of Maybel
18 and Tyrone with some of the other relatives, but that
19 she was not in a place to be somebody who wanted to
20 engage in an ICPC. She did not provide me with any
21 additional relative information.

22 She did, however, on that phone call agree to
23 exchange phone numbers so that Ms. Brittina Kogan-Hill
24 could call her so that they could do FaceTime between
25 Maybel, Tyrone, and Tyler. Because to my knowledge, at

1 least I know from the time I got the case in February,
2 Tyler had had no contact with Maybel and Tyrone.

3 Prior to that, I can't say whether or not there was
4 a phone call or a FaceTime. There actually was a visit
5 where Mr. Lennox called Erma and was talking to Maybel
6 on the phone, and the phone conversation didn't go very
7 well, but there was no offer of Tyler to talk to Maybel
8 on the phone.

9 So once Erma -- I exchanged the phone numbers with
10 Erma, and Brittina tried to get a hold of Erma so that
11 they could set up the phone contact, and she never
12 followed through.

13 Q. Okay, okay. And what about Geneva Johnson?

14 A. I can't remember her exact relationship to the case,
15 but to my knowledge, she was not a placement option.

16 Q. Okay.

17 A. To my knowledge, out of all the family members I
18 spoke to and all the family members that Linda Barmore
19 had spoken to, the only two relatives that presented
20 themselves as placement options was Tina Mitchell and
21 Yvonne Davis, and they didn't follow through.

22 Q. Okay. And did you have any information -- now, were
23 these -- sorry, strike that.

24 Were these paternal relatives or maternal relatives?

25 A. Those were paternal relatives.

1 Q. Okay. Did you have any information regarding
2 maternal relatives?

3 A. The only information I had regarding maternal
4 relatives was that Ms. Meredith's mother had passed
5 away. I had had many conversations --

6 Q. No, go ahead. Go ahead.

7 A. I had had quite a few conversations with
8 Ms. Meredith in the presence of Mr. Lennox and also
9 one-on-one because I didn't know how the dynamic between
10 Mr. Lennox and Ms. Meredith was playing a factor in the
11 information she was providing us because she seemed very
12 aligned with him.

13 And so I had had conversations with her stressing
14 the fact that to provide any maternal relative
15 information she had. The last conversation that I
16 recall having, before she became incarcerated in July,
17 was approximately June 3rd, I believe, and she called
18 from Sacramento. And in that conversation, I said to
19 her now is the time to provide relative information,
20 like we're coming down to the wire.

21 Every court report I wrote when I would stand up in
22 court and give my updates, I talked about relatives
23 because the fact that we have two full siblings in a
24 relative guardianship, it just didn't make sense to me
25 that there wasn't other relatives out there. But she

1 never provided me with any maternal names until well
2 after the time frame.

3 Q. Okay. And when did you first start inquiring as to
4 Ms. Meredith as to --

5 A. February.

6 Q. Of?

7 A. 2015.

8 Q. Okay. And when was the last time you addressed that
9 with her?

10 A. The last time that I asked her for maternal names,
11 because we had started developing his top five needs,
12 and this was presented at the 9-month hearing, this was
13 presented at the 12-month hearing --

14 Q. In the juvenile dependancy case?

15 A. In the JV case, excuse me, yes.

16 Q. Yes, okay.

17 A. And so -- can you repeat your question because I
18 just went off when you said that part.

19 Q. Okay. So when was the first time that you had
20 inquired about maternal relatives?

21 A. Okay, February 2015.

22 Q. Okay. And how frequently did you inquire of her?

23 A. Every time I saw her.

24 Q. And how frequently was that?

25 A. Until she was incarcerated -- so she was around like

1 February, March, April, and then May was when she left
2 for Sacramento. So she was gone May, June, came back in
3 July. We had sporadic phone contact between May and
4 June. So the last time that we had a real direct
5 conversation about relatives was June.

6 Q. Okay.

7 A. And then the next time I had a conversation with her
8 where a relative popped up was approximately
9 October 19th, 2015.

10 Q. Okay. So between February 2015 and, you said,
11 June 2015, did she ever indicate there was any maternal
12 relatives?

13 A. No, she did not.

14 Q. Okay. Did you -- so if she told you once, why
15 didn't you just -- why did you keep asking?

16 A. Because it didn't make sense to me. It just didn't
17 make sense that there were so many relatives in this
18 case, that it's like there had to be somebody somewhere.
19 Like we even had at the nine-month hearing,
20 Paige Dollinger was still mom's Public Defender before
21 Ms. Riley took over, and we even provided Paige
22 Dollinger with all the information we had on the
23 relatives because we thought maybe if somebody came from
24 a less Social Services perspective, that somebody would
25 respond.

1 The foster parent, Ms. Brittina Kogan-Hill, got on
2 Facebook, and any -- excuse me, any Lennox or Meredith
3 person -- I don't do Facebook so I wouldn't even know
4 how to do it -- but she got on Facebook to help us to
5 try to locate relatives.

6 So it's like, to me, it's like Tyler is a wonderful
7 little kid, and we want him to be with family, and it's
8 like I was just urging these parents. It's like there's
9 got to be a cousin, a something somewhere to take this
10 kid before we hit the recruitment part, before we hit
11 the 12 months and had no choice but to move on.

12 Q. Okay. Did you -- and did you attend a nine-month
13 permanency hearing in this case?

14 A. Yes, I did.

15 Q. Do you recall who was present for that hearing?

16 A. I think Mr. Lennox might have been present because I
17 think he was incarcerated at the time.

18 Q. Okay.

19 A. I don't believe that Mrs. Meredith was present
20 because I think that she might have been in Sacramento
21 at the time, but I could be wrong.

22 Q. And was her -- to your recollection, was
23 Ms. Dollinger present?

24 A. Yes.

25 Q. Okay. And what was the permanency plan you

1 recommended at that time?

2 A. Termination of parental rights to be followed by
3 adoption.

4 Q. Okay. And at that hearing, did you address the need
5 for an adoptive home?

6 A. Yes, I did.

7 Q. Okay. Did you address relatives in that hearing?

8 A. Yes, I did.

9 Q. And what did you indicate?

10 A. I indicated that -- I basically stressed the fact
11 that if there were relatives out there, the time was now
12 to provide their names.

13 Q. Okay. And after May of 2015, did you have regular
14 contact with Ms. Meredith?

15 A. I'm sorry, say that again.

16 Q. Excuse me. After May of 2015, did you have regular
17 contact with Ms. Meredith?

18 A. Yes.

19 Q. Okay. How frequently did you hear from her?

20 MR. HART: Objection, asked and answered,
21 Your Honor. They've already gone through this.

22 THE COURT: I'll overrule the objection.
23 That means you can answer the question. Go ahead.

24 THE WITNESS: I would say that it was about
25 once a month. When she was in Sacramento, May, June,

1 and July, until she came back and was arrested, it was
2 very sporadic phone calls. She had different phone
3 numbers that she was calling from so she would call me
4 and leave a number, and I'd try to call her back, and
5 like sometimes we were able to connect.

6 She was going through some medical issues
7 when she was in Sacramento was the report that I got.
8 And so then once she came back from Sacramento, mainly
9 through letters or going to visit her up at the jail.

10 BY MR. MARTIN:

11 Q. Okay. And --

12 A. Or phone calls too, excuse me.

13 Q. And to your knowledge, when did she come back from
14 Sacramento?

15 A. July.

16 Q. July. Of two thousand?

17 A. '15.

18 Q. Okay, thank you. And did you attend a 12-month
19 permanency hearing in this case?

20 A. Yes, I did.

21 Q. And when was that hearing held to your knowledge?

22 A. Approximately August 5th, 2015.

23 Q. Okay. And to your recollection, who attended that
24 hearing?

25 A. Both parents because they were both incarcerated.

1 Q. Okay. And what was the permanency plan for Tyler at
2 that point?

3 A. Termination of parental rights to be followed by
4 adoption.

5 Q. Okay. Did you discuss, either through written
6 report or through your oral testimony, anything related
7 to Tyler's need for adoption?

8 A. Yes, that it was -- he needed to be in a permanent
9 home that -- he had already been in two homes, you know.
10 He was coming up on the age of four. And I also
11 presented at that hearing that we had three possible
12 matches for him and that we were moving forward with
13 matching.

14 Q. Three possible matches for --

15 A. For adoptive families.

16 Q. Okay. And so what -- where were you in that process
17 of finding a prospective adoptive home as of that August
18 -- that 12-month permanency hearing, excuse me?

19 A. So -- just so I can keep my timeline straight. So
20 June is when top five needs were developed. July is
21 when --

22 MS. MEYER: Your Honor, objection to
23 narrative at this point.

24 THE WITNESS: Oh, I'm sorry.

25 THE COURT: You don't need to apologize.

1 It's okay.

2 So objection is narrative. Do you want to
3 respond?

4 MR. MARTIN: I think that's a pretty specific
5 question in terms of where we were in terms of finding a
6 prospective adoptive home.

7 THE COURT: I'm going to give her some
8 latitude. I think she is testifying in a narrative
9 fashion to a large degree, but I'm going to give her
10 some latitude. That means you can answer the question.
11 Go ahead.

12 THE WITNESS: Okay. So basically -- okay,
13 wait. So you start -- start over with your question,
14 sorry.

15 MR. MARTIN: Okay.

16 THE WITNESS: If I hear your question again.
17 BY MR. MARTIN:

18 Q. At the time of the 12-month permanency hearing,
19 where was the Department in the process of locating a
20 prospective adoptive home for Tyler?

21 A. Okay. So we had three families. So five families
22 came forward that were interested in having Tyler placed
23 in their home for the purpose of adoption. We had
24 limited it to three. We had already met with all three
25 families. And then what we call the permanent placement

1 planning for children, also known as PPP, occurred on
2 August 19th.

3 We took those three families to the committee. We
4 basically present the information. They make a
5 decision. They send that decision to the coordinator.
6 Her name is Sherri Cline, and Sherri Cline makes the
7 decision on whether or not to sign off. She signed off
8 on it that day.

9 Q. Okay.

10 A. So the match was made on August 19th.

11 Q. Okay. So -- okay. And so what, from a practical
12 perspective, what happens at the PPP?

13 A. The PPP basically looked at the three families that
14 we have chosen, because typically you go to a matching
15 with a minimum of three families. You don't want to go
16 with just one. You want to have like a good pool to
17 pick from.

18 So we basically sit around with their home studies.
19 We talk about the interviews that we did with them. We
20 talk about pros, cons. You know, one family was out of
21 the area, and two families were in the area. So you
22 talk about does this kid -- should this kid remain in
23 this local area, or is it good for him to go start over
24 somewhere fresh. So it's basically just a collaborative
25 round table meeting just kind of talking about these

1 families and talking about the difference and where we
2 feel like Tyler would fit.

3 Q. And then you mentioned top five needs. What are top
4 five needs?

5 A. Top five needs are basically what this kid needs,
6 and it sort of gives a prospective adoptive family an
7 idea of what the most important needs are for these
8 kids. And they can range from, you know, contact with
9 family, making sure that you're following up on any
10 identified delays or services that this kid needs, if
11 they have -- I mean, it could just be a plethora of
12 things.

13 Like some kids, it's really important that they are
14 maintained in their school of origin or they're
15 maintained in their neighborhood. So it's really just
16 about these kids. And we staff with their therapist,
17 the teacher, social worker, anybody who's got
18 connections with the kids to get their feedback.

19 Q. Okay. And in this case, who developed Tyler's top
20 five needs?

21 A. In collaboration, Carmen Silva was the adoption
22 worker. I participated. Susanne Ketring, who is our
23 adoption specialist, Tricia Woodliff, the MFT from
24 Childrens Behavioral Services, Brittina Kogan-Hill, the
25 current foster parent.

1 Q. Okay. And -- okay. And do you recall what Tyler's
2 top five needs are?

3 A. Off the top of my head, I don't recall.

4 Q. Okay, all right. And so were you present at the
5 PPP?

6 A. Yes, I was.

7 Q. Okay. And who did you select?

8 A. I personally didn't select anybody.

9 Q. Who did the committee select, excuse me?

10 A. They selected Shelise and John Williams.

11 Q. Okay. And so were you a part of the decision-making
12 process?

13 A. No.

14 Q. Okay. When were they selected as a part of --
15 excuse me, strike that.

16 When were they selected as Tyler's prospective
17 adoptive placement?

18 A. August 19th, 2015.

19 Q. Okay. So have you ever transitioned a child from --
20 or engaged in planning of transitioning a child from a
21 regular foster home to a prospective adoptive placement?

22 A. Yes.

23 Q. Okay. And so how do you -- as the social worker,
24 how do you go about that? Do you just throw them in, do
25 you --

1 A. No.

2 Q. -- do you transition?

3 MR. HART: Objection, narrative.

4 THE COURT: Well, the question was as a
5 social worker, how do you go about that. That doesn't
6 call for a narrative beyond being responsive to the
7 question. So I'll overrule the objection.

8 Go ahead, I don't know if you had finished
9 the question.

10 MR. MARTIN: Yes. Do you recall the
11 question?

12 THE WITNESS: Can you repeat it, please.

13 BY MR. MARTIN:

14 Q. Okay. How do you go about transitioning a child
15 from a foster home to their prospective adoptive home?

16 A. So it's really age. It depends on the kid's age.
17 It depends on their development. It depends on their
18 history of trauma. There's a lot of things that goes
19 into it. For Tyler, what we asked of Shelise and John
20 was to -- or Mr. and Mrs. --

21 MR. HART: Objection. That was unresponsive,
22 Your Honor. The question is about in generalities, not
23 about Tyler's transition.

24 THE COURT: Overruled. You can answer the
25 question. Go ahead.

1 THE WITNESS: So for -- in Tyler's case, what
2 we requested was that the Williams develop what they
3 call a photo book. So basically they needed to create a
4 photo album of their house, trips they've been on,
5 things that are familiar in their neighborhood like
6 parks, schools, the room that he would be staying in.
7 So it basically kind of just tells a story because Tyler
8 at the time was only three so it's not like you can just
9 sit a three-year-old down and be like, you know, explain
10 it.

11 So on August -- I believe it was August 27th.
12 Approximately August 27th, we got the book from Shelise
13 and John, and myself, Brittina Kogan-Hill sat down with
14 Tyler at the daycare, and we sat in a circle. And we
15 sat with the book, and we just talked about how these
16 are friends, and these are people that we're going to
17 introduce you to. And would you be interested in maybe
18 going to the park by their house, or would you be
19 interested in maybe, you know, going to play with the
20 toys at their house. So that kind of started the
21 process, and just to kind of gauge his reaction to it.

22 And then after that, it starts with
23 face-to-face visits. The first time Tyler actually met
24 Shelise and John was prior to the matching, but then the
25 first time they had like an actual face-to-face home

1 visit, I transported Tyler myself out to their home. I
2 believe it was September 2nd, 2015. I walked -- went
3 into the home with him, sat down. We spent, you know,
4 like an hour or so just kind of getting to know their
5 house and having conversations and getting to know them.

6 And so that sort of started the process. And
7 you really take the kid's lead. So it's like if the
8 kid's having an adverse reaction or they're potty
9 trained and all of a sudden they're regressing or their
10 -- used to have a full appetite and now they're not
11 eating at all or they're demonstrating stress, then you
12 tweak the transition depending on the kid. So it's
13 really about the kid.

14 So Tyler was doing really well with the
15 transition. What we noticed is is that we were doing a
16 lot of back and forth. So he'd go home to Brittina's
17 and then he would go to Shelise and John's and stay the
18 night. And then you could see that he started to get
19 confused on the two homes, and so that's when we got
20 together as a team with Ms. Woodliff, Shelise and John
21 --

22 MR. HART: I'm going to object, again, Your
23 Honor. This whole thing is just a huge narrative.
24 She's going off -- the original question was what do you
25 do --

1 THE COURT: You don't need to make a speaking
2 objection, I'm sorry. Your objection is narrative,
3 thank you. I hear that. You are right that she is
4 talking in a narrative, but I have to exercise
5 discretion in terms of the manner and presentation of
6 evidence, and I've got to get to the bottom of what's
7 best for this child. And as she kind of wends in and
8 out of particularity for Tyler and generalities in
9 answer to the question, I find the information helpful.
10 So I'm going to overrule a narrative objection.

11 MR. HART: And then that would re-bring up my
12 unresponsive.

13 THE COURT: Okay. Please go ahead and finish
14 answering the question.

15 THE WITNESS: Okay. So when we started
16 noticing that this three almost four-year-old is going
17 back and forth too much, we came together. We had a
18 meeting. We said it's -- Shelise and John said it was
19 time, Tricia felt like Tyler was ready, I felt like
20 Tyler was ready, so we identified a date, which I think
21 was approximately September 20th, 2015, which would have
22 been the actual move date. So that was the actual move
23 date that he transitioned, but that doesn't stop the
24 transition.

