

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2
3 PHILIP RIVERA and REGINA
4 RIVERA

CASE NO: 73198

Electronically Filed
Jun 09 2017 01:40 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

5 Petitioners,

6 EIGHTH JUDICIAL DISTRICT
7 COURT, CLARK COUNTY,
8 NEVADA and THE HONORABLE
9 CYNTHIA GUILIANI, DISTRICT
10 COURT JUDGE

District Court Case Information:

Case No.: J-15-337398-P1

Dept.: Dependency

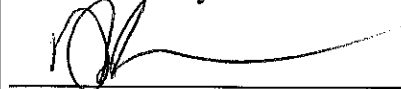
11 Respondent,

12 STEPHANIE ROZIER and JOEY
13 ROZIER

14 Real Parties in Interest.
15

16 **PETITIONERS' APPENDIX TO PETITION FOR WRIT OF MANDAMUS**
17 **AND STAY OF DISTRICT COURT PROCEEDINGS**

18 Submitted By:

19 

20 GREGORY S. MILLS, ESQ.

21 Nevada Bar No. 8191

22 DANIEL W. ANDERSON, ESQ.

23 Nevada Bar No. 9955

24 703 S. 8th Street

25 Las Vegas NV 89101

26 Attorneys for Philip Rivera and Regina Rivera
27
28

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PLEADING

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CERTIFICATE OF MAILING

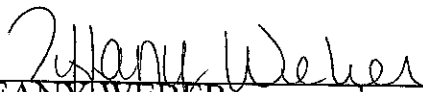
I hereby certify that I am an employee of the MILLS, MILLS & ANDERSON
and that on the 9th day of June, 2017, I duly deposited for mailing in the U.S.
Mail at Las Vegas, Nevada, postage prepaid thereon, or had hand-delivered, a true
and correct copy of the above and foregoing **PETITIONERS' APPENDIX TO
PETITION FOR WRIT OF MANDAMUS AND STAY OF DISTRICT
COURT PROCEEDINGS** addressed to the following at their last known
address:

Tanner L. Sharp, Esq.
Deputy District Attorney – Juvenile Division
601 N. Pecos Road
Las Vegas, Nevada 89101
Attorney for Clark County Department of Family Services

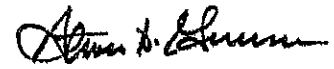
John Blackmon, Esq.
2200 Paseo Verde Parkway #350
Henderson, Nevada 89052
Attorneys for Stephanie and Joey Rozier

Amy Honodel, Esq.
Legal Aid Center
725 E. Charleston Blvd.
Las Vegas, Nevada 89104
Children's Attorney Project
Attorney for Esther Rodriguez

The Honorable Judge Cynthia Giuliani
Clark County District Court Dept. K
601 N. Pecos Rd.
Las Vegas, Nevada 89101


TIFFANY WEBER, an employee of the
MILLS, MILLS & ANDERSON

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION - JUVENILE
CLARK COUNTY, NEVADA**


CLERK OF THE COURT

In the Matter of Child:

ESTHER RODRIGUEZ

DOB: 06-15-2015

COURT CASE NO.: J-15-337398-P1

UNITY CASE # 1407636

DEPT.: FAMILY JUVENILE

COURTROOM: HM KURTZ - #14

PETITION: 1 - ABUSE/NEGLECT

PLEA: 08-06-2015 AT 9:00 A.M.

A Minor Under 18 Years of Age.

PETITION - ABUSE/NEGLECT

The Petitioner, a duly appointed and qualified Deputy District Attorney for the County of Clark, State of Nevada, makes the following declaration:

There is now living or found within the County of Clark, State of Nevada, a minor child whose residence address is: **UNKNOWN**

MOTHER: NELLIE SAEZ DOB: 03-17-1972
FATHER: PEDRO RODRIGUEZ DOB: 06-26-1978

The Petitioner is informed and believes, and therefore on information and belief alleges, that the facts bringing the subject minor within the jurisdiction of the Juvenile Court are:

The subject minor is a child in need of protection and this action is within the jurisdiction of the Court pursuant to N.R.S. 432B, et sec., in that:

(a) The mother to the minor child is NELLIE SAEZ; the father is PEDRO RODRIGUEZ;

(b) NELLIE SAEZ and PEDRO RODRIGUEZ were the persons directly responsible for the welfare of the subject minor pursuant to NRS 432B.130 at the time of removal;

(c) PEDRO RODRIGUEZ neglected the subject minor by engaging in the use of illegal substances, which rendered him unable to provide care for the subject minor when NELLIE SAEZ suffered a medical incident that likewise rendered her incapable of caring for the subject minor; PEDRO RODRIGUEZ admitted to regularly using illegal substances, and named heroin as his drug of choice;

(d) PEDRO RODRIGUEZ lacks the resources to provide for the health

and safety of the subject minor;

(e) PEDRO RODRIGUEZ failed to submit to drug testing that was recommended by both CPS and the court;

(f) NELLIE SAEZ lacks the resources to provide for the health and safety of the subject minor;

(g) NELLIE SAEZ failed to submit to drug testing that was recommended by both CPS and the court;

(h) The subject minor is in need of protection in accordance with NRS 432B.330 as a result of the abuse/neglect described above.

Therefore, Petitioner prays that: upon the admission to/or proving of this Petition, or any part thereof, the subject minor be declared a Ward of this Honorable Court.

The minor is in protective custody, having been placed there by the Department of Family Services.

THEREFORE, your Petitioner prays that this matter be set for hearing to determine the need for protection of the minor and for the Court to take such further action as is deemed fit and proper under the circumstances and in accordance with the law concerning protection of children.