25 We continue with -- there's family counseling

1 with Tricia Woodliff where she participated with Shelise
2 and John. Tyler's -- and this is all part of a
3 transition to help stabilize a kid in a new environment.
4 So like his therapy continued. We had Susanne Ketrung,
5 who's an adoption specialist, come into their home once
6 a week to help with the transition to make sure that it
7 was all going well and to provide supportive services.

8 BY MR. MARTIN:

9 Q. Okay. During this transition, were you able to
10 observe some of the visits between Tyler and Mr. and
11 Mrs. Abrams-Williams?

12 A. Yes.

13 Q. Okay. And what -- and what kind of things did you
14 observe?

15 A. Very natural. And it's like I'm not -- I understand
16 that these situations aren't perfect. Just because you
17 pick a family for a kid, it doesn't mean that like poof
18 --

19 THE COURT: Ms. Ready, the question was:
20 What did you observe?

21 THE WITNESS: I observed a natural
22 connection. I observed a kid who looked over at Shelise
23 and John to have his needs met, to have his needs
24 responded to. And in the beginning, it was -- it
25 obviously grew, but it's like you -- there was a natural

1 connection between these three people. This kid looked
2 to these two people to respond to his needs. He walked
3 right past me to John. I had known him for --

4 THE COURT: Hang on. Your next question,
5 please.

6 THE WITNESS: Sorry.

7 MR. MARTIN: Okay.

8 BY MR. MARTIN:

9 Q. Based on your observations, did Tyler interact
10 differently with Mr. and Mrs. Abrams-Williams,
11 differently than they interacted with their parents --

12 A. Yes.

13 Q. -- in your observations?

14 A. Yes.

15 Q. And how were those interactions different?

16 MR. HART: Objection, relevance, Your Honor.

17 THE COURT: Do you want to respond?

18 MR. MARTIN: It's absolutely relevant to the
19 bond and the transition into this adoptive home.

20 THE COURT: I overrule a relevance objection.
21 That means you can answer the question. Go ahead.

22 THE WITNESS: Can you repeat the question?

23 MR. MARTIN: Certainly.

24 BY MR. MARTIN:

25 Q. Based on your observations, did Tyler interact with

1 Mr. and Mrs. Abrams-Williams differently than they
2 interacted with their parents?

3 A. Yes.

4 Q. And how did they interact differently?

5 A. It was more affectionate. There was playing and
6 talking about school. And, you know, John, he's a big
7 guy so he'd, you know, be throwing Tyler up in the air.
8 And Tyler, especially with Shelise, just very
9 comfortable in her presence. If he -- like I remember
10 one time he bumped an elbow and he ran straight to her
11 and he picked her up. So it's like when we were in a
12 team meeting or we were at the daycare, he was very much
13 focused on these two people and identified them as the
14 two people he checks in with.

15 Q. Okay. And so based on your observations, did Tyler
16 interact differently with Mr. and Mrs. Abrams-Williams
17 than the former foster mother, Ms. Kogan-Hill?

18 A. Yes. The level of --

19 Q. And how were they -- excuse me. And how were they
20 different?

21 A. The level of affection. The level of attentiveness.
22 There was something different -- when Tyler was in
23 Brittina's home, he was obviously comfortable, but there
24 wasn't a lot of affection. With John and Shelise, just
25 as far as like sitting on John's lap or, you know,

1 playing with John's shirt, there was just a different
2 level of affection and attentiveness that was missing
3 from Ms. Kogan-Hill's home.

4 Q. Okay. And did the Department place Tyler with
5 Mr. and Mrs. Abrams-Williams?

6 A. Yes, we did.

7 Q. And when was that?

8 A. I believe it was approximately September 20th, 2015.

9 Q. Okay. And then did you notify the parents when you
10 --

11 A. Yes, I did.

12 Q. Hang on. Did you notify the parents after you
13 placed Tyler in their home?

14 A. Yes, I did.

15 Q. Okay. And when did you notify them?

16 A. I believe I sent a letter out on September 24th,
17 2015, and then sent a subsequent letter October 28th,
18 2015.

19 Q. Okay. And in regard to -- you mentioned that you
20 had done other transitions from a foster home to a
21 prospective adoptive home. In your experience with
22 other cases, was Tyler's transition -- or how would you
23 describe Tyler's transition?

24 A. Smooth.

25 Q. Okay, okay. Since you've done these transitions

1 before, do children sometimes have a negative reaction
2 --

3 A. Yes.

4 Q. -- in these transitions?

5 What types of reactions have you seen?

6 A. They can regress, you know, go from being potty
7 trained to not being potty trained, aggression. If
8 they're school age, grades can be affected. And if
9 they're verbal, some kids can outright say like that
10 this placement doesn't work for me. But I would say
11 regression is like sort of the biggest sign.

12 Q. Okay. And how was Tyler's reaction?

13 A. He seemed happy.

14 Q. Okay. And at the time of transition, was Tyler in
15 any therapeutic services?

16 A. Yes, he continued to see Tricia Woodliff at CBS.

17 Q. Okay. And how was he doing in his therapeutic
18 services at the time of transition?

19 A. Good, and they actually started to be able to pull
20 them back because it used to be once a week so they were
21 able to start pulling them back.

22 Q. Okay. Did you find a difference with Tyler's
23 behavior before placement with Mr. and Mrs.
24 Abrams-Williams and after?

25 A. Yeah, and if you ask --

1 Q. And what was -- sorry.

2 A. Sorry.

3 Q. And so what was the difference?

4 A. Confidence.

5 Q. In what way?

6 A. Tyler's confidence. He presented as more confident.

7 Q. Okay. Confident in?

8 A. The way he walked, the way he made eye contact with
9 people, the -- his affect was happier and brighter, and
10 there was less tantrums. And, you know, if I saw him
11 come into the building with the Williams, you know, he
12 sort of led them. He just -- almost like a proud
13 feeling.

14 Q. Okay. And how has he identified Mr. and Mrs.
15 Abrams-Williams, if at all?

16 A. Well, at this point, mom and dad.

17 Q. Okay. Did you meet with Ms. Meredith after Tyler
18 was placed in Mr. and Mrs. Abrams-Williams home?

19 A. Yes, I did.

20 Q. And when did you meet with her?

21 A. Approximately October 19th, 2015.

22 Q. Okay. And where was Ms. Meredith at that time?

23 A. Washoe County Regional Detention Facility.

24 Q. And did you discuss Tyler's adoptive placement with
25 her at that time?

1 A. Yes, I did.

2 Q. What did Ms. Meredith indicate to you, if anything?

3 A. It was sort of -- she was upset and really sad about
4 the situation, and so we -- really, the focus of that
5 visit was for me to canvass her on paternity because we
6 still didn't have Mr. Lennox on the birth certificate,
7 and we didn't have a genetic testing for him. So the
8 primary conversation was me asking her about where they
9 were residing at the time of conception and things like
10 that.

11 And then afterwards, she really did get emotional
12 about the situation and said that she had an aunt named
13 Salome Wade that lived in California that she had been
14 in contact with that was aware of her situation, but she
15 didn't want to let that aunt know the depth of the
16 situation because she was embarrassed and so she was
17 providing me this name, at that point in time, to
18 pursue.

19 Q. Did she provide you any contact information?

20 A. She was not aware of her phone number or an address.
21 She just said that she knew she resided in California.

22 Q. Did she indicate how she got in touch with Ms. Wade?

23 A. Through jail phone. I don't know.

24 Q. You don't know, okay. And so what did you do with
25 that information?

1 A. And so the first thing I did was -- because my --
2 I'm being narrative. Okay, so I went back to work on
3 October 20th and combed the file because my concern was
4 is did we have a Fostering Connections letter, did we
5 have this name somewhere in Unity and it was overlooked
6 or something like that. So that was my first step.

7 And then staffing with a supervisor was the next
8 step, which happened, I believe, approximately maybe
9 like November 6th, which is also the day that I
10 submitted the diligent search request to Suzy Heinz to
11 locate Salome Wade.

12 Q. Okay. And did you eventually locate Ms. Wade?

13 A. I did not locate Ms. Wade. I actually ended up
14 getting an e-mail from, I believe it was Ms. Riley
15 approximately November 2017 -- November 17th, 2015,
16 where Tom Bolan, from her office, had actually located
17 Salome Wade. Salome Wade indicated she wasn't a
18 placement option to them so then she provided Tessa
19 Brown's information. And so in the e-mail that
20 Ms. Riley sent me, she sent Tessa's information, and I
21 contacted Tessa that same day.

22 Q. Okay. And how did you contact her, e-mail?

23 A. By phone.

24 Q. By phone, okay. And did she indicate a willingness
25 to be an adoptive placement for Tyler at that time?

1 A. At the time, no. She had talked about if --
2 basically kind of being a support system for the
3 parents, and if Ms. Meredith was able to finish with her
4 criminal situation, that she would be willing to work
5 with Ms. Meredith to potentially return Tyler to her
6 care.

7 Q. Okay. And when you said "parents," did you mean
8 foster parents or the natural parents of Tyler?

9 A. I'm sorry?

10 Q. You indicated a willingness to work with the
11 parents.

12 A. The biological parents.

13 Q. Okay.

14 A. And she didn't indicate Mr. Lennox. She was focused
15 on Ms. Meredith.

16 Q. Okay. Did she inquire into Tyler's welfare --

17 A. Not really.

18 Q. -- ask how he was doing?

19 A. (No audible response)

20 Q. Did she inquire as to his clinical needs?

21 A. No.

22 Q. And did she request contact at that time?

23 A. No.

24 Q. Okay. Did she request anything from you at that
25 point?

1 A. Not that I recall. We had a conversation about her
2 taking some time to talk to her family because it was
3 definitely a family decision as far as -- I explained to
4 her that we were looking for permanency. We're not
5 looking for somebody to, again, just care for Tyler for
6 a short period of time, for him to then be moved again.
7 And so I was very focused on the fact that we were
8 looking for permanency for him, and so she felt like she
9 needed to talk to her family to sort of see where they
10 were at in regards to the termination to adoption
11 permanency plan.

12 Q. Okay. And when did you next hear from her, to your
13 recollection?

14 A. It was like the week of November 20th. Because I
15 want to say I believe it was before Thanksgiving.

16 Q. Okay, okay. And what did she indicate at that time?

17 A. She indicated at that time that she was interested
18 in following through with an Interstate Compact
19 Placement for Children.

20 Q. Okay. And did Ms. Brown ever request contact with
21 Tyler in the course of your communications with her?

22 A. Not up until that time, no.

23 Q. Not up until when, excuse me?

24 A. The November.

25 Q. Okay. Did Ms. Brown ever request contact

1 specifically with Tyler?

2 A. Yes, and I believe that was in February,
3 approximately -- February 21st, 2016, is what's sticking
4 out in my mind.

5 Q. Okay. And how did she make -- did she telephone
6 call --

7 A. Through e-mail.

8 Q. Okay. And were you able to accommodate her request
9 at that time?

10 A. Not right when I got the e-mail because I wanted to
11 contact Tricia Woodliff, the therapist, to get some
12 feedback from her. She advised that she felt like we
13 should wait until this situation here was completed so
14 we knew if we were going to go through with an ICPC or
15 if Tyler was going to remain with the Williams. And so
16 she indicated that we should hold off on contact, as
17 well as I felt the same way too.

18 Q. Okay, okay. Ever place a child with a relative?

19 A. Have I ever placed a child with a relative?

20 Q. Yes.

21 A. Yes, I have.

22 Q. Ever placed a child with a relative after 12 months
23 of foster care, if you recall?

24 A. Yes, I have.

25 Q. Okay. So why is the Agency not supporting placement

1 of Tyler with his family?

2 A. Because we -- in my opinion, at 9 months and at 12
3 months and prior to that, we stood up, not only in
4 court, but I had, you know, face-to-face contact with
5 Ms. Meredith urging her to provide relative information.
6 At some point, we have to move on. This kid's been in
7 one, two -- this is his third placement.

8 So it's like do we risk the fact that we could
9 damage his ability to attach when the parents made a
10 choice to not provide a relative's information. So when
11 I stood up in court at a 12-month hearing and said we
12 have three potential families that we're going through
13 for matching, that's when the time came that we had to
14 move on for this kid.

15 Q. Okay. And so do you believe it's in Tyler's best
16 interest that he be adopted by Mr. and Mrs.
17 Abrams-Williams?

18 A. Yes.

19 Q. And so what is it that you see with Tyler and the
20 Abrams-Williams that leads you to believe that it is in
21 Tyler's best interest?

22 A. It's his mom and dad. If you ask him who your dad
23 is, he says John. If you ask him who his mom is, he
24 says Lis. I've seen them in their house together. Like
25 if Tyler bumps his elbow, he runs right over to Shelise,

1 and she picks him up, and he buries his head in her
2 neck. This is his family. He sits next to John on the
3 couch and twirls his shirt as they watch TV. He's met
4 their family.

5 Like this -- in this kid's mind -- like it might be
6 -- if we think about it as adults -- and it's not a
7 decision that anybody makes easily. It's a horrible
8 situation. But it's like this kid has never had a mom
9 and dad before, and he finally looks at these two people
10 as his protectors. And if you ask me, his therapist,
11 the adoption specialist, his teachers, the Day Treatment
12 teacher, everybody says the same thing, like this kid
13 flew once he was in their home.

14 He graduated Day Treatment. He walks around with
15 more confidence. He's in pre-K. Like he's doing so
16 well, and to take the chance of uprooting that and
17 potentially putting this kid in a situation where it's
18 like he doesn't know how to attach because we
19 continually put him in a new situation to attach. So
20 it's in Tyler's best interest. And I feel for the
21 family. I really do. And it's a sad situation, but
22 it's like Tyler's home.

23 MR. MARTIN: I have no further questions,
24 Your Honor.

25 THE COURT: Ms. Riley.

CROSS-EXAMINATION

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BY MS. RILEY:

Q. Ms. Ready, you indicated you participated in the PPP meeting in which the --

MS. MEYER: Your Honor, just a moment, please, I'm sorry.

MS. RILEY: Thank you.

BY MS. RILEY:

Q. I'll start the question over again for you. You indicated you participated in the PPP meeting in which the Abrams-Williams family was chosen as a match for Tyler; is that correct?

A. Yes.

Q. And I believe you testified to Mr. Martin that you participated but that didn't have any decision-making ability; is that correct?

A. Yes.

Q. And do you have influence in those types of meetings

--

A. Yes.

Q. -- as to where a child goes?

And were you opposed to a child going to a certain selected family, would the committee take that information into consideration?

A. Yes.

1 Q. Okay. And you have a positive attitude towards the
2 Abrams-Williams; is that correct?

3 A. Yes.

4 Q. And what has Tyler been told about his placement
5 with the Abrams-Williams family?

6 A. Along the whole entire transition?

7 Q. Yes. What is Tyler's understanding of his placement
8 there?

9 THE COURT: Well, I don't think she can say
10 what Tyler's understanding is, but your first question
11 is what was -- what has he been told?

12 BY MS. RILEY:

13 Q. What has Tyler been told?

14 A. In the beginning or now?

15 Q. Will you answer both, please.

16 A. So basically what you do in the beginning is it
17 starts off with the photo book. So you're basically
18 introducing sort of as friends, like these are friends
19 of Brittina. Would you like to meet them? And then in
20 therapy, so in a session with Tricia Woodliff, Shelise
21 and John, they do different activities. If you want me
22 to describe some of them.

23 Q. That's okay. I'm just curious what has Tyler been
24 told about the Abrams -- about his placement with the
25 Abrams-Williams family?

1 A. So basically in the beginning, it's you're going to
2 meet some friends. You start with overnights and things
3 like that. That would really be a question for Tricia
4 Woodliff, the therapist. I have to sort of follow her
5 lead on what kind of conversations to have, but there's
6 different strategies that they put in place where they
7 start implementing a kid into a home where they start
8 understanding that this is their home.

9 Q. And has he been told that this is his permanent or
10 forever home?

11 A. I personally don't use the word forever home or
12 permanent home because I don't think that exists. And
13 so it's more of just Shelise and John are taking care of
14 you now. You're safe. This is your safe home.

15 And when it comes to, you know, turning -- like the
16 parents turning in from Shelise and John to mom and dad,
17 how Tricia Woodliff set it up for all of us is that we
18 follow Tyler's lead. So if he wakes up on a Tuesday and
19 they're John and Shelise, then they're John and Shelise
20 that day. And if he wakes up on a Wednesday and he
21 refers to them as mom and dad, then they're supposed to
22 follow his -- follow his lead.