I declare that I am the Petitioner named in the foregoing Petition and know the contents thereof; that this petition is true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

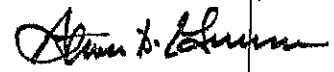
Dated this 5th day of August, 2015

STEVEN B. WOLFSON
DISTRICT ATTORNEY

BY:


Deputy District Attorney
Petitioner

UNITY Doc.
JH/pf
CPS Central B
PC Held
Removal Date: 07-27-2015



CLERK OF THE COURT

STEVEN B. WOLFSON
DISTRICT ATTORNEY
Janne Hanrahan
Deputy District Attorney
Juvenile Division
Nevada Bar No. 9053
601 North Pecos
Las Vegas, Nevada 89101
(702) 455-5320

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION - JUVENILE
CLARK COUNTY, NEVADA**

In the Matter of:

ESTHER RODRIGUEZ
Date of Birth: 06-15-2015
A Minor, 0 Years and 03 Month(s) of Age

COURT CASE NO.: J-15-337398-P1
DEPT.: FAMILY JUVENILE

DISPOSITION REPORT

Date of Hearing: 09-15-2015

Time of Hearing: 10:00AM

Courtroom: JUDGE TEUTON - #11

Attachment: Exhibit A - Proposed Case Plan for
Nellie Saez
Exhibit B- Proposed Case plan for
Pedro Rodriguez

CONCERNING:

Mother: NELLIE SAEZ
DOB: 03-17-1972
Address: 1825 E LEWIS AVE
LAS VEGAS, NV 89101

Father: PEDRO RODRIGUEZ
DOB: 06-26-1978
Address: 1825 E LEWIS AVE
LAS VEGAS, NV 89101

Siblings:

REASON FOR DISPOSITION HEARING:

1 This matter comes before the Court for a Report and Disposition Hearing on charges of
2 Neglect pursuant to NRS 432.B. The Honorable Hearing Master Kurtz presided over the
3 Plea Hearing held on September 3, 2015, at which the natural mother Nellie Saez
4 entered a plea of No Contest through Special Public Defender, Melissa Oliver. Also
5 present was the natural father, Pedro Rodriguez who entered a plea of No Contest
6 through his attorney, Maria Avilez. During these proceedings it was agreed by all parties
7 that the language in Petition 1 needs no further review, updates or changes.

8 The Petition No. 1 in this matter cited:

9 The subject minor is a child in need of protection and this action is within the jurisdiction
10 of the Court pursuant to N.R.S. 432B, et sec., in that:

11 (a) The mother to the minor child is NELLIE SAEZ; the father is PEDRO RODRIGUEZ;

12 (b) NELLIE SAEZ and PEDRO RODRIGUEZ were the persons directly responsible for
13 the welfare of the subject minor pursuant to NRS 432B.130 at the time of removal;

14 (c) PEDRO RODRIGUEZ neglected the subject minor by engaging in the use of illegal
15 substances, which rendered him unable to provide care for the subject minor when
16 NELLIE SAEZ suffered a medical incident that likewise rendered her incapable of caring
17 for the subject minor; PEDRO RODRIGUEZ admitted to regularly using illegal
18 substances, and named heroin as his drug of choice;

19 (d) PEDRO RODRIGUEZ lacks the resources to provide for the health and safety of the
20 subject minor;

21 (e) PEDRO RODRIGUEZ failed to submit to drug testing that was recommended by both
22 CPS and the court;

23 (f) NELLIE SAEZ lacks the resources to provide for the health and safety of the
24 subject minor;

25 (g) NELLIE SAEZ failed to submit to drug testing that was recommended by both CPS
26 and the court;

27 (h) The subject minor is in need of protection in accordance with NRS 432B.330 as a
28 result of the abuse/neglect described above.

WHEREABOUTS OF MINOR:

Child(ren):	Facility	Number of Days In Placement
ESTHER RODRIGUEZ	Foster Home	43

PLACEMENT HISTORY:

Foster Care

Child(ren)	Removal/ Placement Reason	Start Date	Release Date	Facility
ESTHER RODRIGUEZ	Negligent treatment	07/27/15	07/29/15	Foster care

WHO IS IN THE HOME?

Client	Case Role
Nellie Saez	Mother
Pedro Rodriguez	Father

SCHOOL:

Childs Name: ESTHER RODRIGUEZ	Grade: N/A
School: N/A	
Special Educational Needs:	
Childs Name:	Grade:
School:	
Special Educational Needs:	
Childs Name:	Grade:
School:	
Special Educational Needs:	

SIBLING CONTACT:

☒ Placed Together

☐ Not Placed Together--

PREVENTION/REUNIFICATION EFFORTS AND SERVICES:

1 July 26, 2015 - A family friend/name not given was asked if she would be willing to
2 participate and assist in the care of the minor via Present Danger Plan. She responded
3 that she was not willing or able to participate

4 July 27, 2015 - Specialist attempted to visit with parents at their residence. It was
5 reported by a roommate, they were homeless until they came to reside at this address.
6 The reported roommate appeared to be under the influence. Based on her condition, she
7 was not a suitable participant for Present Danger Planning

8 July 27, 2015 - Both parents in the office, attended by supervisor who provided both with
9 drug test forms and letter of Identification for Nellie Saez. Bus Passes provided to enable
10 parents to visit their daughter at Child Haven.

11 July 28, 2015 - Attempted to meet with both parents at their new reported address, 2124
12 Houston Dr. Apt B, Las Vegas NV, they were not available.

13 July 28, 2015 - Spoke to Nellie Saez who reported they will not be at 1825 E Lewis #153,
14 LV NV 89101 so that specialist can visit and see if a Present Danger Plan can be
15 formulated.

16 July 29, 2015 - 2nd drug test forms to both parents outside of the court room. Nellie
17 informed specialist that they are transitioning to another home and will contact specialist
18 with the new address.

19 July 29, 2015 - Spoke to paternal aunt, Esther Rodriguez, who advised that she has been
20 helping the family out however cannot provide assistance in the way of coming to Vegas
21 as a possible Safety Plan or be considered for placement via ICPC.

22 July 29, 2015 - Diligent search requesting relative addresses for both Nellie Saez and
23 Pedro Rodriguez

24 July 31, 2015 - Nellie Saez provided their most current address, 1825 E. Lewis Ave #104,
25 LV NV 89101. They are staying with their friend John (LNU), whom they met about a
26 month ago. This was verified as not a safe environment for a minor, people trafficking in
27 and out of the home on a regular basis.

28 *Bus passes provided
*3rd drug test form provided

August 3, 2015 - Bus passes provided so that both parents can visit with their daughter

August 12, 2015 - Bus passes provided for parents to visit with their daughter

August 26, 2015 - Bus passes provided for parents to visit with their daughter

September 3, 2015 - Bus passes provided for parents to visit with their daughter

September 3, 2015 - Nellie was provided with drug test form

September 6, 2015 - Referral sent to Community Counseling for Nellie Saez for
substance abuse assessment

September 9, 2015 - Called Summit Mental Health as on 09/08/15 Nellie left message
stating she preferred using this service provider rather than Community Counseling. Left
message with the social worker to contact specialist.

September 11, 2015 - Notices sent out to relatives based on Diligent Search for possible
placement of minor, Esther Rodriguez.

September 11, 2015- Referrals sent to Community Counseling on behalf of Pedro
Rodriguez for a substance abuse assessment.

1 September 13, 2015 - Called the number Nellie provided as to someone who was
2 identified as a person willing to engage in Safety Planning and have Nellie and Esther
3 reside in their home. This person noted that they cannot participate in a Safety Plan.

4 Is the child listed in report currently on any psychotropic medication?

5 No

6 Has a Court appointed a person to be legally responsible for the child's psychiatric
7 services?

8 Not Applicable

9 When was the child's last appointment? Not Applicable

10 When will the child have an appointment? Not Applicable

11 **SUPPLEMENTARY INFORMATION:**

12 On September 3, 2015 Nellie Saez was given another drug test form.
13 The results are not yet showing on the collection website.

14 **SIGNIFICANT CHANGES/PROBLEMS IN THE HOME**

15 On September 6, 2015, a referral was faxed to Community Counseling for Ms. Saez. It
16 was made clear by her attorney at Plea on 09/03/2015 that Nellie is to engage and begin
17 the assessment process. This was noted by Ms. Oliver so that CPS Specialist could
18 conduct a home inspection, get the family finger printed and have these issues cleared by
19 next court date. A Safety Plan could then be developed with the family that resides in this
20 home. At this point Esther could then be placed in this home while Nellie engages in
21 services and continues with her Case Plan.

19 September 8, 2015, Nellie informs this specialist that she would rather go through Summit
20 Mental Health with in-patient services in place. That she is working with a social worker
21 on her own.

21 September 13, 2015 - Called the number Nellie provided as to someone who was
22 identified as a person willing to engage in Safety Planning and have Nellie and Esther
23 reside in their home. This person noted that they cannot participate in a Safety Plan.

23 **SPECIALIST SUMMARY AND EVALUATION:**

24 The conditions for return were formulated using information in the Nevada Initial
25 Assessment, the Investigation, and information gathered by the specialist.

25 The first condition is that Nellie Saez and Pedro Rodriguez maintain stable and suitable
26 housing. This is necessary as Nellie Saez and Pedro Rodriguez do not possess stable
27 housing.

27 The second condition for return is the home environment is calm and consistent enough
28 so that a safety plan can be implemented. This is necessary due to Nellie Saez and
Pedro Rodriguez history of substance abuse.

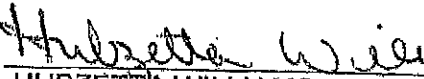
1 The third condition for return is that both Nellie Saez and Pedro Rodriguez demonstrate
2 the ability and capacity to maintain sufficient financial resources in order to provide for the
3 basic needs of their daughter. This is due to Nellie Saez and Pedro Rodriguez lack of
4 income which causes them to endure financial hardships and not provide for their
daughter's support and well-being.

5 The fourth condition for return is that the home environment, dynamics of family
6 interactions and caregiver functioning, in this case Nellie will now ensure to adhere to her
7 medical prescriptions and follow all orders by her physicians so that she can maintain
8 herself in a more predictable state and in-home safety services can supervise and
9 monitor the situation; manage behavior; manage stress, and/or provide basic parenting
10 assistance, ensure that Nellie is adhering to all medical orders in regards to her
11 prescribed medication.

12 Both Nellie Saez and Pedro Rodriguez will cooperate with the department including, but
13 not limited to, attending meetings and appointments, signing releases so that the
14 department may have access to records pertinent to each one's individual case, and
15 updating the department with any changes in their individual information. Both Nellie
16 Saez and Pedro Rodriguez will gain and maintain stable, legal, verifiable income and
17 maintain stable and suitable housing for their daughter.

18 Submitted By: Martha Cardiel

19 
20 MARTHA CARDIEL
21 PERMANENCY CASE MANAGER

22 
23 HUBZETTA WILLIAMS
24 PERMANENCY SUPERVISOR

25 DATE: September 13, 2015

26 SITE: CPS Central - C

27 Hay servicios gratis de ayuda con otros idiomas. Para pedir un intérprete, llame por favor al Coordinador
28 de Servicios de Intérpretes al 671-4578.

Free language assistance services are available. To request an interpreter, please call the Language Assistance
Coordinator at 671-4578.

Exhibit A-
Proposed Case Plan
Nellie Saez

Case Plan Information

Case: 1407636 - SAEZ, NELLIE	Opened Date: 07-26-2015	Closed Date:
Status: Supervisor Approved	Effective: 09-11-2015	Review Due: 03-11-2016
Author: CARDIEL, MARTHA	Approved: 09-14-2015- WILLIAMS, HUBZETTA	Court Approved:
Plan Created: 09/13/2015 15:00:25	Plan Last Modified: 09/13/2015 15:00:25	Court Case: J-15-337398-PI

Permanency Goal Summary

Child	Goal	Targeted Completion	**Prevent Removal**
2112526 - RODRIGUEZ, ESTHER	Reunification	03-11-2016	N

**For Permanency Goal A, the undersigned caseworker has determined that 'without the preventive services described in this Case Plan, the child(ren) are at imminent risk of removal and placement into foster care.' **

Assessment Summary**1. Describe the parent's perception of his/her problems and service needs.**

Participant: SAEZ, NELLIE

Nellie fails to take her seizure medication as prescribed. She notes she does not like the way she feels when taking the medication. What Nellie does not realize is that her not taking her prescribed medication causes her to begin feeling light headed and will then have seizures more easily. At initial contact, when asked if she was using any illegal substances she quickly noted that she was not. Drug test from report date 8/10/15 show she tested positive in her drug hair analysis in amphetamines at a quantitation of 1,200 pg/mg and 16,857 pg/mg in methamphetamine's. Nellie cannot accept that she has a substance abuse problem and will note that her issues are more medical, however she fails to take her medication as prescribed. Nellie cannot see that her living with different people and moving constantly is not safe. She sees it as a matter of fact and seems content and at peace with her current situation.