23 Q. And you just indicated that he does call them mom
24 and dad now, correct?

25 A. Yes.

1 Q. And who instructed Tyler to use those names?

2 A. It's a natural thing that he created, that he did on
3 his own.

4 Q. So --

5 A. Nobody said Tyler, this is your mom and dad. It
6 started off with -- and I can't explain in Tyler's mind
7 --

8 THE COURT: I think you've answered the
9 question, thank you.

10 BY MS. RILEY:

11 Q. Do children generally begin calling someone mom and
12 dad without being instructed to do so?

13 A. Yes, they do.

14 Q. And is that typical that children would call foster
15 parents mom and dad before an adoption was finalized?

16 A. Yes, it is. Because, again, we follow their lead.

17 THE COURT: Hang on. You've answered the
18 question.

19 BY MS. RILEY:

20 Q. What are Social Services' procedures for obtaining
21 family information?

22 A. We request it from the parents. There's also orders
23 where the Court will order the parent to provide us with
24 relative information. I personally don't have a
25 Facebook, but Facebook is a great place to look for

1 relatives.

2 Suzy Heinz, we submit a form that's called a 432 for
3 diligent search, and so we'll submit that to Suzy Heinz
4 with the information that we have. She can get into
5 more of like the nitty-gritty as far as like the, you
6 know, computer systems and Internets in locating people,
7 but we have an obligation through Fostering Connections
8 to identify relatives, reach out to them. If they can't
9 be a placement option, to still see if they could be a
10 support.

11 Q. And do you have the ability to do an independent
12 search for relatives apart from what a parent might
13 provide to you?

14 A. As far as?

15 Q. So does Social Services have an ability to do an
16 independent search for relatives, for instance, whose
17 names have not specifically been provided to you?

18 A. I'm not really understanding the question.

19 Q. I'm sorry, I'll try to rephrase it. Do you have an
20 ability to search for relatives even if say a parent has
21 not provided a specific name for someone?

22 A. My first initial reaction is that's difficult when
23 you have no name.

24 Q. Okay. And would it surprise you that Ms. Heinz
25 testified that you do on occasion, Social Services does

1 on occasion find relatives for whom names have not been
2 provided?

3 A. I'm sure there's ways to through diligent search. I
4 don't have the access that she has. And, again, I don't
5 do social media, and so I personally don't get on -- so
6 if like Brittina Kogan-Hill, she had Facebook, and so we
7 provided her with all of the relative information we had
8 so that she could do search, same thing with Paige
9 Dollinger from your office.

10 Q. So it's possible that Social Services does find
11 relatives for whom they do not have the specific name?

12 A. Sure, yes.

13 Q. Okay, thank you. Is it typically the foster
14 parent's responsibility to do family research?

15 A. No, but what we try to do is a collaborative effort.
16 So we basically look at these situations as a team, and
17 a foster parent is part of a team. And so if they're
18 willing to help out, then --

19 Q. Okay, thank you. You answered my question.

20 You stated that every time you saw Ms. Meredith, you
21 asked for her to provide you with family information.

22 A. Uh-huh.

23 Q. Did you document those attempts?

24 A. There's a lot of documentation in my Unity notes of
25 asking her, yes. The last one that I can specifically

1 remember was June 3rd when she was in Sacramento. We
2 were on the phone, and I urged her to please provide
3 relative information.

4 Q. You testified to Mr. Martin that you asked her
5 beginning in February of 2015. Did you document those
6 attempts and request family information from
7 Ms. Meredith?

8 A. I believe I did, and I also documented it in my
9 court reports.

10 Q. So that would be in your Unity notes?

11 A. Yes.

12 Q. Okay. And if that information is not in your Unity
13 notes, would that surprise you?

14 A. I mean, not totally. It's difficult to document
15 everything that you talk to a parent about, but I know
16 personally, I looked through my Unity notes and did see
17 documentation where I asked.

18 Q. Okay. Do you recall on what days you documented
19 that you requested family information from Ms. Meredith?

20 A. Just the most recent, which was June 3rd.

21 Q. June 3rd. At that time, your note does indicate
22 that you requested family information from her.

23 A. Yes, it does.

24 Q. At that time, she didn't provide it; is that
25 correct?

1 A. Yes.

2 Q. And did you follow up on that request with her to
3 provide family information?

4 A. She came back into town -- because, again, she was
5 in Sacramento with no direct phone contact. So as much
6 as I could, I'd get in contact with her. Then she came
7 back into town on the -- in July, was arrested. And
8 then I believe the next time that I talked about
9 relative information was August 5th in this courtroom.

10 Q. August 5th in this court. And did you document that
11 request from Ms. Meredith?

12 A. Say that again.

13 Q. Did you document making that request for family
14 information from Ms. Meredith?

15 A. I made it in court.

16 Q. Okay. You reported that Ms. Meredith was in jail
17 from approximately July?

18 A. (No audible answer)

19 Q. Okay. At that time, did you have conversations with
20 Ms. Meredith while she was in jail?

21 A. Mainly through letters.

22 Q. Mainly through letters?

23 A. Uh-huh.

24 Q. Did any of those letters request additional family
25 information from Ms. Meredith?

1 A. I don't recall.

2 Q. Okay. And you testified that Ms. Meredith did
3 disclose the name of her aunt, Salome Wade, to you; is
4 that correct?

5 A. Yes.

6 Q. Do you recall the first time she disclosed that name
7 to you?

8 A. October 19th, 2015, at Washoe County Regional
9 Detention Facility.

10 Q. Okay. Is it possible she disclosed that to you
11 before?

12 A. Not that I recall.

13 Q. Did she possibly disclose that to you any other time
14 when she was in jail in August and September?

15 A. No, not that I recall.

16 Q. Okay. Did you document that Ms. Meredith disclosed
17 the name of Salome Wade to you in October?

18 A. Not on the 19th, because that note was primarily
19 about the paternity. So then on October 20th when I did
20 my file research, when I combed the file, is when I
21 documented the name.

22 Q. You documented the name, okay. And you state that
23 you requested diligent search on approximately October
24 -- or excuse me, November 6th?

25 A. I believe so.

1 Q. Okay. What made you wait almost over two weeks to
2 submit that name?

3 A. Uh-huh. Sure, well, it's not an emergency
4 situation. Tyler's not in Kids Kottage, and he's not in
5 a foster home, he's in a permanent home. And so just as
6 far as I make a priority list, and not to say that it
7 wasn't important, but after a staffing with the District
8 Attorney and staffing with my supervisor and also
9 staffing with Sam Sasevich (phonetic), who's head of
10 adoption, in regards to the situation, because it was
11 quite a, like oh, bummer, that this is happening at this
12 point. And so just after I went through the checks and
13 balances, that's when I submitted the diligent search.

14 Q. And did you review the results of Ms. Heinz' search
15 attempt?

16 A. No, because your Department actually located
17 Salome Wade prior to my Department.

18 Q. Okay. Did you attempt to get -- excuse me, please,
19 scratch that.

20 You've had extensive contact with members of Eric
21 Lennox's family; is that correct?

22 A. Did you say extensive?

23 Q. Yes.

24 A. I don't know if it would be extensive contact. I
25 tried.

1 Q. Okay. You had contact with Mr. Lennox's family?

2 A. Yeah, yeah.

3 Q. And during that time, did you ever ask any of
4 Mr. Lennox's relatives if they had information about
5 Ms. Meredith's relatives?

6 A. I don't recall.

7 Q. Okay. Did you ask Eric Lennox about Ms. Meredith's
8 relatives?

9 A. I asked Mr. Lennox about relatives, but I don't
10 recall if I specifically asked him about Ms. Meredith's
11 relatives.

12 Q. Okay. The Agency -- excuse me, your Unity note of
13 November 18th states in part the Agency went above and
14 beyond trying to identify relative placement; is that
15 accurate?

16 A. In my opinion, yes.

17 Q. Okay. How do you define that in terms of search for
18 maternal relatives?

19 A. By talking to Ms. Meredith and asking for names to
20 get guidance from her, if she was aware of any maternal
21 relatives.

22 Q. Okay. Are you required to stop looking for
23 relatives after the 12-month mark in a case?

24 A. I believe we've met our legal requirement, but that
25 doesn't mean that we would stop looking for relatives.

1 Q. Okay.

2 A. Especially if a kid's not in a permanent home.

3 Q. Okay. And did you speak to Tessa Brown --

4 A. Yes.

5 Q. -- maternal cousin?

6 Okay. And, I believe you testified she indicated
7 the desire to be a permanent placement for Tyler in
8 approximately November?

9 A. Yes.

10 Q. Okay. Did you ever evaluate Tyler's top five needs
11 against what the Browns could provide to him?

12 A. No.

13 Q. What information did you have about Ms. Brown and
14 her family circumstances?

15 A. They have a large family, that she works, I believe,
16 for a college, and is either -- has a Ph.D. or she's
17 getting a Ph.D., but that they have a lot of family.
18 They live in, I want to say San Luis Obispo area. The
19 conversation that her and I had wasn't the most warm
20 conversation so it kind of -- it was a little bit tense,
21 I guess. And so we didn't really get into like how are
22 you as a person, you know, what do you guys like to do
23 on the weekends, that kind of thing. Because it was,
24 obviously, because of the nature of the situation, was
25 kind of tense.

1 Q. Okay. And were you aware that there's other
2 maternal relatives that live near Ms. Brown with whom
3 she has contact?

4 A. Yes, from her.

5 Q. Did you seek out information on those other
6 relatives?

7 A. No.

8 Q. And I believe you testified that Ms. Brown requested
9 contact with Tyler; is that correct?

10 A. Yes.

11 Q. And Social Services denied that contact?

12 A. In February, yes.

13 Q. Okay. On what did you base this decision?

14 A. Again, based it on speaking with Ms. Tricia
15 Woodliff, who's a therapist, and as well as myself. We
16 both felt -- mainly clinical recommendations, but we
17 both felt like we needed to decide -- figure out what
18 was going to happen from this -- is that my echo -- from
19 this situation so that moving forward, we know how we're
20 going to go about introducing the situation to Tyler
21 because it's not the easiest thing to do with a
22 four-year-old.

23 Q. Okay.

24 A. So I had asked Ms. Brown to send pictures over so I
25 had some of that information just to kind of prepare,

1 depending on how today unfolded.

2 Q. And Tyler's not seen those pictures; is that right?

3 A. No.

4 Q. Okay. Did you take the initial steps to
5 investigation the Brown family such as criminal and CPS
6 history?

7 A. I did not, no.

8 Q. Did anyone from your Agency?

9 A. After the 18-month court report or court hearing, we
10 were directed to start a criminal and a CPS background.

11 Q. And did you undertake those backgrounds?

12 A. Yes.

13 Q. And what were the results of that investigation?

14 A. As far as the Child Protective Service, I know that
15 that was clear, and I believe their criminal was clear
16 as well.

17 Q. Okay. And I believe you testified you're aware that
18 Tyler has full siblings, Maybel and Tyrone --

19 A. Yes.

20 Q. -- who reside with Erma Lennox?

21 And did you ask Ms. Brown if she had contact with
22 those children?

23 A. Yes.

24 Q. And what was her response?

25 A. No.

1 Q. Can you explain why both Mr. and Mrs. Brown stated
2 in their testimony that they did have contact with those
3 children?

4 A. I had a conversation where I actually provided
5 Ms. Brown with Erma Lennox's phone number so that she
6 could reach out and try to have contact with them.

7 Q. And do you know if she has done that?

8 A. I don't.

9 Q. Okay. What's your professional training in bonding
10 and attachment?

11 A. Say that again.

12 Q. What's your professional training in bonding and
13 attachment for children?

14 A. We do a lot of trainings just when it comes to
15 bonding and attachment, trauma, how trauma impacts
16 bonds, bonding, and just about stability, home
17 environment, how adjustment disorders and different
18 diagnosis and disorders can impact bonding and
19 attachment.

20 There's different ways to work with kids who have
21 attachment issues. And so we do a lot of different
22 trainings, whether it's trauma impact child training,
23 normal typical child development training. We do
24 trainings where there's, you know, kids that have some
25 special needs.

1 Q. And you stated that you have a bachelor's degree in
2 social work?

3 A. Yes, I do.

4 Q. And does that professional certification allow you
5 to offer an opinion on bonding and attachment?

6 A. In my opinion, it does.

7 Q. Okay. Social Services has staff that have clinical
8 expertise; is that correct?

9 A. Yes.

10 Q. And did you consult with any of those staff members
11 about Tyler's situation?

12 A. Yes, her name's Susanne Ketrung. She's a marriage
13 and family therapist, and she's also our adoption
14 specialist.

15 Q. And did you document that consultation?

16 A. It should have been documented in the PPP notes, and
17 she also did her own documentation because she worked
18 with the family in-home on her own, and she also
19 participated in the PPP meetings.

20 Q. And did you present a possible placement with
21 Ms. Brown to the PPP team?

22 A. No, because we had already gone through PPP and made
23 a matching.

24 Q. Okay. And you reviewed this situation with your
25 supervisor, Amy Reynolds; is that correct?

1 A. Yes.

2 Q. And did Ms. Reynolds support your decision?

3 A. Yes.

4 Q. And what information does Ms. Reynolds examine in
5 her review of your decision?

6 MR. MARTIN: I'm going to object. I think
7 that calls for a bit of speculation.

8 BY MS. RILEY:

9 Q. What did you provide Ms. Reynolds in order for her
10 to --

11 THE COURT: So the question's been withdrawn.
12 Go ahead.

13 What did you provide Ms. Reynolds?

14 THE WITNESS: Sorry, answer the question?

15 THE COURT: Yes.

16 THE WITNESS: Okay. Well, Ms. Reynolds and I
17 staff at a minimum once a week, and so she was aware of
18 the case from the time I got it so she was well aware of
19 what we were -- like I can't request termination of
20 parental rights without her approving it. So she was
21 actually aware of the case through the whole entire
22 time. So as soon as the Ms. Brown situation came up, I
23 -- after staffing with therapists and attorneys, present
24 the information to her, and then she reviews the
25 information that I provided.

1 BY MS. RILEY:

2 Q. Okay. And has Ms. Reynolds ever observed Tyler in
3 the Abrams-Williams home?

4 A. Not in the home.

5 Q. Not in the home, okay. And did you speak with
6 Tyler's therapist, Tricia Woodliff, about Ms. Brown
7 being located?

8 A. Yes.

9 Q. Yes. And what information did you provide to
10 Ms. Woodliff about Ms. Brown and her family?

11 A. Not too much, just that they were maternal relatives
12 that were sort of notified late in the game, that they
13 resided in California, and that they were interested in
14 placement of Tyler but that they weren't interested in
15 having -- basically participating in kind of like a team
16 setting so that we could all talk about the situation.

17 Q. And did you ever offer the Browns --

18 A. Yes, I did.

19 Q. -- the opportunity to participate in that team
20 setting?

21 A. Yes, I did.

22 Q. And did you document that offer?

23 A. I believe that was either documented in our first or
24 second conversation where I basically had talked to
25 Ms. Brown about, you know, if they can't be a permanent

1 placement for adoption, is there still a way that they
2 can have a role in Tyler's life so that he doesn't lose
3 that whole side of the family, and it was basically like
4 Tyler is theirs so they didn't present to me at all that
5 they wanted to participate as a team with Shelise and
6 John in our meetings.

7 Q. Did the Brown family return the letter sent to them
8 that they wished to be a part of Tyler's life?

9 A. We sent them a rule-out letter on December 15th,
10 2015, and they sent the back page back, which lists --
11 listed their members of their household and themselves,
12 and then they checked the box that they were interested
13 in being a placement option. That paper is attached to
14 the rule-out letter.

15 Q. Okay. And did they also indicate at that time that
16 they wished to be a part of Tyler's life even if
17 placement was not possible?

18 A. No.

19 Q. I believe you have requested a letter from Tricia
20 Woodliff, Tyler's therapist, regarding his current
21 placement; is that correct?

22 A. I'm sorry, what?

23 Q. I believe you requested a letter from Tricia
24 Woodliff regarding Tyler's current placement; is that
25 correct?

1 A. I believe I requested in writing, that she put in
2 writing what her recommendations were.

3 Q. Okay. And did you ever receive that recommendation?

4 A. I did not.

5 Q. Okay. Are there any other considerations for a
6 child's best interest aside from the bond in a foster
7 home?

8 A. Can you repeat the question?

9 Q. Are there any other factors in a child's best
10 interest aside from a bond in a foster home?

11 A. Sure, yes.

12 Q. Okay. And would access to extended family be
13 something that might be in Tyler's best interest?

14 A. Access to extended family, yes.

15 Q. Is Ms. Woodliff still treating Tyler?

16 A. No, he's actually completed therapy.

17 Q. Okay. And based on what reason did he complete?

18 A. He met his goals.

19 Q. Okay. So on November 6th, you requested
20 Ms. Woodliff provide a letter it would be detrimental to
21 Tyler's well-being to disrupt his placement with the
22 flex family; is that right?

23 A. Yes.

24 Q. And you made this request of Ms. Woodliff prior to
25 any family being located; is that correct?

1 A. No, because I knew that she -- no, because I knew
2 that family popped up, that she mentioned family in
3 October.

4 Q. So you knew that she had mentioned family, but I
5 believe that your testimony is that you didn't have
6 contact from any of Tyler's family until approximately
7 the 17th or 18th of November --

8 A. Uh-huh.

9 Q. -- is that right?

10 A. Uh-huh.

11 Q. So roughly two weeks before that --

12 A. Uh-huh.

13 Q. -- is it correct that you requested a letter that
14 any movement of Tyler would be detrimental?

15 A. Okay, yeah.

16 Q. Okay. And at that point, a maternal relative had
17 not even been identified; is that correct?

18 A. It kind of had been identified because she had
19 identified Salome Wade.

20 Q. But you had no information at that point --

21 A. No.

22 Q. -- about family, their location?

23 A. Huh-huh.

24 Q. And is it typical that you'd want to rule out a
25 relative placement before you'd even identified the

1 existence of a relative?

2 A. No, but it's typical to inform the team of
3 happenings, and so instead of just waiting, it's
4 important that Tricia, as his therapist, knows things as
5 they're unfolding.

6 Q. Okay. So I just want to clarify, so you requested a
7 rule-out letter before family had been located?

8 A. I didn't request a rule-out letter --

9 Q. Excuse me.

10 A. -- I requested a recommendation letter.

11 Q. You requested a recommendation, I apologize, before
12 family had been identified and located; is that correct?

13 A. Yes.

14 Q. Okay. And at that point in time, how long had Tyler
15 been in his foster care placement with the
16 Abrams-Williams?

17 A. So he was moved on approximately September 20th, so
18 September, October, November, about two months.

19 Q. So at two months or less than --

20 A. Uh-huh.

21 Q. -- you were willing to rule out any possible family
22 placement; is that correct?

23 A. Well, we had ruled out family placement. He was in
24 a permanent home. So it wasn't about ruling in or
25 ruling out.

1 Q. Okay. At that point in time, you were no longer
2 willing to consider a family placement; is that
3 accurate?

4 A. Yes.

5 Q. Okay.

6 MS. RILEY: I don't have any further
7 questions, thank you.

8 THE COURT: Mr. Hart.

9 CROSS-EXAMINATION

10 BY MR. HART:

11 Q. Who's Geneva Johnson?

12 A. Again, I can't remember which relative, but I
13 believe she's paternal.

14 Q. Okay. And is it surprising to you that on the
15 dispositional report, on the six-month report, on the
16 nine-month report, on the twelve-month report, and on
17 the eighteen-month report it identifies Geneva Johnson
18 as the maternal grandmother?

19 A. Yes, that was a typo.

20 Q. So it's a typo for the entire length of this case?

21 A. Yep.

22 Q. That was never fixed?

23 A. Yep.

24 Q. And when did you find out that Geneva Johnson was
25 not actually a maternal grandmother?

1 A. I know she's a paternal relative. It was an
2 oversight. I know that Ms. Meredith's mom's deceased.
3 It was an oversight.

4 Q. So when did you find that out?

5 A. I think Ms. Riley pointed it out like at the
6 mediation or something like that.

7 Q. At the mediation for temporary -- or termination of
8 parental rights?

9 A. Uh-huh.

10 Q. So that was after the termination of parental rights
11 was filed then, correct?

12 A. Yes -- or I don't know if it was after it was filed.

13 Q. You had a mediation on the termination of parental
14 rights before you had a termination of parental rights
15 petition filed?

16 A. So you're probably correct, the TPR or petition was
17 probably filed. And we also have a face sheet --

18 Q. The question was answered, thank you.

19 The date of the termination of parental rights
20 petition was on October 20, 2015. Does that sound about
21 right?

22 A. Okay, yes.

23 Q. Okay. So is it fair to say that up until at least
24 November of 2015, you were working on the assumption
25 that Geneva Johnson was the maternal grandmother?

1 A. No.

2 Q. So you didn't know Geneva Johnson was a paternal
3 grandmother -- or paternal relative --

4 A. I do.

5 Q. -- until the mediation -- please wait for the
6 question, okay -- until the mediation, in which you just
7 testified to, but you weren't working on the assumption
8 that Geneva Johnson was the maternal grandmother, as it
9 was stated in every court report in this case?

10 MR. MARTIN: I'm going to object, Your Honor.
11 That misstates her testimony. She testified that it was
12 a typo, that she was aware of her relationship.

13 MR. HART: I asked her specifically when she
14 became aware that Geneva Johnson was not the paternal
15 grandmother, and she said not --

16 THE COURT: Did you understand Mr. Hart's
17 most recent question?

18 THE WITNESS: No.

19 THE COURT: Can you repeat your question?

20 MR. HART: I can repeat the question, Your
21 Honor, if I can remember it.

22 BY MR. HART:

23 Q. Up until November of 2015, who did you think
24 Geneva Johnson was?

25 A. A paternal relative.

1 Q. But you didn't find out she was a paternal relative
2 until the mediation?

3 A. No, I --

4 MR. MARTIN: I --

5 THE COURT: Hang on.

6 MR. MARTIN: I'm sorry, that question is just
7 not clear. If I could have it restated.

8 THE COURT: I think the question was clear.
9 Did you understand it?

10 THE WITNESS: I got it, yeah.

11 THE COURT: Go ahead.

12 THE WITNESS: I knew that Geneva Johnson was
13 a paternal relative. The information in the court
14 report was a typo. We have a lot of other ways to
15 document relatives, such as face sheets. Our face sheet
16 was very clear that I believe her mother's name is
17 Theresa, if I'm mistaken, I apologize, who's deceased.
18 So it was a typo. I was well aware that Geneva Johnson
19 was a paternal relative.

20 BY MR. HART:

21 Q. When?

22 A. Since I got the case.

23 Q. So why did you just say that you learned it at the
24 mediation?

25 A. It was mistaken. Your questions kind of came at me

1 a little bit quickly so I was a little bit confused.

2 But I type out the face sheet, and I know that her mom
3 was deceased.

4 Q. And you write all these reports, right?

5 A. Yes, except for the ones that Linda Barmore wrote.

6 Q. My apologies. You wrote the --

7 A. Nine and twelve, I believe.

8 Q. Let me finish the question real quick, okay.

9 You wrote the nine-month, twelve-month, and
10 eighteen-month report, correct?

11 A. (No audible answer)

12 Q. Okay. And every single one of those reports says
13 that Geneva Johnson is the maternal grandmother?

14 A. Yes.

15 Q. And you do have the birth certificates for
16 Ms. Meredith?

17 A. Her birth certificate?

18 Q. Correct.

19 A. I don't recall if we have her birth certificate in
20 our file.

21 Q. Okay. What did you do to independently look up any
22 relatives of Ms. Meredith?

23 A. By asking her if she has any relatives, and then if
24 she gave me any names, we would submit a diligent
25 search.

1 Q. What did you do independently of Ms. Meredith?

2 A. I'm trying to -- I don't understand the question.

3 Q. Besides asking Ms. Meredith, what did you do to find
4 any of Ms. Meredith's relatives?

5 A. Facebook, talked to paternal relatives --

6 Q. You did Facebook?

7 A. Asked people to help with Facebook because I don't
8 do Facebook.

9 Q. So what did you do?

10 A. I asked questions, I researched the file, I read the
11 case notes, I went through the six months before I had
12 the case, face -- the face sheets, having conversations
13 with her, having conversations with other relatives,
14 asking people to assist with media searches, such as
15 Paige Dollinger from the Public Defender's Office.
16 Ms. Meredith reported to me she had no relatives.

17 Q. Did you search social media at all?

18 A. Again, I don't do social media, so no.

19 Q. What do you mean you don't do social media? What
20 does that mean?

21 A. I don't have a Facebook. I don't do -- I'm not a
22 social media person.

23 Q. Do you understand that you can search Facebook
24 without having an account?

25 A. Did you know that I don't even know how to go onto

1 Facebook?

2 Q. I need you to answer the question.

3 A. No.

4 Q. You do not know that?

5 A. No.

6 Q. Okay. Did you ever put in Ms. Meredith's name into
7 Google?

8 A. I don't recall.

9 Q. Did you ever put anybody's name related to
10 Ms. Meredith into Google at any point in time?

11 A. I don't recall.

12 Q. Okay. Was it your understanding that you only look
13 for relatives up until the twelve-month period?

14 A. No, we can always look for relatives.

15 Q. Okay. Is it your understanding that you have that
16 responsibility to continue to look for family placement
17 throughout the life of the kids?

18 A. Yes, for Fostering Connections purposes.

19 Q. Okay. Right now Tyler has no diagnoses, correct?

20 A. Well, he -- I mean, still post-traumatic stress
21 disorder. I don't know if Tricia would say that he no
22 longer has that diagnosis. Just because you've
23 completed treatment, doesn't necessarily mean you still
24 don't have that diagnosis.

25 Q. If I told you she did say exactly that --

1 A. Okay.

2 Q. -- would you agree?

3 A. Sure, yes.

4 Q. Okay. So he's a normal boy at this point in time as
5 far as Social Services is concerned?

6 A. I don't think -- I wouldn't personally say he's a
7 normal boy.

8 Q. Why?

9 A. Because he's been in foster care for four years.

10 Q. Beyond being in foster care, he'd be the normal
11 child that's in foster care. There's no special needs
12 for Tyler at this point in time, correct?

13 A. At this point in time, he is in pre-kindergarten
14 where he receives some services in regards to speech,
15 but other than that, I would say he's doing pretty well.

16 Q. So some speech issues?

17 A. Uh-huh.

18 Q. Okay. If the Court were to order that the Browns be
19 the placement of Tyler, would you work on a transition
20 plan with them?

21 A. Absolutely.

22 Q. And you would put in as much time as you would need
23 to transition Tyler?

24 A. Absolutely.

25 Q. And you stated that Tyler was placed in three

1 different places, right?

2 A. Uh-huh.

3 Q. What three places were those?

4 A. His parents, Ms. Brittina Kogan-Hill, and now the
5 Williams.

6 Q. Okay. And Ms. Brittina Kogan-Hill, what race is
7 she?

8 A. She's Caucasian.

9 Q. Okay. And the Abrams-Williams are what race?

10 A. Black.

11 MR. HART: No further questions, Your Honor.

12 THE COURT: Mr. Martin.

13 MR. MARTIN: Just a couple of follow-up
14 questions.

15 REDIRECT EXAMINATION

16 BY MR. MARTIN:

17 Q. Now, Ms. Riley asked you about Ms. Brown being
18 offered to be -- participate in Tyler's team.

19 A. Uh-huh.

20 Q. When did you make that offer to Ms. Brown?

21 A. I believe it was on November 17th, the first phone
22 call I had with her.

23 Q. Okay. Specifically, what did you offer to her?

24 A. For her to have a conversation with Shelise and
25 John Williams and to participate in a team meeting so

1 basically we could all sit down as a team, talk about
2 what they want, talk about Tyler's situation to see if
3 there was some kind of a -- something that we could come
4 to, some kind of an agreement.

5 Q. Okay. Who's a part of Tyler's team in your --

6 A. Tyler's team at the time, because it's different
7 now, included myself, Tricia Woodliff, Christa, her last
8 name is escaping my mind, from Childrens Behavioral
9 Services, she's the director, Susanne Ketrang, Tyler's
10 teacher from the Day Treatment program, Alex, Brittina
11 Kogan-Hill. She remained as part of the team well after
12 the transition. I believe that is it.

13 Q. Okay. And how did Ms. Brown respond to that --
14 excuse me, how did Ms. Brown respond to that offer?

15 A. She declined.

16 Q. Okay. Did she say why?

17 A. She didn't state why. I felt her frustration. I
18 think she felt very much like this was her family, and
19 she was dealing with a Government Agency telling her,
20 you know, what she can and can't do with her relative,
21 and so I did respect her feelings and validated where
22 she was coming from because I can acknowledge, you know,
23 her frustration.

24 Q. Okay. And did you offer her contact at that point
25 with Tyler?

1 A. No, I did not.

2 Q. Okay. So if Tyler -- so if Tyler's completed his
3 therapy now --

4 A. Uh-huh.

5 Q. -- doesn't need, you know, family counseling,
6 individual counseling, he's done with Day Treatment, so
7 why not just take him out and stick him in another
8 placement at this point? What's the harm the Department
9 is concerned about, if any?

10 MR. HART: Objection. I don't believe that
11 -- I'd say that's an opinion question, and she's not an
12 expert on that.

13 THE COURT: Do you want to respond?

14 MR. MARTIN: I'm asking her to articulate the
15 Department's concern about removing this child from this
16 particular placement. I think that door is wide open,
17 Your Honor.

18 THE COURT: I'm going to overrule the
19 objection. I'll listen to the testimony closely,
20 though, and rule on any subsequent objection. That
21 means you can answer the question.

22 MR. MARTIN: Certainly.

23 THE WITNESS: The concern is is that we have
24 a four-year-old who has now lived in three placements,
25 and we're lucky because the transition into this new

1 home went so well. And to take the chance -- and I
2 wouldn't even know how to go about --

3 And this is a conversation we've had with
4 Tricia and with the team is like how do you go about
5 setting Tyler up when we've done all this work. There's
6 been all this therapeutic work and all this transitional
7 work to get him where he is today where he's not in
8 counseling and he's not in Day Treatment and he's
9 progressing, and to basically take the chance of
10 uprooting all of that and starting him all over, which
11 means he might have to go back into counseling and back
12 into these services. And so it really is about Tyler.

13 It's not about us, and it's not about any of
14 the adults in the situation, it's about this kid. And
15 this kid is in a home. And I don't live in la-la land
16 where it's like every adoptive home is going to turn out
17 beautiful, but this one is. And I have gone -- I've
18 made sure that I've seen them more than normal to really
19 have a good grasp on the fact that it's like he
20 identifies these people as his protectors.

21 And we remove kids -- I personally remove
22 kids from homes every day. There's no reason to remove
23 him from this home. And how would you set up a
24 four-year-old to transition? And again, the Browns,
25 they seem like wonderful people with a wonderful family,

1 and they travel, and I respect that, but it's not a for
2 sure thing. And ICPC takes months. So it's like again,
3 we're crap-shooting for this kid. It's like he deserves
4 what he has now.

5 MR. MARTIN: Okay. I have no further
6 questions, Your Honor.

7 THE COURT: Follow-up, Ms. Riley.

8 MS. RILEY: Two brief follow-ups.

9 RECROSS-EXAMINATION

10 BY MS. RILEY:

11 Q. You testified that you've offered or invited the
12 Brown family to a team meeting with Tyler's team.

13 A. Uh-huh.

14 Q. Did you document that offer?

15 A. I believe so in the beginning of my case notes,
16 maybe in November.

17 Q. Can you direct me to where you documented that
18 invitation?

19 MR. MARTIN: Your Honor, her case notes are
20 in --

21 THE COURT: Do you have a copy of her case
22 notes?

23 MS. RILEY: I have a copy of Ms. Ready's case
24 notes in November. If I may -- Judge, would you like
25 them marked?

1 THE COURT: Yes, please.

2 (Whereupon, Respondent's Exhibit 8 marked)

3 MS. RILEY: May I approach Ms. Ready?

4 THE COURT: Please. So, Ms. Ready, the
5 question is can you point them out. So if you find
6 them, point them out, but don't read them.

7 THE WITNESS: Is this all the case notes that
8 I have to look through?

9 MS. RILEY: Those are the November case
10 notes. If you would like to have the -- because you
11 pointed me to November, but if you'd like additional
12 case notes, I can pull those for you.

13 THE WITNESS: I was just thinking, the only
14 other conversation that Ms. Brown and I had was right
15 before, I believe, the settlement conference when she
16 sent over the pictures.

17 MS. RILEY: Your Honor, if Ms. Ready could
18 tell me which months she's looking for, then I can
19 narrow that down.

20 THE COURT: Well, I see her inspecting
21 November. Let's begin there.

22 THE WITNESS: The only thing I can really
23 find in here that would sort of relate to it is when I
24 talked to her about being a support for Tyler but not
25 necessarily a placement, but in these notes, no.