2. Describe the strengths of the family and child(ren) that will help the family achieve their permanency goal.

Pedro has been able to hold a job and appears willing to engage in services. Nellie loves her daughter and will express that time and time again. Both parents have maintained their visit schedule at Child Haven. They both report they are ready to work on their Case Plan do whatever it takes to have their child safe and with them.

3. Describe assessed safety and/or risk factors identified with each parent. (Ensure these services are included in the Case Plan.)

Participant: SAEZ, NELLIE

Nellie has a substance abuse issue which in turn impedes her from being productive and being able to obtain steady verifiable income. Nellie has no stability in her life, she and Pedro do not have a stable residence and have shown that they couch surf. There appear to be drug use in the home in which the parents currently reside therefore, this is not a stable and appropriate placement for the child. Nellie does not take her prescribed medication as she should and therefore her seizures continue to occur. She also reports that she feels tired at times and has no energy. This needs to be assessed further by her physician to ensure she is taking the right dosage of medication and that the medication is serving its purpose at all times.

4. A history of services offered or provided to the family to prevent removal. If services were not provided, state why.

Multiple attempts were made to meet with the parents at the addresses reported to see if the home and the support that they noted was available was such that would be able to incorporate a Present Danger Plan and/or Safety Plan. When the home was visited, Nellie and Pedro were no longer there; additionally the people that were in the home were not of what appeared of a good reputable nature. The parents have been referred to Community Counseling for assessment of their drug use. The parents have been given bus passes so that they can attend visits with their child at Child Haven and have the ability to go to assessments.

Objective: Nellie Saez will address her housing needs by obtaining safe, reliable and appropriate housing for herself and his children.

Measurement for Success: Nellie Saez will demonstrate the ability to maintain housing for herself and her child(ren) to the assigned DFS caseworker. The assigned DFS caseworker will observe and verify stable housing by completing announced and unannounced home visits to the residence to ensure safety for the child(ren). Nellie Saez will provide assigned DFS caseworker necessary paperwork to verify residence.

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will maintain a residence that is free from any environmental hazards and that meets the safety needs of the child(ren).	SAEZ, NELLIE	09-11-2015	03-11-2016	
If Nellie Saez chooses to have any other adults (18 years of age or older) living in the residence, she will provide the DFS caseworker with names and all information requested prior to moving in to ensure the child(ren)'s safety.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will provide DFS caseworker with necessary paperwork (i.e. rental agreement, mortgage bill) to verify residence, if requested.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Nellie Saez will seek assistance to obtain housing, if needed, through the Clark County Housing Authority (451-8041), City of Las Vegas Housing Authority (922-6800), or North Las Vegas Housing Authority (649-2451).	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will ensure that all utilities are in working order at all times in the residence.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will cooperate and maintain consistent contact with the assigned DFS caseworker.

Measurement for Success: Nellie Saez will notify assigned DFS caseworker of any and all changes within 48 hours. Nellie Saez will be available for home visits and/or make arrangements with the assigned DFS caseworker to schedule home visits. Nellie Saez will maintain phone contact with assigned DFS caseworker.

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will inform the DFS caseworker of any change in phone, address, employment, or household within 48 hours.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Upon reunification, Nellie Saez will allow the DFS caseworker unrestricted access to the child through announced and unannounced home visits.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will participate in announced/unannounced home visits and maintain phone contact with DFS caseworker or supervisor at least twice per month.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will inform the DFS caseworker of any police involvement, arrests, and incarcerations within 48 hours.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will permit DFS caseworker and any other DFS employee to enter her residence where the child is residing to evaluate the child's condition and the home environment.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will obtain and maintain legal, verifiable income that is sufficient enough to provide for the needs of her child.

Measurement for Success: Nellie Saez will have maintained legal, verifiable income on a consistent basis. Nellie Saez is able to ensure the basic needs of her child(ren) are met. Nellie Saez will provide proof of income and employment to assigned DFS caseworker

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will obtain and maintain legal and verifiable income or employment or be the recipient of Welfare and/or Social Security benefits.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will provide proof of income and/or employment upon request by the DFS caseworker.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will provide the DFS caseworker with the name and contact information of her employer.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will access job training and referral services if necessary through Nevada Partners (399-5627), Nevada Job Connect (486-0200/486-0100), or Foundation for an Independent Tomorrow (FIT) (367-4348).	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will obtain and maintain legal and verifiable income or employment or be the recipient of Welfare and/or Social Security benefits.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will complete a substance abuse assessment and comply with any treatment recommendations.

Measurement for Success: Nellie Saez will complete a substance abuse assessment and follow the recommendations from the assessment. Nellie Saez will successfully complete the substance abuse program if indicated and provide the DFS worker with a Certificate of Completion. All drug testing's will be negative.

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will remain engaged in services until discharged by the treatment provider and will not self-terminate.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Exhibit B-
Proposed Case Plan
Pedro Rodriguez

Proposed Case Plan

09-14-2015

11:25:47

Case Plan Information

Case: 1407636 - SAEZ, NELLIE	Opened Date: 07-26-2015	Closed Date:
Status: Supervisor Approved	Effective: 09-11-2015	Review Due: 03-11-2016
Author: CARDIEL, MARTHA	Approved: 09-14-2015- WILLIAMS, HUBZETTA	Court Approved:
Plan Created: 09/13/2015 15:00:25	Plan Last Modified: 09/13/2015 15:00:25	Court Case: J-15-337398-P1

Permanency Goal Summary

Child	Goal	Targeted Completion	**Prevent Removal**
2112526 - RODRIGUEZ, ESTHER	Reunification	03-11-2016	N

**For Permanency Goal A, the undersigned caseworker has determined that 'without the preventive services described in this Case Plan, the child(ren) are at imminent risk of removal and placement into foster care.' **

Assessment Summary**1. Describe the parent's perception of his/her problems and service needs.**

Participant: RODRIGUEZ, PEDRO

Pedro is a quiet yet responsive person and responds adequately when asked about his addictions. He reports that he wants to stop using heroin and wants to participate in therapy. However, when attempting to engage him to begin addressing his issues he becomes stagnant and has not been able to move forward. He was given several drug tests and as of yet there have been no results found in the drug testing site.