1 THE COURT: So that goes back to the Clerk,
2 thank you.

3 BY MS. RILEY:

4 Q. Are there any other notes you'd like to refer to
5 where you think that this might have been documented?

6 A. Huh-huh.

7 Q. Okay.

8 A. Excuse me, no.

9 Q. So it's your testimony that you did not document
10 that offer to the Brown family to participate --

11 A. It's quite possible, but I did have a conversation
12 with her about being a participant.

13 Q. Okay. And what's the general rule about notes? If
14 it's not documented, did it happen?

15 A. No.

16 Q. Okay, thank you. I'd like to talk more about Geneva
17 Johnson. You stated that Geneva Johnson is a paternal
18 relative --

19 A. Uh-huh.

20 Q. -- is that correct?

21 A. Uh-huh.

22 Q. Do you know currently what your Department face
23 sheet states about Ms. Geneva Johnson?

24 A. Not off the top of my head.

25 Q. Okay. We've heard testimony from Ms. Heinz that the

1 face sheet states that Ms. Johnson is Ms. Meredith's
2 mother. Is that information correct?

3 A. Not to my knowledge.

4 Q. Okay. Is it possible that the Department face sheet
5 states that Geneva Johnson is the maternal grandmother?

6 A. Not to my knowledge.

7 Q. Okay. Ms. Heinz testified that it is correct. So
8 you're saying it's not possible that that's on the face
9 sheet?

10 A. To my recollection --

11 Q. To your recollection.

12 A. -- we indicate a paternal relative.

13 Q. Okay. So you're saying that Ms. Heinz is incorrect
14 when she testified that the face sheet says that --

15 THE COURT: Well, she can't talk about
16 Ms. Heinz' testimony. So, I think, the question though
17 is can you reconcile -- if there was testimony that the
18 face sheet says -- misidentifies her, can you reconcile
19 that with your recollection?

20 THE WITNESS: With my recollection, we have
21 that Theresa, and I apologize --

22 THE COURT: Do we have the face sheet?

23 THE WITNESS: It's in the file.

24 MS. RILEY: I do not have the face sheet.

25 Perhaps Mr. Martin does.

1 THE WITNESS: And it's a handwritten --

2 MR. MARTIN: I don't believe I have it, Your
3 Honor.

4 THE COURT: Okay. Now, if you have --

5 MS. RILEY: I just have just a couple more on
6 this issue.

7 BY MS. RILEY:

8 Q. If the face sheet were to state that Ms. Johnson is
9 the maternal grandmother and Ms. Heinz utilized that in
10 the family research that she did, is it possible that
11 could create a misunderstanding or problem for
12 Ms. Heinz' search?

13 A. If she was provided with misinformation, yes.

14 Q. Okay.

15 MS. RILEY: I'm finished with Ms. Ready,
16 thank you.

17 THE COURT: Mr. Hart.

18 RECROSS-EXAMINATION

19 BY MR. HART:

20 Q. You stated you didn't know how you would transition
21 Tyler to a new home after all the services just given to
22 him, correct?

23 A. Uh-huh.

24 Q. But you do know how to transition a child.

25 A. Uh-huh.

1 Q. And you would transition Tyler?

2 A. Yes.

3 Q. And Tyler can transition to the Browns just as
4 easily as he did to the Abrams-Williams, correct?

5 A. I disagree.

6 Q. But he could is what I'm asking.

7 A. He could.

8 Q. Okay.

9 MR. HART: No further questions.

10 THE COURT: Thank you, Ms. Ready, you may
11 step down. Let's go ahead and take the morning recess
12 until 10:30. Just to give you all a heads-up, I
13 actually have a guardianship case that I have to take up
14 before noon. So we don't have the full hour and a half
15 remaining until noon.

16 MR. HART: Thank you.

17 (Whereupon, court recessed)

18 THE COURT: Thank you, please be seated,
19 folks. This is again FV15-03927.

20 Mr. Lennox, are you with us on the phone?

21 THE CLERK: He should be there.

22 THE COURT: Mr. Lennox, are you there?

23 MR. LENNOX: Hello.

24 THE COURT: Good morning.

25 MR. LENNOX: Good morning, Your Honor.

1 THE COURT: All parties are present.

2 MR. LENNOX: Thank you, sir.

3 THE COURT: Please proceed.

4 MR. MARTIN: Thank you, Your Honor. We don't
5 have any further witnesses. I do want to inform the
6 Court, because you were interested in the contents of
7 the face sheet, that someone from the Department is on
8 their way to provide that, and certainly, I can lay --
9 if this is -- if the Court needs it, I can lay the
10 foundation with Ms. Ready to present it to the Court.

11 We don't have any further witnesses to
12 provide so if I could defer that, I know we're doing our
13 orders a little bit different, but we don't have any
14 further witnesses to present at this time.

15 THE COURT: Thank you. Ms. Riley.

16 MS. RILEY: I'm going to defer to Ms. Meyer.
17 We will be calling Ms. Tonya Meredith to the stand.

18 THE COURT: Ms. Meredith, please follow the
19 directions of the Bailiff.

20 THE CLERK: Do you solemnly swear that the
21 testimony you're about to give in this case to be the
22 truth, the whole truth, and nothing but the truth, so
23 help you God?

24 MS. MEREDITH: I do.

25 THE COURT: Thank you, please be seated.

1 Please, go ahead and proceed.

2 TONYA MEREDITH

3 (Sworn as a witness, testified as follows)

4 DIRECT EXAMINATION

5 BY MS. MEYER:

6 Q. Good morning.

7 A. Good morning.

8 Q. Can you state and spell your last name for the
9 record.

10 A. T-O-N-Y-A, M-E-R-E-D-I-T-H.

11 Q. And, Ms. Meredith, how do you know Tyler?

12 A. He's my son.

13 Q. And you've been a part of this case for over 18
14 months, correct?

15 A. Yes.

16 Q. And the Department has asked you about family
17 information, correct?

18 A. Yes.

19 Q. Did you provide it within the first six months of
20 this case?

21 A. No.

22 Q. Why not?

23 A. Because I was embarrassed.

24 Q. What were you embarrassed about?

25 A. My situation.

1 Q. What about it?

2 A. I was going through a drug issue and stress in my
3 home.

4 Q. And did you provide family contact between the
5 6-month court hearing and the 12-month court hearing?

6 A. No.

7 Q. Why not?

8 A. Because I was still feeling the same way.

9 Q. When did you provide information about your family
10 to Social Services?

11 A. Late September.

12 Q. Do you recall when?

13 A. When Ms. Coates came to see me in Washoe County
14 jail.

15 Q. And when you talk about Ms. Coates, is that
16 individual in the room?

17 A. Yes.

18 Q. Has she changed her name as far as you know?

19 A. Yes.

20 Q. And is she now known as Ms. Ready?

21 A. Yes.

22 Q. And when you gave her the information, what
23 information did you give her?

24 A. My auntie, Salome Wade.

25 Q. And did you tell her where Ms. Wade lived?

1 A. Yes, Bay Point, California.

2 Q. And at that point, what was your understanding of
3 what Ms. Coates -- did Ms. Coates tell you what she
4 would do next?

5 A. She just told me if I had any relatives for her to
6 contact.

7 Q. Why did you provide Ms. Wade's information at the
8 September conversation?

9 A. Because that was my last hope.

10 Q. Why do you think that?

11 A. Because no other result came up from her.

12 Q. When you talk about other results, what do you mean?

13 A. From Eric's side of the family.

14 Q. I'm going to ask you a painful question,
15 Ms. Meredith, I'm sorry. When did you finally believe
16 that you weren't getting Tyler back?

17 A. When I got arrested.

18 Q. And when was that?

19 A. In July.

20 Q. We heard testimony from Mr. and Mrs. Brown, correct?

21 A. Yes.

22 Q. And they testified that they'd never met Tyler.

23 A. Yes.

24 Q. Why haven't they ever met Tyler?

25 A. Because I was moving around.

1 Q. Why were you moving around, Ms. Meredith?

2 A. Because I didn't have a home.

3 Q. You've heard testimony that Tyler has bonded to the
4 Abrams-Williams, correct?

5 A. Yes.

6 Q. Why would you want to move him from a home?

7 A. So he can be in contact with his siblings.

8 Q. What do you think that contact will give him?

9 A. A relationship with them.

10 Q. And why do you want him to be with the Browns?

11 A. Because it's his family.

12 Q. We heard testimony from Ms. Ready today that now the
13 Abrams-Williams are his family. What's special about
14 the Browns?

15 A. They can -- they can better -- well, they're his
16 family, and they can -- they can stay in contact with
17 his siblings.

18 Q. Were you concerned when you heard that the
19 Abrams-Williams wouldn't foster contact?

20 A. Yes.

21 Q. Had you heard that before?

22 A. No.

23 Q. What do you admire about Tessa Brown?

24 A. That she's strong, and she's there for me.

25 Q. Is it your understanding that if the Browns are able

1 to adopt Tyler, they will give him back to you?

2 A. No.

3 Q. Is it your understanding that if the Browns are
4 allowed to adopt Tyler, they will allow you unlimited
5 contact?

6 A. No.

7 Q. Are you requesting the Court place Tyler with the
8 Browns because it's what's best for you?

9 A. No.

10 Q. Why are you requesting that the Court place Tyler
11 with the Browns?

12 A. So he can have contact with his real family and stay
13 in contact with his siblings.

14 Q. Ms. Meredith, you love Tyler?

15 A. Yes, I do.

16 Q. You've heard testimony that it might damage Tyler to
17 be removed from the Abrams-Williams?

18 A. Yes.

19 Q. Does that concern you?

20 A. It does.

21 Q. Why do you think it's in his best interest to risk
22 that damage?

23 A. I really don't think it's in his best interest, but
24 I mean, as what I heard, he can transition to his family
25 and be a part of his family just like he can be a part

1 of the Abrams' family.

2 Q. You wouldn't ask this if you didn't think that there
3 were rewards for Tyler?

4 A. Yes.

5 Q. Correct?

6 A. Yes.

7 Q. And you think that family outweighs the damage?

8 A. Yes.

9 MS. MEYER: Thank you, no further questions.

10 THE COURT: Mr. Hart, Mr. Gamble.

11 MR. GAMBLE: Your Honor, I don't have any
12 questions for this witness.

13 THE COURT: All right. Mr. Martin.

14 MR. MARTIN: Okay.

15 CROSS-EXAMINATION

16 BY MR. MARTIN:

17 Q. Now, during the pendency of the dependency case --
18 excuse me, I'll -- actually, let me rephrase that more
19 simple. Were you a part of Tyler's therapy with
20 Tricia Woodliff?

21 A. No, I wasn't.

22 Q. Okay. Have you spoken to Ms. Woodliff?

23 A. No.

24 Q. Okay. And are you aware how long Tyler was seeing
25 Ms. Woodliff?

1 A. About a year.

2 Q. About a year, okay. And there was a nine-month
3 hearing in this dependency case. Were you present for
4 that?

5 A. What month?

6 Q. Excuse me, I can't answer your question, but I can
7 clarify the initial question. We've had a series of
8 hearings in this case. Do you recall a hearing in
9 May of 2015? Actually, let me strike that.

10 Did you attend a hearing in May of 2015 regarding
11 Tyler?

12 A. I don't -- no.

13 Q. Okay. You weren't present, okay. Do you recall
14 being present for a 12-month permanency hearing in
15 August of 2015?

16 A. Yes.

17 Q. You were present. And you did receive -- did you
18 receive a court report?

19 A. Yes.

20 Q. Okay. And so you were aware that Social Services
21 was recruiting for a home at that time, that they were
22 looking for a prospective adoptive home for Tyler?

23 A. I'm not for sure.

24 Q. You're not for sure, okay. Do you remember seeing
25 the report?

1 A. Yes.

2 Q. Okay. Did you get to review it with your attorney?

3 A. Not really.

4 Q. Not really?

5 A. I don't think so.

6 Q. Okay. Now, you talked about the importance of being
7 with family. I mean, did you feel that way in May of
8 last year?

9 A. Yes, I did.

10 Q. Okay. And did you feel that way in September of
11 this year?

12 A. Yes.

13 Q. Okay. Now, you testified that Ms. Ready came to see
14 you in jail in September. Could that have been October
15 of last year?

16 A. The beginning. I'm not too for sure.

17 Q. You're not too for sure, okay. And at that point,
18 did she ask you for relative information?

19 A. Yes, she did.

20 Q. Okay. So you remember that part?

21 A. Yes.

22 Q. Okay. And to your knowledge, Tyler was already
23 placed in his -- with the Abrams-Williams --

24 A. Yes.

25 Q. -- as far as you knew?

1 Okay. And did Ms. Ready send you a letter
2 indicating that he was placed in a prospective adoptive
3 home?

4 Do you recall receiving a letter indicating that
5 Tyler was placed with Mr. and Mrs. Abrams-Williams?

6 A. In a flexible home --

7 Q. Okay.

8 A. -- yeah.

9 Q. Okay. So in all the hearings you attended, you
10 never stood up and said, hey, I have -- I have this
11 relative?

12 A. No.

13 Q. And you never presented Ms. Brown's name, correct?

14 A. No.

15 Q. Okay. And you've never been involved with Tyler's
16 therapy, correct?

17 A. No.

18 Q. Okay. Have you ever seen Tyler with Mr. and Mrs.
19 Abrams-Williams?

20 A. No.

21 Q. Okay. But in your opinion, Mr. and Mrs.
22 Abrams-Williams, they're not real family? Is that what
23 you indicated?

24 A. No, I'm not saying that they're not real family, but
25 I mean, they're not his biological family.

1 Q. They're not biologically related to him?

2 A. Right.

3 Q. Okay. But Mr. and Mrs. Brown have never had contact
4 with Tyler?

5 A. No.

6 Q. Has Ms. Wade ever had contact with Tyler?

7 A. No.

8 Q. Did you ever stand up in court and say I'd like to
9 set up contact with Tyler's siblings?

10 A. No.

11 Q. Okay.

12 MR. MARTIN: I'm sorry, Your Honor, just the
13 Court's indulgence.

14 THE COURT: No worries.

15 MR. MARTIN: Thank you.

16 No further questions, Your Honor.

17 THE COURT: Follow-up.

18 REDIRECT EXAMINATION

19 BY MS. MEYER:

20 Q. Ms. Meredith, have you ever been given reports from
21 Tyler's therapist?

22 A. No.

23 Q. Have you been given the opportunity to review
24 records from Tyler's therapist?

25 A. No.

1 Q. And as we stand here, is it your understanding your
2 rights are intact?

3 Do you know what the status of your legal rights to
4 Tyler is?

5 A. Yes.

6 Q. Are your rights intact? Do you still have rights to
7 Tyler?

8 A. Yes.

9 Q. And, Ms. Meredith, did you graduate high school?

10 A. No.

11 Q. When did you stop going to high school?

12 A. In the 11th grade.

13 Q. And did you ever speak in court during the
14 dependancy case?

15 A. No.

16 Q. Why not?

17 A. I was afraid.

18 Q. And when you review the reports, is there
19 information you sometimes have a hard time
20 understanding?

21 A. Yes.

22 Q. And what is your understanding of what a flexible
23 home is?

24 A. A temporary home.

25 Q. And did anyone clarify what the meaning of flexible

1 meant to you?

2 A. A transition.

3 Q. Ms. Meredith, do you have full legal custody of any
4 of your children?

5 A. Maybel.

6 Q. What's it like to have lost all three of your
7 children?

8 MR. MARTIN: Objection, relevance.

9 MS. MEYER: Your Honor, she testified that
10 she did not provide information because she felt shame
11 and embarrassment. I think she's also testified that
12 there was a lack of understanding. The idea of what it
13 means for her to have identified where she was in the
14 process, I think is directly relevant.

15 THE COURT: I'll give you some latitude.
16 I'll overrule the objection. That means you can answer
17 the question.

18 THE WITNESS: Can you answer it again?

19 BY MS. MEYER:

20 Q. None of your children live with you?

21 A. No.

22 Q. What does that feel like?

23 A. Lonely.

24 Q. And you testified that you feel shame?

25 A. Yes.

1 Q. What does that shame make you do?

2 A. Make me close up.

3 Q. And to clarify, it wasn't until May that you thought
4 Tyler wasn't coming home?

5 A. Right.

6 MS. MEYER: Thank you, no further questions.

7 THE COURT: Mr. Gamble.

8 MR. GAMBLE: I have no questions, Your Honor.

9 THE COURT: Thank you, Ms. Meredith, you may
10 step down. Please follow the directions of the Bailiff.
11 Other witnesses or evidence, Ms. Meyer or
12 Ms. Riley?

13 MS. RILEY: No, Your Honor.

14 THE COURT: Mr. Hart.

15 MR. HART: No witnesses, Your Honor.

16 THE COURT: All right. Any rebuttal
17 witnesses or other evidence, Mr. Martin?

18 MR. MARTIN: I'll go ahead and call Ms. Ready
19 back to the stand very briefly.

20 THE COURT: Is it simply to authenticate the
21 face sheet?

22 MR. MARTIN: I had a couple of additional
23 rebuttal questions.

24 THE COURT: Okay.

25 MR. MARTIN: I would add in the face sheet.

1 THE COURT: Okay.

2 MR. MARTIN: I can provide it to the parties
3 if they wish to stipulate it in, and then we can -- or
4 if they would prefer she authenticate it. It doesn't
5 matter to me.

6 MS. MEYER: I'd like to review it, please.

7 MR. MARTIN: Yes. Excuse me.

8 THE COURT: Go ahead and step up to the
9 witness stand. Thank you, Ms. Ready. You remain under
10 oath.

11 MELISSA READY

12 (Previously sworn as a witness, testified as
13 follows)

14 DIRECT EXAMINATION

15 BY MR. MARTIN:

16 Q. Ms. Ready, based on your recollection and your
17 notes, when was the first date -- strike that.

18 Based on your recollection and your notes, when was
19 the first time Ms. Meredith mentioned the name of
20 Salome Wade to you?

21 A. October 19th, 2015.

22 Q. At that point, did you ask her for additional
23 relative information?

24 A. Yes.

25 Q. On the October 19th day --

1 A. No.

2 Q. -- did you solicit that --

3 A. No. I did not solicit the name Salome Wade. She
4 provided it to me after we basically reviewed the -- I'm
5 sorry, my ear is just plugged up. So during the
6 conversation of canvassing her for paternity, when it
7 sort of seemed like it hit that like this is reality,
8 she --

9 MS. MEYER: Your Honor, objection, this is
10 outside the scope of a rebuttal response.

11 MR. MARTIN: I think she testified as to the
12 date and the contents of the conversation, specifically
13 that Ms. -- that Ms. Ready solicited that information.

14 THE COURT: I overrule a scope objection.
15 That's what the objection was. That means you can
16 answer the question.

17 THE WITNESS: Okay. I did not solicit
18 relative information. She provided it to me.

19 MR. MARTIN: Okay. I don't have any --
20 excuse me, and under that line of rebuttal questioning,
21 I have nothing further.

22 If I may approach the Clerk to have the face
23 sheet marked.

24 THE COURT: Please.

25 (Whereupon, Petitioner's Exhibit A marked)

1 MR. MARTIN: And may I approach the witness?

2 THE COURT: Yes.

3 BY MR. MARTIN:

4 Q. Ms. Ready, I'm handing you something labeled
5 Petitioner's Exhibit A. Could you please tell us what
6 that document is?

7 A. This is the front part of a face sheet.

8 Q. Okay. What is a face sheet?

9 A. A face sheet is a way for us to document and
10 organize households, who's living in households,
11 extended relatives, (phonetic) of kins.

12 Q. And when are these prepared?

13 A. They're really prepared throughout the life of a
14 case. This one was prepared August 2016. We prepared
15 them at the beginning of a case, and then as needed, we
16 would update them.

17 Q. And by the beginning of a case, you're specifically
18 referring to the beginning of a juvenile dependancy or a
19 legal foster care case --

20 A. Yes.

21 Q. -- correct?

22 Okay. And do you recognize the face sheet that I
23 just handed to you?

24 A. Yes, I do.

25 Q. And could you tell us what that is?

1 A. It's the face sheet for Tonya Meredith's case.

2 Q. Did you specifically prepare this face sheet?

3 A. I did not. Linda Barmore did.

4 Q. Okay. And are these normally prepared in the normal
5 scope of your duties as a social worker?

6 A. Yes.

7 Q. Okay. And is this a true and accurate copy of the
8 face sheet prepared for the case of -- the foster care
9 case of Tyler Lennox?

10 A. Yes.

11 MR. MARTIN: Nothing further.

12 THE COURT: Did you want to offer it?

13 MR. MARTIN: Yes.

14 MR. HART: Your Honor, I actually have some
15 more questions, voir dire, on this piece of paper
16 because I have some issues with it.

17 THE COURT: Go ahead.

18 VOIR DIRE EXAMINATION

19 BY MR. HART:

20 Q. The face sheet isn't only just one piece of paper,
21 is it?

22 A. No, it's two.

23 Q. And this is only one?

24 A. Uh-huh.

25 Q. So -- and this was written August 2014, correct?

1 A. Uh-huh.

2 Q. Wasn't that during the removal stage?

3 A. Uh-huh.

4 Q. Wouldn't that have been done by Ms. Cabales, who was
5 the removal worker?

6 A. I apologize, yes.

7 Q. Okay. So we don't even -- so are you sure it was
8 Ms. Barmore or Ms. Cabales? Which one do you think it
9 was?

10 A. It was most likely Ms. Cabales.

11 Q. Most likely, but you don't know?

12 A. No.

13 Q. Okay.

14 MR. HART: I would state that the foundation
15 hasn't been proper laid to have that admitted, Your
16 Honor.

17 THE COURT: I don't think that's a
18 foundational element.

19 Is there any other objection?

20 All right, then I'll admit Exhibit A or 1, as
21 the case may be.

22 MR. MARTIN: Okay, I believe it's A, Your
23 Honor.

24 THE COURT: Thank you.

25 THE CLERK: It's A.

1 (Whereupon, Petitioner's Exhibit A admitted)

2 THE COURT: May I see it, please.

3 MR. MARTIN: Oh, yeah.

4 THE COURT: Thank you.

5 Any other questions?

6 MR. MARTIN: No other questions.

7 MS. MEYER: Court's indulgence a moment.

8 THE COURT: Sure.

9 MS. MEYER: No questions, Your Honor, on
10 this, but I do have a question regarding the rebuttal.

11 THE COURT: Go ahead.

12 MS. MEYER: May I approach the Clerk, Your
13 Honor?

14 THE COURT: Yes.

15 MS. MEYER: I'm looking for the Exhibit 2
16 from the Defense, please. Sorry, Your Honor, I meant
17 Exhibit 1. It's the Unity note dated 10/16. I didn't
18 mark these so I apologize for the confusion.

19 THE CLERK: I only have 11/6/15 and 11/18/13.

20 MS. MEYER: Court -- for a moment, thank you.
21 I apologize, Ms. Ready, I know you've been up there a
22 while.

23 THE WITNESS: No, it's okay.

24 MS. MEYER: And I'm showing Defense
25 Exhibit -- the Unity note from 10/19.

1 MR. MARTIN: Okay.

2 CROSS-EXAMINATION

3 BY MS. MEYER:

4 Q. Ms. Ready, did I understand you correctly --

5 THE COURT: Let's have it marked.

6 MS. MEYER: Thank you, of course, Your Honor.

7 THE COURT: Thank you.

8 THE CLERK: It's number 9.

9 THE COURT: Thank you.

10 (Whereupon, Respondent's Exhibit 9 marked)

11 MS. MEYER: Thank you.

12 BY MS. MEYER:

13 Q. And I believe on testimony, rebuttal testimony with
14 Mr. Martin, you testified that on 10/19, Ms. Meredith
15 gave you the name Salome Wade.

16 A. Yes.

17 Q. And I believe that you testified on 10/19 she did
18 that without your requesting the information?

19 A. I don't remember soliciting it from her at all.

20 Q. Can you please review your Unity note --

21 A. Uh-huh.

22 Q. -- and see in there where you write down the name
23 Salome Wade.

24 A. I didn't write it --

25 THE COURT: Hang on. Don't tell us what's in

1 the note. The question was just read it.

2 THE WITNESS: Just read it?

3 MS. MEYER: Yes.

4 THE WITNESS: Oh, okay. "Social worker met
5 with" --

6 THE COURT: No, no.

7 MS. MEYER: To yourself.

8 THE WITNESS: Oh.

9 THE COURT: Sorry.

10 MS. MEYER: I'm so sorry, Ms. Ready.

11 THE COURT: My bad. It's not in evidence.

12 That's why we don't want you to tell us what it is.

13 Just look at it and then return --

14 THE WITNESS: Okay.

15 THE COURT: -- your direction to Ms. Meyer.

16 MS. MEYER: And when you're done, you can
17 just look up at me.

18 THE WITNESS: Okay.

19 BY MS. MEYER:

20 Q. Okay. Having looked at that --

21 A. Uh-huh.

22 Q. -- do you remember that conversation?

23 A. Yes.

24 Q. Do you remember any discussion of Salome Wade?

25 A. Yes.

1 Q. Is that in the note?

2 A. No.

3 Q. Is that a note that you made?

4 A. No, not that day.

5 Q. Did you make that 10/19 note?

6 A. Yes.

7 Q. Did that describe a conversation that you had with
8 Ms. Meredith on 10/19?

9 A. Yes.

10 Q. Did it provide other relevant information,
11 non-family-related, about that case?

12 A. Did it provide other information?

13 Q. Did you, in your note, indicate other important
14 information, for example, paternity?

15 A. Yes.

16 Q. For example, the fact that Ms. Meredith was facing
17 charges?

18 A. Yes.

19 Q. So there's relevant case information in that note?

20 A. Yes.

21 Q. And Ms. Wade's name is not in that note?

22 A. Yes.

23 Q. Correct?

24 A. Yes.

25 MS. MEYER: Permission to approach?

1 Your Honor, I would move that Exhibit 9 be
2 admitted.

3 THE COURT: Any objection?

4 MR. MARTIN: I don't think a foundation has
5 been laid for admission at this point.

6 THE COURT: The objection is foundation.

7 MR. MARTIN: Your Honor, I solicited that she
8 made the note about a discussion she had on 10/19 and
9 that there was other information that she solicited at
10 the time. I think she's established that she made this
11 note.

12 THE COURT: Is that a true and accurate copy
13 of the note you made on October 19th?

14 THE WITNESS: Yes.

15 THE COURT: I admit Exhibit 9.

16 MR. MARTIN: Okay, no objection.

17 (Whereupon, Respondent's Exhibit 9 admitted)

18 MS. MEYER: May I have Exhibit 1? Thank you.

19 BY MS. MEYER:

20 Q. And I believe that you were about to testify that
21 you indicated Salome Wade's name in a later note?

22 A. The next day, October 20th. I did a -- yes.

23 Q. If I informed you that the next note was 10/23, does
24 that seem appropriate?

25 A. No.

1 Q. If you could review Respondent's Exhibit 1, please,
2 and see if anywhere in there Ms. Salome Wade's name is
3 included?

4 A. I need the note from October 20th. It's right
5 following the note from October 10th -- or October 19th.

6 MS. MEYER: A moment, Your Honor.

7 THE COURT: Sure.

8 BY MS. MEYER:

9 Q. If I inform you that there was no October 20th note
10 provided in the discovery that we were given?

11 A. I've got my Unity notes.

12 Q. But if I told you that there was no -- would that
13 surprise you?

14 A. Absolutely.

15 MS. MEYER: Thank you, no further questions,
16 Your Honor.

17 THE COURT: Mr. Hart, Mr. Gamble.

18 MR. HART: No questions, Your Honor.

19 THE COURT: Mr. Martin.

20 MR. MARTIN: No redirect, Your Honor.

21 THE COURT: All right, thank you, Ms. Ready,
22 you may step down.

23 MS. READY: Thank you, Your Honor.

24 THE COURT: Any other witnesses or evidence,
25 Mr. Martin?

1 MR. MARTIN: Nothing further, Your Honor.

2 THE COURT: Ms. Riley?

3 MS. RILEY: No, Your Honor.

4 THE COURT: Mr. Hart?

5 MR. HART: No, Your Honor.

6 THE COURT: Let's move then to closing
7 argument.

8 PETITIONER'S CLOSING ARGUMENT

9 MR. MARTIN: All right, thank you, Your
10 Honor, and I'll -- again, I'll try to keep this concise.

11 There's been a lot of testimony presented in
12 the last couple of days, but I would submit that any --
13 anything that takes us to other than what is in Tyler's
14 best interest is a red herring because the truth is
15 we're here today because of Tyler.

16 We're not here because of adults or me or
17 even Ms. Ready. The issue is Tyler and what's in
18 Tyler's best interest because the truth is what this
19 Court decides today is going to alter the course of
20 Tyler's life, and he's going to have to live with the
21 consequences of this placement decision today.

22 Now, when we're looking at the law, Clark
23 County v. Eighth Judicial District Court clarifies the
24 placement preference, excuse me, within the statute. It
25 is not a presumption, as the Nevada Supreme Court is

1 clear. It is a reference point within the overall
2 umbrella of determining the child's best interest.

3 So first and foremost, are we looking at the
4 child's best interest, and if you look at In Re: N.S.,
5 which is cited in some of the pretrial briefs, I
6 reviewed that, and I noted that they said something
7 interesting. We note, although the best interest of the
8 child standard guides the Court, here the analysis does
9 not turn on whether the foster home is a better home or
10 the foster parents are better parents, the District
11 Court inquiry should focus on the legislative goals and
12 objectives of the statute by providing a safe -- or
13 excuse me, stable, safe, and healthy environment for the
14 child concerning all the circumstances around the
15 placement.

16 As noted by the Court of Appeal, an
17 underlying purpose of the relative placement preference
18 is to facilitate reunification, a relative who
19 presumably has a broader interest in family unity is
20 more likely to be supportive of the parent/child
21 relationship and is less likely to develop conflicting
22 emotional bonds to the child.

23 I thought, well, gosh, that's interesting
24 because who is providing a safe, stable, and healthy
25 environment for the child? Is it the Abrams-Williams?

1 Is it the unknown? This is not a reunification case
2 either. Part of the reason for the placement preference
3 is to support reunification. We're not at
4 reunification. In fact, we entered into a stipulation
5 indicating that these parents were going to voluntarily
6 relinquish their parental rights at the conclusion of
7 this hearing. So we're not looking at reunification at
8 this point.

9 I would submit if the legislative goals and
10 objective is to provide a stable, safe, and healthy
11 environment for this child, can we not say that Mr. and
12 Mrs. Abrams-Williams have fulfilled this purpose? I
13 would submit that these folks have done everything that
14 has been asked of them and more.

15 So let's look at the surrounding
16 circumstances. Tyler is removed on August of 2014.
17 Ms. Ready testified she'd been regularly requesting
18 information for maternal relatives -- excuse me,
19 regarding maternal relatives all throughout the case
20 and, in fact, through May of 2015, in which case -- and
21 after that, Ms. Meredith went to California.

22 We have a nine-month permanency hearing.
23 Social Services asks for a permanency plan of
24 termination of parental rights and adoption. No
25 information on maternal relatives is provided. Twelve

1 months hearing was held on August 5th, 2015. And as
2 you'll recall, I -- and I specifically requested the
3 Court take judicial notice of those findings and orders
4 in the juvenile case as they pertain to Tyler's
5 transition and length of time in his permanency plan.

6 So we have a 12-month permanency hearing on
7 August 5th, and the Department announces, hey, we have
8 submitted home studies. We're looking at a permanent
9 placement of Tyler. We've still got nothing. Now we
10 have a matching. Now we have a transition that starts
11 in August.

12 After a transition, Tyler is placed in the
13 home of Mr. and Mrs. Abrams-Williams. On October 19th,
14 2015, Ms. Meredith admits there is a maternal relative.
15 Does not provide us with Ms. Brown's name but provides
16 us with a name, according to Ms. Ready, with no contact
17 information.

18 First contact with Ms. Brown is made on
19 November 17th, 2015. All the while, this child, who has
20 not had a permanent home, is transitioning into the
21 Abrams-Williams home with the support of services of
22 Ms. Woodliff, with the support of services of CBS Day
23 Treatment because he has attachment issues.

24 As Ms. Ready testified, he didn't have the
25 same affect with his natural parents. He didn't have

1 the same affect with the previous foster parents. Now,
2 all of a sudden, we have a seamless transition. He
3 identifies with these folks. They're meeting all of his
4 needs. He's attached. He's connected, as Ms. Woodliff
5 testified to.

6 And now, essentially, what we're talking
7 about is a removal, and well, did you, you know, did you
8 independently look for, you know, maternal relatives
9 even though, you know, the mother was not providing
10 those names. But at this point, even with the length of
11 time that Ms. Brown came forward, I would submit that
12 this is a child that was bonded, that was connected,
13 that was in a safe and healthy home with folks that he
14 identifies as parents.

15 And I would also submit to you that family is
16 not just that biological bond. It's not just we share
17 some of the same genes. It's -- you know, when you
18 recall, you know, Ms. Woodliff testifying as to what
19 constitutes bonding. Who does this child go to when
20 he's sad? Who does this child go to when he's hurt?
21 Who does he identify as his mother and father? This
22 child has been caught up in the dependency system for a
23 long time, okay.

24 One of my concerns in hearing the testimony
25 -- no, let me back up. And part of it, I would submit,

1 the Department has acted in Tyler's best interest. They
2 did everything that they said they were going to do.
3 When they said they were going to recruit, they
4 recruited. When they said they were going place, they
5 placed. When they did a -- they did a thoughtful and
6 well-thought-out transition with the support of the
7 therapist, with Ms. Woodliff.