2. Describe the strengths of the family and child(ren) that will help the family achieve their permanency goal.

Pedro has been able to hold a job and appears willing to engage in services. Nellie loves her daughter and will express that time and time again. Both parents have maintained their visit schedule at Child Haven. They both report they are ready to work on their Case Plan do whatever it takes to have their child safe and with them.

3. Describe assessed safety and/or risk factors identified with each parent. (Ensure these services are included in the Case Plan.)

Participant: RODRIGUEZ, PEDRO

Pedro has a substance abuse issue which in turn impedes him from being productive and being able to obtain steady verifiable income. Pedro has no stability in his life, he and Nellie do not have a stable residence and have shown that they constantly couch surf. There appear to be drug use in the home in which the parents currently reside therefore, this is not a stable and appropriate placement for the child.

4. A history of services offered or provided to the family to prevent removal. If services were not provided, state why.

Multiple attempts were made to meet with the parents at the addresses reported to see if the home and the support that they noted was available was such that would be able to incorporate a Present Danger Plan and/or Safety Plan. When the home was visited, Nellie and Pedro were no longer there; additionally the people that were in the home were not of what appeared of a good reputable nature. The parents have been referred to Community Counseling for assessment of their drug use. The parents have been given bus passes so that they can attend visits with their child at Child Haven and have the ability to go to assessments.

Objective: Pedro Rodriguez will address his housing needs by obtaining safe, reliable and appropriate housing for himself and his child.**Measurement for Success:**

Pedro Rodriguez will demonstrate the ability to maintain housing for himself and his child(ren) to the assigned DFS caseworker. The assigned DFS caseworker will observe and verify stable housing by completing announced and unannounced home visits to the residence to ensure safety for the child(ren). Pedro Rodriguez will provide assigned DFS caseworker necessary paperwork to verify residence.

Objective Completion**Result:**

Action Step	For	Start	Target	Result
Pedro Rodriguez will maintain a residence that is free from any environmental hazards and that meets the safety needs of the child(ren).	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
If Pedro Rodriguez chooses to have any other adults (18 years of age or older) living in the residence, he will provide the DFS caseworker with names and all information requested prior to moving in to ensure the child(ren)'s safety.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will provide DFS caseworker with necessary paperwork (i.e. rental agreement, mortgage bill) to verify residence, if requested.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will seek assistance to obtain housing, if needed, through the Clark County Housing Authority (451-8041), City of Las Vegas Housing Authority (922-6800), or North Las Vegas Housing Authority (649-2451).	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

Pedro Rodriguez will ensure that all utilities are in working order at all times in the residence.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
--	------------------	------------	------------	--

Objective: Pedro Rodriguez will cooperate and maintain consistent contact with the assigned DFS caseworker.

Measurement for Success:

Pedro Rodriguez will notify assigned DFS caseworker of any and all changes within 48 hours. Pedro Rodriguez will be available for home visits and/or make arrangements with the assigned DFS caseworker to schedule home visits. Pedro Rodriguez will maintain phone contact with assigned DFS caseworker.

Objective Completion Result:

Action Step	For	Start	Target	Result
Pedro Rodriguez will inform the DFS caseworker of any change in phone, address, employment, or household within 48 hours.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Upon reunification, Pedro Rodriguez will allow the DFS caseworker unrestricted access to the child through announced and unannounced home visits.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will participate in announced/unannounced home visits and maintain phone contact with DFS caseworker or supervisor at least twice per month.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will inform the DFS caseworker of any police involvement, arrests, and incarcerations within 48 hours.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will permit DFS caseworker and any other DFS employee to enter his residence where the child is residing to evaluate the child's condition and the home environment.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

Objective: Pedro Rodriguez will obtain and maintain legal, verifiable income that is sufficient enough to provide for the needs of his child(ren).

Measurement for Success:

Pedro Rodriguez will have maintained legal, verifiable income on a consistent basis. Pedro Rodriguez is able to ensure the basic needs of his child(ren) are met. Pedro Rodriguez will provide proof of income and employment to assigned DFS caseworker.

Objective Completion Result:

Action Step	For	Start	Target	Result
Pedro Rodriguez will ensure all of the basic needs of his child are met.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will provide proof of income and/or employment upon request by the DFS caseworker.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will provide the DFS caseworker with the name and contact information of his employer.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will access job training and referral services if necessary through Nevada Partners (399-5627), Nevada Job Connect (486-0200/486-0100), or Foundation for an Independent Tomorrow (FIT) (367-4348).	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will obtain and maintain legal and verifiable income or employment or be the recipient of Welfare and/or Social Security benefits.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

Objective: Pedro Rodriguez will complete a substance abuse assessment and comply with any treatment recommendations.

Measurement for Success:

Pedro Rodriguez will complete a substance abuse assessment and follow the recommendations from the assessment. Pedro Rodriguez will successfully complete the substance abuse program if indicated and provide the DFS worker with a Certificate of Completion. All drug testing's will be negative.

Objective Completion Result:

Action Step	For	Start	Target	Result
Pedro Rodriguez will remain engaged in services until discharged by the treatment provider and will not self-terminate.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

Pedro Rodriguez will sign a release of information with DFS and the service providers so that his progress and compliance can be monitored accurately.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will review the list of BADA approved service providers and advise the caseworker so that a referral for services can be made.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will submit to random hair and urine drug testing request by DFS or the service providers.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

Objective: The Department of Family Services will ensure that the children's medical, emotions, social and developmental needs are being met.

Measurement for Success: The children are receiving all recommended services to meet their medical, emotional, social and developmental needs.

Objective Completion Result:

Action Step	For	Start	Target	Result
The assigned Department Specialist will ensure that the child is receiving all necessary services and maintain communication with the service providers.	RODRIGUEZ, ESTHER	09-11-2015	03-11-2016	
The assigned Department Specialist will refer the children for all services deemed necessary.	RODRIGUEZ, ESTHER	09-11-2015	03-11-2016	

Child: 2112526 - RODRIGUEZ, ESTHER

Permanency Goal for this child: Reunification

Target Date: 03-11-2016

Concurrent Goal: Adoption

Placement: SINGLETON, BRANDY AND ABRAHAM

1. Describe the adjustment of the child to placement

Esther has been adjusting well and is feeding with no issues as she continues to thrive. The foster mother notes that the child is progressing well. She is cognitive of her surroundings. She is quiet and does not smile or make as much baby noises for a baby her age, thus it is somewhat concerning. However the last visit, the medical staff did not address this as a concern.