8 So, I guess, should we not have recruited?
9 Should we not have placed? Should we have done
10 something different? Hold him in limbo? I mean, should
11 we have kept him with Ms. Kogan-Hill and not -- and not
12 had submitted home studies? It doesn't make any sense.

13 So I would submit the operative question is
14 if there's any person that did not act in this child's
15 best interest, was it the Department, or was it the
16 parent? And I would submit it's not the Department.

17 One of my other concerns was, you know,
18 looking at Ms. Brown, there were concerns. During the
19 first contact, they didn't commit to permanency,
20 pursuant to Ms. Ready's testimony, for this child. They
21 indicate a desire to keep Tyler for a period of time
22 while Ms. Meredith sorted out her criminal issues, but
23 that's not what this child needed. It's not what this
24 child needs now. It wasn't what this child needed back
25 in November. He needed permanency.

1 And excuse me, Your Honor, I just realized
2 I'm standing --

3 THE COURT: It's quite all right.

4 MR. MARTIN: -- and I'll do my best to
5 project into the microphone.

6 You know, Ms. Brown was given an opportunity
7 to support Tyler at that juncture, but she didn't. Now,
8 Ms. Ready qualified it and indicating look, it was a
9 tense conversation, Government interference, we're not
10 happy with the situation, and certainly, I get this.
11 But again, to Tyler, what difference does this make?
12 When he goes home, he goes home to the Abrams-Williams,
13 and he identifies with these folks as family.

14 And, you know, we're constantly in dependency
15 talking about gosh, you know, removals are traumatic, we
16 need to -- you know, we need not to remove so many kids,
17 and you know, I don't even know that I disagree with
18 that. But is what we're doing now basically tantamount
19 to a second removal? I think it is. I think this is
20 his identified family. Yeah, it got delayed. You know,
21 it would be nice if we get, you know, kids into a plan B
22 almost immediately into our system, but it didn't happen
23 that way.

24 And one of the reasons I asked questions
25 regarding, you know, what was Tyler like with these

1 folks as opposed to his parents, as opposed to
2 Ms. Kogan-Hill, is you know, Tyler's taken the lead.
3 Tyler's taking that bonding and we're -- I mean, all
4 we're doing is following Tyler's lead.

5 And it's clear to me, from the testimony, he
6 wasn't the same with Ms. Kogan-Hill, while he did make
7 progress. His affect was not the same with the parents.
8 So now he's with the family that he identifies as his,
9 and what we're talking about is gosh, well, you know,
10 maybe we can just -- maybe we can just risk the trauma,
11 risk the emotional damage for a child that's already
12 diagnosed with PTSD and take him out of that home,
13 initiating an ICPC, and placing him somewhere else.

14 I think our sole responsibility is to Tyler,
15 and I think he is where he needs to be because he knows,
16 that's where he needs to be at this point. And I think
17 what we're doing now -- and I get the argument this is a
18 State-abetted bond somehow, and because we're the ones
19 that placed him in the home in the first place, and my
20 response is number one, we have dependency cases where
21 the Court approves planned and placements in foster
22 care. And we have that for a reason, and we have
23 placement hearings for a reason, which is why we're here
24 today. We've had this dependency case going on for 18
25 months.

1 So I would -- I would argue that, yeah, we
2 can take the risk of removing Tyler from his current
3 home, but at this point, we are depriving him of a place
4 that we know provides him with the stability, safety,
5 and healthy environment that he currently enjoys. We
6 would be depriving him of his -- what he knows as his
7 family to go well beyond biology.

8 So I would submit, Your Honor -- I mean, this
9 case is all about Tyler. And I know we're arguing over
10 face sheets and everything else, but I would say if
11 we're looking at best interest, I don't think that -- I
12 would submit that this case isn't even close, you know.
13 If the case hinges on some purported misconduct by the
14 Department, again, I would submit that this case isn't
15 even close.

16 Tyler needs a permanent home now. He is in a
17 permanent home now. Tyler is having every emotional,
18 clinical, physical need met with this foster home, and
19 it's certainly not the fault of Mr. and Mrs.
20 Abrams-Williams that they -- that they are -- that they
21 have taken him into his home, that they've treated him
22 the way they do, that they spend the time and attention
23 the way they do.

24 Those folks have done everything that we have
25 asked them to do. They opened their hearts and their

1 home to a small boy with post-traumatic stress disorder
2 and attachment issues and special needs. He has
3 integrated into their home. He looks at these people as
4 their mother and father, and I would submit, Your Honor,
5 the Court needs to approve this placement with Mr. and
6 Mrs. Abrams-Williams.

7 Thank you.

8 THE COURT: Thank you, Mr. Martin.

9 Ms. Riley, Ms. Meyer.

10 RESPONDENT'S (MEREDITH) CLOSING ARGUMENT

11 MS. RILEY: This Court's decision is a
12 turning point in Tyler's life. Social Services failed
13 to find family members in this case, and this Court can
14 simply not be confident that all relative avenues were
15 exhausted. Even when the Brown family was located by
16 Social Services, they didn't fully vet them. They
17 didn't look at them to determine what they could offer
18 to Tyler and what might be in his best interest.

19 November 6th, Ms. Ready testified she
20 requested information from Ms. Woodliff that Tyler
21 should not be moved. At that point, Ms. Ready also
22 testified she didn't even have confirmation of
23 relatives' existence until November 17th or
24 approximately November 18th. There was never a
25 meaningful examination of the Brown family and what they

1 might be able to offer Tyler.

2 It's true, the Brown family does not yet know
3 Tyler. This is not the fault of the Brown family, and
4 you heard Ms. Meredith's testimony, that's on her. She
5 was moving around. She was struggling with addiction.
6 She was the one not in contact with her family.

7 The reality is that until approximately six
8 months ago, the Abrams-Williams family didn't know
9 Tyler. If we're to accept that Tyler can come into a
10 home and bond with parents who saw him on a website, we
11 could certainly understand, and it wouldn't be too
12 far-fetched to say that relatives of Tyler who maybe
13 didn't know Tyler, but who loved his mother, would want
14 that child. They'd want to take that child into their
15 home and provide him with the absolute care that he
16 needs and wants.

17 This Court heard Ms. Woodliff testify that
18 Tyler needs stable, consistent, and warmth in his home.
19 Ms. Woodliff didn't have any information about the Brown
20 family. The only information she could give is what
21 Tyler needed. This Court heard the Brown family is
22 stable and consistent. They count their number of years
23 in their jobs in decades. They count the time in their
24 community in decades.

25 It's difficult in a courtroom to find warmth.

1 This is an artificial and stressful environment, but
2 what the Court did hear from Mr. and Mrs. Brown was
3 they've got family rituals, such as trips to the library
4 every Saturday to pick out books, manly trips to the
5 barbershop. And the Brown family is the hub of the
6 social parties, celebrations in their family. They
7 estimate about 80 percent of those celebrations take
8 place in the Brown home. They take trips together, and
9 they prioritize time with extended family members.

10 As Tyler grows up, he's going to have
11 questions about his biological family. He might worry
12 about them. He might wonder about them. Who does he
13 take after? What's his ancestry like? Maybe someday,
14 what's his medical history? Tyler may demand an
15 explanation from his parents about what in the world
16 happened and what kind of choices that they made, and he
17 may want a relationship with his biological siblings.

18 This Court heard testimony that the Brown
19 family would promote all those relationships. This
20 Court also heard testimony that the Abrams-Williams
21 family will not allow any of that contact, even with
22 Tyler's siblings. If Tyler's adopted by the Brown
23 family, he's going to have contact with his cousins, who
24 will then become his siblings, with his full siblings,
25 Tyrone and Maybel. He'll have contact with other

1 maternal relatives and the possibility of contact with
2 his parents, if safe and appropriate.

3 And the testimony you heard from both Mr. and
4 Mrs. Brown can make the Court feel confident that they
5 will not allow contact for Tyler with his parents if
6 it's not in his interest and that they will protect
7 Tyler's interests far and above those of his parents.
8 The Brown family's also amenable for Tyler to maintain
9 contact with the Abrams-Williams family, who admittedly
10 have been a support to Tyler in his young life.

11 And you heard that Ms. Meredith recognizes in
12 the short-term this could be tough for Tyler. In the
13 long-term, she believes that the long-term benefits of
14 placement with the Brown family far, far outweigh the
15 short-term challenges. This Court heard testimony from
16 Ms. Woodliff change in placement could be problematic
17 for Tyler, but she also said without a crystal ball, she
18 couldn't say for sure. This Court heard testimony that
19 Tyler has the capacity to attach and to love, and those
20 are learned behaviors which could potentially
21 transition.

22 The Brown family testified they won't be
23 deterred if Tyler has emotional struggles with the
24 transition, and they already sought out resources in
25 their own community to learn how to help this child if

1 they're fortunate enough to have him placed in their
2 home. Ms. Woodliff and the Abrams-Williams testified
3 Tyler is a resilient, personable, and smart little boy.
4 All factors suggest that he could successfully
5 transition to a new, loving, permanent home.

6 Ms. Meredith respectfully requests this Court
7 apply the family preference in considering the Brown
8 family for permanent placement for Tyler, that this
9 Court recognize and take into consideration eight errors
10 that were made in the family search, how they affected
11 Tyler.

12 THE COURT: What errors do you think were
13 made?

14 MS. RILEY: Well, quite frankly, Ms. Heinz
15 testified that the information she was looking at
16 indicated that Geneva Johnson was the maternal
17 grandmother, and this Court heard testimony that in her
18 opinion, if she had the wrong information about what
19 relative was whom, that could affect her family search.

20 THE COURT: When though?

21 MS. RILEY: I believe her search was
22 approximately November 2015.

23 THE COURT: Right, and so -- because I
24 thought at the beginning of the case, your perspective
25 was that Social Services didn't reasonably seek out

1 family members at any time, and I hear it now to be no,
2 we believe that a mistake was made November of last
3 year.

4 MS. RILEY: In addition, Your Honor, we also
5 believe that Social Services did not adequately search
6 for maternal relatives. You heard Ms. Ready's
7 testimony, she asked for them, but did not document
8 that. So I believe there were multiple omissions.

9 THE COURT: Well, your client confirmed in
10 her testimony that she lied. She was dishonest about
11 her maternal family because she was embarrassed.

12 MS. RILEY: Correct.

13 THE COURT: And so whether it was documented
14 by Ms. Ready or not, she clearly hadn't given that
15 information to the Department. And I think what the
16 theory of the Defense, and I don't mean to project one
17 side or the other, is that Social Services had an
18 obligation to go above and beyond in a case like this
19 where a parent lies about their family of origin to look
20 for family of origin anyway and didn't.

21 Is that what you believe is --

22 MS. RILEY: I believe that Social Services
23 has an obligation to locate adult relatives. Social
24 Services testified they do on occasion find relatives
25 that parents have not provided the information for. If

1 we're to limit the family search that Social Services is
2 obligated to provide to only those relatives that
3 parents provide or that parents have specific contact
4 information for, that search would always be inadequate.

5 THE COURT: Okay. I've interrupted, and I
6 don't mean to. Anything else?

7 MS. RILEY: Just a few more points, Judge.

8 Ms. Meredith requests that Tyler's parents
9 are in agreement. Both Tyler's parents want the Brown
10 family to adopt him. Ms. Brown requests this Court
11 determine that only the adoption by the Brown family
12 will promote Tyler's ongoing contact with both paternal
13 and maternal relatives. And Ms. Meredith requests that
14 this Court find it's in Tyler's best interest to be
15 adopted by the Brown family.

16 THE COURT: Mr. Hart.

17 MR. HART: I'm going to go over there and
18 have the microphone closer to me.

19 THE COURT: Sure, sure.

20 RESPONDENT'S (LENNOX) CLOSING ARGUMENT

21 MR. HART: So the Court is right, the
22 argument here is that Washoe County Department of Social
23 Services failed in their due diligence to find any kind
24 of familiar -- familial placement for this child when
25 they were obligated to, not only statutorily, but

1 federally under 42 U.S.C. 671(a), subsection 29. It
2 states that within 30 days after removal of a child,
3 they shall exercise due diligence to identify any family
4 member that can possibly be placed, including adult
5 relatives.

6 We have case law stating --

7 THE COURT: What is it that you think they
8 didn't do?

9 MR. HART: They didn't look for any of the
10 mother's family members, Your Honor.

11 THE COURT: How do you know that?

12 MR. HART: Because --

13 THE COURT: And I apologize, because the
14 testimony I heard was that we've looked using, at least
15 as of November of last year, we looked using the
16 resources we have. Mr. Bolan uses a different resource
17 and found a different connection. I need you to laser
18 in on how that is not acting reasonably.

19 MR. HART: Your Honor, there was no
20 independent research looking into mother's family before
21 November of 2015. So for a year and two months, Washoe
22 County Department of Social Services, beyond asking
23 Ms. Meredith who her family was, did no official search
24 to find any adult family member.

25 THE COURT: She told them her mother was

1 deceased, right?

2 MR. HART: Correct.

3 THE COURT: Okay. And there's been no
4 specific reference about her father, but I assume he is
5 unknown and/or not in the picture from the evidence I
6 have. Where were they supposed to look? What I mean by
7 that, is how were they supposed to know that she would
8 have relatives with the last name of Brown, for example,
9 as opposed to Smith or George or Walker?

10 MR. HART: The question was what did they do
11 to even look for it, Your Honor. They did nothing.

12 THE COURT: I don't think that's what the
13 evidence is.

14 MR. HART: The evidence that I elicited from
15 Ms. Ready was what did you do independently? I asked
16 Ms. Meredith what her family members were, and then I
17 asked other people, including foster parents --

18 THE COURT: Well, but that was focusing on
19 November forward.

20 MR. HART: No, Your Honor --

21 THE COURT: You're not asserting they did
22 nothing back in 2014.

23 MR. HART: My question was what did you do
24 independently of asking Ms. Meredith who her family
25 members were to locate adult relatives of Ms. Meredith,

1 and her answer was that she asked Ms. Meredith and
2 involved other people to look on Facebook.

3 THE COURT: But that doesn't mean there
4 wasn't a diligent search back in August of 2014 when the
5 child was removed.

6 MR. HART: There was -- the question I asked
7 Ms. Ready was what did Washoe County do independently to
8 determine Ms. Meredith's adult relatives. That was the
9 answer I received, and that was the evidence put in
10 front of this Court.

11 THE COURT: Okay.

12 MR. HART: I believe that the statute is
13 pretty clear in the Nevada statute, and when we construe
14 a specific portion of the statute as -- pursuant to the
15 Matter of Petition of Phillip A.C., that's 122 Nev.
16 1293, that this Court has held that the statutes with
17 the protective purpose, in this case, the protected
18 purpose of protecting the familial bond, they should be
19 liberally construed in order to effectuate the intended
20 benefits of that protection.

21 That's what we're asking the Court to do
22 today. We have two placements that I think are more
23 than adequate placements for Tyler going forward. I
24 think that the Browns came up and refuted a lot of what
25 Ms. Ready said about wanting to give the child back and

1 hem-hawing back and forth of whether they wanted to be a
2 permanent placement. I think the Court can find that
3 the Browns were very truthful in their statements. I
4 thought they -- they were open and honest about their
5 relationship with Ms. Meredith, about Mr. Lennox, about
6 what their plans were for the future.

7 When Ms. Woodliff was on the stand, she was
8 easily elicited from the District Attorney's and Washoe
9 County's Office to say he could and would go backwards
10 and he would have all these problems, but then when I
11 asked if he could be fine, she became combative. She
12 didn't want to say that he could be fine even though
13 recent history shows that he would be fine. The
14 District Attorney's Office talks about that this is
15 another removal.

16 THE COURT: Aren't you asking me to speculate
17 with his life? To say that he could be fine if you
18 removed him is every bit as -- places him every bit as
19 much at risk as when you eloquently and appropriately
20 argue to me, on behalf of clients, that children
21 shouldn't be removed at all because of the harm that it
22 would do. I mean, aren't you asking me to speculate
23 with his life?

24 MR. HART: Well, first we're talking about a
25 transition plan. We're not talking about a straight

1 removal from the family. So it's a little bit different
2 then when we remove a child from a parent because that's
3 what Washoe County does at the PC, and it's just an
4 abrupt removal.

5 What we talked about and what we have been
6 talking about is a smooth transition plan, which
7 happened already within 30 days of meeting a complete
8 stranger. The Browns are family. They would be able to
9 do the same transition.

10 THE COURT: But not through -- not through
11 his eyes.

12 MR. HART: Well --

13 THE COURT: I mean, I think we have to --
14 please, if I may. I think we have to accept that the
15 testimony of the only expert I heard, who is the person
16 arguably with the most experience longitudinally with
17 this child, other than his parents, said he views his
18 current placement as mom and dad. And so seen through
19 his eyes, it is a removal that you're proposing. You're
20 proposing that his plan not be with them, but it be with
21 the Brown family for purposes of them adopting him.