2. What medical, mental health, behavioral or educational care needs have been identified for this child?

Esther is receiving services through Child Find and medical appointments maintained through Positively Kids. She has attended all of her required appointments by the foster mother. Esther has been noted as being healthy and meeting her milestones for a child of her age.

3. What services are in place to ensure the above needs are met?

Child is attended by Child Find and the foster mother takes Esther to all required appointments.

4. Describe the services provided to the caregiver to address the specific needs of the child.

A referral to Urban League was submitted in behalf of the foster parents.

5. How is the case worker going to monitor the child's care and services (including routine medical, behavioral and education care)?

Case worker monitors the child's care and services via visits, phone calls and e-mails with the foster mother.

6. Is this child placed in a NRS432B.3905 compliant placement? If not, explain why.

Education Information

Child	Current Grade	Started	Completed	Likely Graduation	School
2112526 - RODRIGUEZ, ESTHER					

This case plan is a collaborative effort between the family and the child welfare agency to discuss the circumstances that led to your child(ren)'s removal and the goals that are necessary for you to maintain your child(ren) in the home or to safely return your child(ren) to your home.

I have read and understand the Case Plan. I understand that the Case Plan is a living document which is subject to revision based on any risk and safety factors not previously identified. I agree to complete the tasks listed above with the case manager from the Clark County Department of Family Services (DFS).

DFS Permanency Worker

DFS Supervisor

Participant	Role	Signature
2112526 - RODRIGUEZ, ESTHER	Child	
2112525 - RODRIGUEZ, PEDRO	Parent	

In-Home Case:

☐ Please be advised that while you are entering into this agreement voluntarily, there are circumstances that result in harm to a child presented by both federal law and state law that may require the Clark County Department of Family Services to initiate legal proceedings to find a home for your children outside of your care.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

☐ If you do not take the Action Steps and meet your Objectives that are stated in the case plan or follow through with the services offered and provided, DFS may take actions to protect and remove the child(ren) from your care and place them in foster care.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

☐ This case plan will be reviewed every 30 days. New objectives can be added at the review to address any identified safety threats or any moderate or serious problems based on assessments.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

Out of Home Case:

☐ The Adoption and Safe Families Act (ASFA) requires that all children in foster care must have a court approved permanency plan within 12 months after removal from the home. A court approved permanency plan will meet a child's basic health and safety needs in one of the following ways: Maintaining the children in the home/preventing removal, Reunification, Adoption, Legal Guardianship, Permanency placement with a relative, Other Planned Permanent Living Arrangement (OPPLA). As stated in the NRS 432B.590 if a child has been placed outside his home and has resided outside his home pursuant to that placement for 14 months of any 20 consecutive months, the best interest of the child must be presumed to be termination of parental rights and placement for adoption. The 14th month from the most recent removal is ____/20____ (month/year).

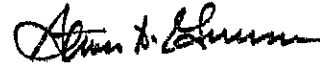
Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

☐ Substantial achievement of these objectives identified in the case plan may not prevent a court from terminating your parental rights based on the legal factors, such as abandonment, neglect, parental unfitness or unreasonable risk of harm to the child. In addition the District Attorney's office or the Department of Family Services may request a waiver of reasonable efforts by the court based on the above plus the occurrence of previous adjudication and/or termination of parental rights by the court.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

☐ This case plan will be reviewed with the family every 90 days, prior to reunification, or at the time the permanency goal(s) has changed. New objectives can be added at the review to address any identified safety threats or any moderate or serious problems based on assessments.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____



CLERK OF THE COURT

1 **ORDER**

2 Raymond E. McKay, Esq.

3 NV Bar No. 8569

4 Wilson Elser Moskowitz Edelman & Dickler, LLP

5 300 S. Fourth Street, 11th Floor

6 Las Vegas, Nevada 89101

7 Telephone (702) 727-1400

8 Facsimile (702) 727-1401

9 raymond.mckay@wilsonelser.com

10 *In conjunction with Legal Aid Center of Southern Nevada Pro Bono Project.*

11 DISTRICT COURT
12 FAMILY DIVISION - JUVENILE
13 CLARK COUNTY, NEVADA

14 In the Matter of:

CASE NO: J-15-337398-P1

15 Esther Rodriguez

16 DOB: 06/15/2015

17 AGE: 5 months

DEPT NO. D

18 a Minor.

19 **EX PARTE ORDER RE: REPRESENTATION**

20 Pursuant to the attached Notice of Appearance filed on November 26, 2015,
21 Raymond E. McKay, Esq. is the attorney of record for the subject minor, Esther Rodriguez.

22 The Department of Family Services is hereby directed to furnish the above subject minor's
23 attorney, Raymond E. McKay, Esq., with the following information:

- 24 1. Prior to any change in the placement of the subject minor, the agency shall notice
25 the subject minor's attorney at least 3 business days prior to the anticipated move.
26 In the event of an emergency change in placement, the agency shall notice the
27 subject minor's attorney as soon as possible. A change of placement includes, but
28 is not limited to, a move from one foster home to another, to a hospital, etc.
2. A change in any court date, including advancing a case for purposes of terminating
wardship.
3. Notification of the plea date for any TPR filing related to the subject minor.
4. A copy of any report upon being filed with the Court.

- 1 5. Service of entry of any court order, other than routine orders for review hearings.
2 6. Reasonable notice and invitation to participate in any meetings regarding the above
3 subject minor that will involve team discussions or decisions relating to placement
4 or treatment.

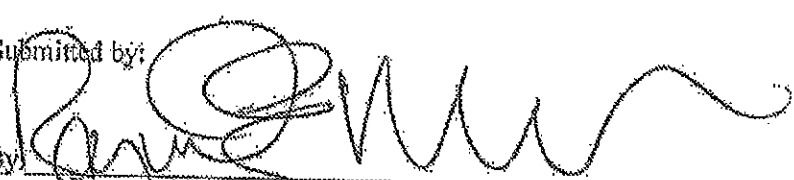
5 It is further ordered that Raymond E. McKay, Esq. shall be entitled to copies of any records
6 in the custody of DFS relating to this/these subject minor/minors.

7
8 DATED this 4 day of December, 2015.

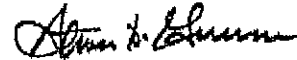
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11 
12 DISTRICT COURT JUDGE

13
14 Submitted by:

15
16 By:


Raymond E. McKay Esq.
NV Bar No. 8569
Wilson Elser Moskowitz Edelman & Dickert, LLP
300 S. Fourth Street, 11th Floor
Las Vegas, Nevada 89101
(702)727-1400

17
18
19 In conjunction with Legal Aid Center of Southern Nevada Pro Bono Project.
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CLERK OF THE COURT

1 NOA

2 Raymond E. McKay, Esq.

3 NV Bar No. 8569

4 Wilson Elser Moskowitz Edelman & Dicker, LLP

5 300 S. Fourth Street, 11th Floor

6 Las Vegas, Nevada 89101

7 Telephone (702)727-1400

8 Facsimile (702) 727-1401

9 raymond.mckay@wilsonelser.com

10 In conjunction with Legal Aid Center of Southern Nevada Pro Bono Project.

11 DISTRICT COURT
12 FAMILY DIVISION - JUVENILE
13 CLARK COUNTY, NEVADA

14 In the Matter of:

CASE NO. J-15-337398-PI

15 Esther Rodriguez

16 DOB: 06/15/2015

17 AGE: 5months

DEPT NO. D

18 a Minor.

19 NOTICE OF APPEARANCE

20 COMES NOW, Raymond E. McKay, Esq., and files an appearance herein as attorney of
21 record for Esther Rodriguez, the minor child in the above-entitled action, and demands that all
22 copies of notices, pleadings, and documents be served upon him at 300 S. Fourth Street, 11th
23 Floor, Las Vegas, Nevada 89101

24 DATED this 24 day of November, 2015.

25 By: 

Raymond E. McKay, Esq.

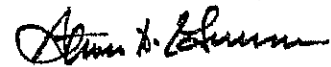
26 NV Bar No. 8569

27 Wilson Elser Moskowitz Edelman & Dicker, LLP

28 300 S. Fourth Street, 11th Floor

Las Vegas, Nevada 89101

(702)727-1400


CLERK OF THE COURT

1 **COS**

2 Raymond E. McKay, Esq.

3 NV Bar No. 8569

4 Wilson, Elser, Moskowitz, Edelman & Dicker, LLP

5 300 S. Fourth St. 11th Floor

6 Las Vegas, NV 89101

7 Telephone 702.727.1400

8 Facsimile 702.727.1401

9 Raymond.McKay@wilsonelser.com

10 In conjunction with Legal Aid Center of southern Nevada Pro Bono Project

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EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION - JUVENILE
CLARK COUNTY, NEVADA

In the Matter of:

Case No.: J-15-337398-P1

Dept. No.: D

Esther Rodriguez

DOB: 06/15/2015

AGE: 5 months


A Minor.

NOTICE OF ENTRY OF ORDER

TO: ALL INTERESTED PARTIES

PLEASE TAKE NOTICE that the EX PARTE ORDER was duly entered in the above
referenced matter on December 8, 2015, which is attached hereto.

DATED this 10th day of December, 2015.


Raymond E. McKay, Esq.
NV Bar No. 8569
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP
300 S. Fourth St. 11th Floor
Las Vegas, NV 89101
Telephone 702.727.1400
Facsimile 702.727.1401
In conjunction with Legal Aid Center of southern
Nevada Pro Bono Project

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CERTIFICATE OF SERVICE

I hereby certify that I served the following document: *Notice of Entry of Order*.

I served the above-named document by the following means to the persons as listed below:

a. The Court's electronic system (EFS E-File & Serve) to the following on December 10, 2015:

Raymond McKay, Esq.

b. United States mail, postage fully prepaid, as the party is not registered for electronic service, on December 10, 2015, to the following:

Abigail Frierson, Esq.
Deputy District Attorney Juvenile
Family Court
601 N. Pecos Road, Room 470
Las Vegas, Nevada 89101
Attorney for Department of Family Services

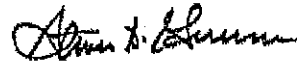
Martha Cardiel, Case Manager
Department of Family Services
701 N. Pecos Road, Bldg. K
Las Vegas, Nevada 89101

Deputy Special Public Defender
330 S. Third Street, 8th Floor
Las Vegas, Nevada 89155
Attorney for Natural Mother

Maria Avielz, Esq.
700 S 3rd Street
Las Vegas, NV 89101
Attorney for Natural Father



An employee of
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP



CLERK OF THE COURT

1 **ORDER**

2 Raymond E. McKay, Esq.

3 NV Bar No. 8569

4 Wilson Elser Moskowitz Edelman & Dicker, LLP

5 300 S. Fourth Street, 11th Floor

6 Las Vegas, Nevada 89101

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9 raymond.mckay@wilsonelser.com

10 *In conjunction with Legal Aid Center of Southern Nevada Pro Bono Project.*

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DISTRICT COURT
FAMILY DIVISION - JUVENILE
CLARK COUNTY, NEVADA

In the Matter of:

Esther Rodriguez
DOB: 06/15/2015
AGE: 5months

a Minor.

CASE NO. J-15-337398-PI

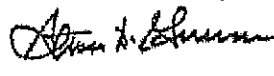
DEPT NO. D

EX PARTE ORDER RE: REPRESENTATION

Pursuant to the attached Notice of Appearance filed on November 24, 2015,
Raymond E. McKay, Esq. is the attorney of record for the subject minor, Esther Rodriguez.

The Department of Family Services is hereby directed to furnish the above subject minor's
attorney, Raymond E. McKay, Esq., with the following information:

1. Prior to any change in the placement of the subject minor, the agency shall notice the subject minor's attorney at least 3 business days prior to the anticipated move. In the event of an emergency change in placement, the agency shall notice the subject minor's attorney as soon as possible. A change of placement includes, but is not limited to, a move from one foster home to another, to a hospital, etc.
2. A change in any court date, including advancing a case for purposes of terminating wardship.
3. Notification of the plea date for any TPR filing related to the subject minor.
4. A copy of any report upon being filed with the Court.