22 MR. HART: It would be the transitional plan,
23 Your Honor. This -- Tyler has already seen Mr. Lennox
24 and Ms. Meredith as his mom and dad, he's now seeing
25 Ms. Abrams-Williams and Mr. Abrams-Williams as his mom

1 dad, and a transition to another home to see them as his
2 mom and dad would not be out of the question.

3 THE COURT: That's a removal.

4 MR. HART: It would be a transition. I
5 disagree. I understand that the Court's thinking that
6 it's a complete removal, but it's not a removal in the
7 sense that we're just taking Tyler away from the
8 Abrams-Williams, as also was testified from the Browns,
9 that they would have a continuing relationship should
10 that be in the best interest of Tyler. This isn't a
11 straight removal.

12 This is a transition plan that was agreed
13 upon by everybody that I asked the question would you
14 work a transition plan with the Browns. Everybody said
15 yes.

16 THE COURT: Well, let's get though, I think,
17 to the heart of my question, which is: Aren't you
18 asking me to gamble with his life? Isn't that really --
19 aren't you suggesting to me well, Judge, he did okay
20 with this one, and he did really good with this one, and
21 so we think he'll do okay with another one?

22 MR. HART: I'm not asking you to gamble with
23 Tyler's life, Your Honor. I'm asking you to hold Washoe
24 County to some degree responsible for the part they
25 played in not finding the maternal relatives of --

1 THE COURT: But I can only do that at Tyler's
2 expense. In other words, if I punish the Department --
3 I don't believe they did anything wrong. I disagree
4 with your characterization, but let's say I did. Let's
5 say I found that they didn't act reasonably, I still
6 would have the same dilemma, I think, in this case
7 because if the goal is to hold them accountable and
8 punish them for something they did wrong, how am I to do
9 that at the child's -- to the child's detriment?

10 MR. HART: It's not necessarily the child's
11 detriment, Your Honor. Recent history with Tyler has
12 been more resilient, and a boy that was easily
13 transitioned to a new home.

14 But if the Court is telling me that they find
15 no fault in what Washoe County did, then that's
16 something that I'm having a hard time dealing with
17 because I don't think not going after familial placement
18 with one-half of the parents, it should be allowed,
19 quite frankly.

20 And I think that if this Court allows that
21 and rubber stamps this placement with the
22 Abrams-Williams saying that they did nothing wrong to
23 not look for any maternal familial placements, then I
24 think that that's going to give carte blanche to the
25 Department to never have to look up anybody besides

1 asking the parents themselves, place the child with
2 whoever they want, and then build that bond while
3 limiting the bond with any family member that might come
4 forward to the point where they even ask the therapist
5 to write a letter saying that no placement now, after
6 this bond has been built and built up by the Washoe
7 County Department of Social Services, that no placement
8 after that would happen.

9 I think that's the heart of this argument,
10 and that's the heart of this case, and I think that this
11 Court shouldn't allow that to happen and it should order
12 placement with the Browns or at least an ICPC and
13 transition plan to see if it's even something that could
14 be possible.

15 THE COURT: Thank you. Surrebuttal.

16 PETITIONER'S SURREBUTTAL ARGUMENT

17 MR. MARTIN: Well, just briefly, and I
18 disagree with some of the characterizations. I disagree
19 that, you know, we're asking the Court to rubber stamp
20 something that the Department has done. I mean, we
21 fully understand that the Court is here as an
22 accountability to the Agency.

23 I also -- I understand Mr. Hart saying gosh,
24 it's the transition rather than a removal, but the truth
25 is you're removing this child's primary caregivers and

1 not just the child's primary caregivers, but the people
2 that he identifies as the mother and father. So from
3 our perspective, it still is a removal.

4 And I understand what he's saying, well, it's
5 longer, it's more drawn out, but you're still removing a
6 child's primary caregivers, the people that he has
7 established that connectedness to in Ms. Woodliff's
8 testimony at this point. We are -- we're still kind of
9 pulling that out, and like you said, rolling the dice,
10 and the Department's not willing to roll the dice. You
11 know, Ms. Ready, and this is kind of a rabbit trail, but
12 --

13 MS. MEYER: Your Honor, I feel the need to
14 object. Removal is a legally-weighted word, and we've
15 thrown it around a couple of times now. When an
16 adoptive placement disrupts, we do not come to a 72-hour
17 hearing. A removal is a legal term of art, and there
18 have now been a number of times that -- and I strongly
19 object to the characterization because there is a
20 safeguard over parental rights that is not there until
21 those rights are vested.

22 THE COURT: Your objection is noted. It's
23 argument.

24 Go ahead.

25 MR. MARTIN: Okay, thank you, Your Honor.

1 So essentially, what we're doing is saying
2 we're taking him out of the home, taking him out,
3 removal, whatever, he's got connectedness, and now we're
4 -- and now we're removing that connectedness, and that's
5 --

6 Again, what I am requesting is that we not
7 roll the dice with this child's -- with this child's
8 future. And in terms of the Department's actions,
9 again, I stand by the Department's actions, but from our
10 perspective and their perspective, who is the party that
11 is not acting in the child's best interest?

12 They're going to say, gosh, the Department's
13 ignoring the child's best interest. Well, again, if we
14 want to talk about unclean hands, we would not be here
15 but for Ms. Meredith not providing this information to
16 the Department. The Department's been to every hearing,
17 outlined everything we've done, sent a letter within --
18 sent a letter indicating yes, we're placing into a
19 flexible family home. I think this Agency's been pretty
20 transparent.

21 But all of that doesn't mean anything if we
22 don't do what's in Tyler's best interest, and that's the
23 main focus. This is not a presumption, it's a
24 preference, and I think Tyler's clinical needs at this
25 point outweigh placing him with folks that don't have a

1 relationship with him and have never met him.

2 Thank you.

3 THE COURT: Well, I'm prepared to rule. I
4 think this case and Tyler's life needs expeditious
5 resolution. I say that really for the following
6 reasons. I think in any particular case, there are no
7 doubt many criticisms to be offered of any particular
8 player, be it the Department, be it the parents, or be
9 it the Court.

10 I'm sure I have not in the life -- in Tyler's
11 life before me, in the dependency case and now in this
12 termination case, I'm sure I have not been failure
13 proof, unfortunately, because we're all systems
14 populated by humans, all of us -- all of whom are
15 fallible.

16 The legal issue to be decided is not, in my
17 view, whether or not the Department made a mistake. And
18 I think, Mr. Hart, whether my pointed commentary, while
19 respectfully not agreeing with me appropriately, but
20 nonetheless, I think my point really is the true point,
21 which is I'm not here to punish the Department or really
22 even to pass on whether the Department engaged in a
23 reasonable effort. I'm here to decide what is the plan
24 for this child.

25 And an overall failing of the system is that

1 21 months after he's been removed, we're still arguing
2 about what the plan is. We all own that responsibility.
3 I am fond of saying, because I think it's very true, we
4 have spent almost half of his life, his chronological
5 life, trying to figure out what his plan is going to be,
6 and shame on us for that. We have got to do a better
7 job as a system of acting with alacrity and finality for
8 the benefit of children. Now, I think we all can bear
9 that responsibility.

10 I'm going to make some comments,
11 Ms. Meredith, and I want you to know that I don't judge
12 you. I don't judge any parent. I am not a perfect
13 parent, and I have made selfish, wrong decisions in my
14 children's lives, and they have paid for it. And so
15 with that I'll simply say it's unfortunate that
16 Ms. Meredith chose to be dishonest in Tyler's life
17 specifically about her family of origin.

18 I can completely understand, from a human
19 perspective, why she would have been, given her
20 circumstance, but the risk that was created by that
21 choice has come to pass, has born fruit now. It's grown
22 and born fruit in Tyler's life because seen through his
23 eyes, he is -- I am being asked to remove him again.
24 Perhaps not in the technical, legal sense that Ms. Meyer
25 points out, but in a practical term of description sense

1 in a child's life, I'm being asked to remove him again
2 from what he views as his home, his family of origin.

3 That bond has unequivocally quite clearly
4 been demonstrated in this courtroom, and I don't think
5 anybody really quarrels with that description. He has
6 identified and bonded with people whom he sees as and
7 views as his parents. His counselor has opined that it
8 will do unequivocal harm to remove him. The how much
9 harm or not none of us can know because none of us can
10 know the tea leaves of the future.

11 I will tell you that I think it is a grave
12 misstatement to say there's little risk or no risk to a
13 child to change their placement. If I've learned
14 nothing else in the period of time now I've done
15 dependency cases, I know unequivocally that every move
16 we make for a child, every one of them, has deep and
17 long-term effects in that child's life.

18 So ultimately, discarding any commentary
19 about whether or not Social Services did or did not act
20 reasonably, because I don't think that finding is
21 necessary to my decision, nor is it a finding
22 contemplated by the four corners of this hearing, I have
23 to instead ask, given the context of Tyler's life, what
24 is in his best interest?

25 I would prefer that he had bonded with his

1 family. I would prefer that. I think that there is a
2 preference in the law for it for very good reasons.
3 Unfortunately, he has not. The fact of his life before
4 the State was involved is that he was not connected with
5 his family. His mom made choices that prevented a
6 connection from his family for over a year, and he is
7 not bonded with his extended family.

8 I am unwilling to risk his health, safety,
9 and welfare for unknowns. The evidence I have received
10 is that he's bonded and attached -- I'm using both of
11 those words intentionally, notwithstanding the
12 definitions that were given here in court -- to his
13 current home. He is in a safe, stable, healthy home
14 where he is thriving and is fully integrated into that
15 home, and I am unwilling to risk his health, safety, and
16 welfare by removing him from that home with my order.
17 I'm simply going to authorize the current placement of
18 Tyler as least restrictive, most beneficial for him.

19 Anything else you think we need to address or
20 clarify for purposes of a writ order?

21 MR. MARTIN: No, Your Honor, thank you.

22 THE COURT: Ms. Riley or Ms. Meyer.

23 MS. RILEY: I have nothing further, Judge.

24 THE COURT: Mr. Hart.

25 MR. HART: Nothing.

1 THE COURT: Ms. Meyer.

2 MS. MEYER: Your Honor, I believe that while
3 the parents' rights remain intact, given the testimony
4 that we have heard today, this Court could provide an
5 order for mediation between the Abrams-Williams and the
6 Browns with the idea that we heard very conflicting
7 testimony about what kind of contact would be allowed.
8 And I believe that this Court could make that order and
9 should in his best interest given what we heard from
10 Ms. Woodliff regarding the resiliency factors of family
11 and extended social networks.

12 THE COURT: I want to be clear I'm
13 understanding what you're asking me. You're asking me
14 to order that the Browns and the current placement for
15 Tyler be required to go to mediation?

16 MS. MEYER: Yes.

17 THE COURT: I don't know if I have the
18 jurisdiction to do that. That would be my first
19 question. I don't even know if it's a concern.

20 MS. MEYER: I believe that you could, at a
21 minimum, order the mediation slot be allowed before
22 relinquishment for the purpose of exploring that,
23 whether or not the parties choose to show up. Given the
24 information that has come out in this testimony, I
25 believe that that's appropriate.

1 THE COURT: Any objection to that?

2 MR. HART: No, Your Honor.

3 THE COURT: All right. Mr. Martin.

4 MR. MARTIN: Actually, I'll go ahead and have
5 Ms. Ready address the Court.

6 MS. READY: So I actually think that's a
7 really good idea. In my opinion, it's obvious that
8 these -- this family is devoted to this kid, and the
9 Williams are devoted. I think that there is an
10 opportunity in an informal setting for us to come
11 together and hopefully -- like even if they're not going
12 to be his mom and dad, they're still going to be his
13 cousins, because there is something to say as you don't
14 know -- you know, life's unexpected, and you never know
15 what can happen.

16 And if there is any way for us to facilitate
17 contact with the Browns with Tyler long-term, that would
18 be in everybody's best interest. So I would be willing
19 to offer up, like I have before, to sit down with the
20 Williams and with the Browns to see if there's some, I
21 don't know, some way to integrate them into his life.

22 THE COURT: All right. Well, the question
23 becomes what jurisdiction I have to order people who
24 aren't parties to a case to do anything. I think
25 technically, foster care placements, even a flex foster

1 placement are interested parties in a case, whether I --
2 and so I guess I could order the Abrams-Williams to do
3 something. I don't think I can order the Browns to do
4 anything.

5 But, but let me just say this, if there are
6 silver linings in Tyler's life, it is the Browns and it
7 is the Abrams-Williams. I've had the privilege in this
8 room of meeting two extraordinary families, both the
9 Brown family and the Abrams-Williams family, and people
10 of that quality and character and integrity never cease
11 to amaze me, the good choices they make when we give
12 them the opportunity.

13 And so I think what I can do is order that a
14 mediation slot will be made available should the family
15 choose to use it. I don't think I can actually order
16 them to do it, subject them to the power of the Court,
17 but I would sure like it to happen, and I'd like the
18 resource available. I think that's a great suggestion
19 to them.

20 And so a part of my order will be that the
21 Court will make a mediation resource available to be
22 utilized by the Department for the purposes of allowing
23 the Abrams-Williams family and the Brown family to meet
24 and confer related to relative contact going forward
25 should the adoption finalize with the Abrams-Williams

1 family.

2 MR. MARTIN: Okay.

3 MR. LENNOX: Hello, may I speak at any time?

4 THE COURT: I'm sorry?

5 MR. LENNOX: This is Eric Lennox. May I
6 speak -- can I say something before this Court get
7 adjourned?

8 MS. MEYER: Your Honor, just before
9 Mr. Lennox speaks, I would just ask that the order for
10 the mediation slot, if the Department chooses to take
11 that to enable relative contact, that counsel be
12 notified and that it occur before relinquishment just so
13 that we can participate for the benefit of our clients.

14 MR. MARTIN: Sorry, Your Honor, I'm just kind
15 of processing that.

16 THE COURT: Mr. Lennox, what did you want to
17 say, sir?

18 MR. LENNOX: I just want it to be noted to
19 the Court that I received my papers OF the Indian Rights
20 and Reduction Act of 1995 and '96, and that is noted
21 that I did sign my papers and bring it to this Court in
22 Washoe County before all this came about. And I'm going
23 to pick up a lawyer and bring your courtroom and Washoe
24 County to the Superior Court and up under Federal acts
25 of denying me for my Indian rights.

1 I'll have a lawyer talk about the rest of it,
2 and I have all -- I've spoke on this before, and I was
3 denied my rights in your courtroom, through your
4 courtroom and through your Department. And that's all I
5 wanted to be noted on record.

6 Thank you very much.

7 THE COURT: All right.

8 MR. MARTIN: Your Honor, in regard to
9 Ms. Meyer's request, I guess my only -- my only concern
10 is, as Ms. Meredith is going back to Florence McClure,
11 and it may be some time before relinquishment can be had
12 from that facility, we are certainly willing to
13 facilitate a mediation between the Abrams-Williams and
14 the Browns, should they so choose. At that point, I
15 would ask that it require the consent of both -- of both
16 parties. We're willing to do it. I think -- but again,
17 my sticking point is once Ms. Meredith is transported
18 back to Florence McClure, it could be a couple of months
19 before we can facilitate a relinquishment.

20 THE COURT: Well, I expect the driving force
21 behind timing of this mediation to be permanency in the
22 best interests of Tyler and not anyone else's interests.
23 I understand his mother's desire and/or his father's
24 desire to participate. I certainly would like that to
25 happen, but I don't want any unnecessary delays for

1 permanency for this child.

2 MR. MARTIN: Okay.

3 THE COURT: I think that's the best I can say
4 about it right now. I don't intend to make any order
5 beyond that.

6 Other suggestions or comments for purposes of
7 clarification?

8 Mr. Martin, I'll ask you to craft the order
9 consistent with what I've orally pronounced.

10 MR. MARTIN: I will, Your Honor, thank you.

11 THE COURT: Thank you all for your time.
12 We'll be in recess. I'm going to remain in place to
13 take up the guardianship matter next.

14 (Whereupon, proceeding concluded)

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STATE OF NEVADA)
) ss.
COUNTY OF CARSON)

I, Julie Rowan, Transcriptionist, have transcribed the proceedings held on May 2, 2016, in the Family Division of the Second Judicial District Court, in and for the County of Washoe, State of Nevada.

The foregoing is a true and correct transcript, to the best of my ability, from the electronic sound recording of the proceedings held in the above-entitled matter.

DATED: This 10th day of July, 2015.



Julie Rowan

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 9th day of June 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Jeffrey Martin, Chief Deputy District Attorney
Washoe County District Attorney's Office

I further certify that I served a copy of this document by providing a copy to:

Tonya Meredith.

John Reese Petty
Washoe County Public Defender's Office