CLERK OF THE COURT

1 NOA
2 Raymond E. McKay, Esq.
3 NV Bar No. 8569
4 Wilson Elser Moskowitz Edelman & Dicker, LLP
5 300 S. Fourth Street, 11th Floor
6 Las Vegas, Nevada 89101
7 Telephone (702)727-1400
8 Facsimile (702) 727-1401
9 raymond.mckay@wilsonelser.com
10 In conjunction with Legal Aid Center of Southern Nevada Pro Bono Project.


DISTRICT COURT
FAMILY DIVISION - JUVENILE
CLARK COUNTY, NEVADA

9 In the Matter of:) CASE NO. J-15-337398-PI
10 Esther Rodriguez) DEPT NO. D
11 DOB: 06/15/2015
12 AGE: 5months
13 a Minor.

NOTICE OF APPEARANCE

14 COMES NOW, Raymond E. McKay, Esq., and files an appearance herein as attorney of
15 record for Esther Rodriguez, the minor child in the above-entitled action, and demands that all
16 copies of notices, pleadings, and documents be served upon him at 300 S. Fourth Street, 11th
17 Floor, Las Vegas, Nevada 89101

18 DATED this 24 day of November, 2015.

19 By: 
20 Raymond E. McKay, Esq.
21 NV Bar No. 8569
22 Wilson Elser Moskowitz Edelman & Dicker, LLP
23 300 S. Fourth Street, 11th Floor
24 Las Vegas, Nevada 89101
25 (702)727-1400
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27
28

1 CLARK COUNTY
2 DEPARTMENT OF FAMILY SERVICES
3 121 SOUTH MARTIN LUTHER KING BLVD.
4 LAS VEGAS, NEVADA 89106
5 (702) 455-7200

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CLERK OF THE COURT

6 **EIGHTH JUDICIAL DISTRICT COURT**
7 **FAMILY DIVISION - JUVENILE**
8 **CLARK COUNTY, NEVADA**

9 In the Matter of:

10 ESTHER RODRIGUEZ
11 Date of Birth: 06-15-2015
12 A Minor 0 years, 07 Months of Age

COURT CASE NO.: J-15-337398-P1
DEPT.: FAMILY JUVENILE

13 **REPORT FOR PERMANENCY AND PLACEMENT REVIEW**

14 Date of Hearing: 01-26-2016

15 Time of Hearing: 01:30 PM

16 Courtroom: HM NORHEIM - #14

17 Attachment: A - Case Plan as to Natural Mother
18 B - Case Plan as to Natural Father
19 C - Drug Test Results as to Natural
Mother August 3, 2015

20 **CONCERNING:**

21 Mother: NELLIE SAEZ
22 DOB: 03-17-1972
23 Address: 1825 East Lewis Avenue, #104
24 Las Vegas, NV 89101

25 Father: PEDRO RODRIGUEZ
26 DOB: 06-26-1978
27 Address: 1825 East Lewis Avenue, #104
28 Las Vegas, NV 89101

Siblings: Not Applicable

- ☒ The Indian Child Welfare Act does not apply.
☐ The Indian Child Welfare Act does apply.

1 **NOTIFICATION OF HEARING AND TYPE OF SERVICE**

2 Mother: Sent via regular and certified mail to last known address
3 and 3 other reported addresses January 15, 2016.
4 Father(s): Sent via regular and certified mail to last known address
5 and 3 other reported addresses January 15, 2016.
6 Current Placement: Sent via regular and certified mail January 15, 2016.
7 CASA: Not Applicable.
8 Child's Attorney: Sent via email and certified mail January 15, 2016.
9 Mother's Attorney: Sent via email and certified mail January 15, 2016.
10 Father's Attorney: Not Applicable.
11 Tribe: Not Applicable.

12 **REMOVAL DATE:**

13 July 27, 2015

14 **TRIAL HOME VISIT DATES:**

15 Not Applicable

16 **REASON FOR CUSTODY AND COURT JURISDICTION (formally known as**
17 **Wardship):**

18 Petition 1 in this matter cited:

19 The subject minor is a child in need of protection and this
20 action is within the jurisdiction of the Court pursuant to
21 N.R.S. 432B, et sec., in that:

22 (a) The mother to the minor child is NELLIE SAEZ; the
23 father is PEDRO RODRIGUEZ;

24 (b) NELLIE SAEZ and PEDRO RODRIGUEZ were the
25 persons directly responsible for the welfare of the
26 subject minor pursuant to NRS 432B.130 at the time of
27 removal;

28 (c) PEDRO RODRIGUEZ neglected the subject minor by
engaging in the use of illegal substances, which
rendered him unable to provide care for the subject
minor when NELLIE SAEZ suffered a medical incident
that likewise rendered her incapable of caring for the
subject minor; PEDRO RODRIGUEZ admitted to regularly
using illegal substances, and named heroin as his drug
of choice;

(d) PEDRO RODRIGUEZ lacks the resources to provide
for the health and safety of the subject minor;

1 (e) PEDRO RODRIGUEZ failed to submit to drug testing
2 that was recommended by both CPS and the court;

3 (f) NELLIE SAEZ lacks the resources to provide for the
4 health and safety of the subject minor;

5 (g) NELLIE SAEZ failed to submit to drug testing that
6 was recommended by both CPS and the court;

7 (h) The subject minor is in need of protection in
8 accordance with NRS 432B.330 as a result of the
9 abuse/neglect described above.

10 Therefore, Petitioner prays that: upon the admission to/or proving of this
11 Petition, or any part thereof, the subject minor be declared a Ward of this
12 Honorable Court.

13 **PREVIOUS COURT ORDER DEEMED EFFORTS BY THE DEPARTMENT**
14 **TO ACHIEVE THE PERMANENCY PLAN:**

15 ☒ Were Reasonable Efforts

For: ESTHER RODRIGUEZ

16 ☐ Were Not Reasonable Efforts

For:

17 **PERMANENCY GOAL AND PROJECTED DATE OF ACHIEVEMENT:**

18 ☒ Reunification

With: Natural Mother or
Natural Father

19 ☐ Termination of Parental Rights and Adoption

By:

20 ☐ Guardianship

By:

21 ☐ Long Term Relative Placement

With:

22 ☐ Other Planned Permanent Living

With:

Arrangement

Projected Date of Achievement:

23 **CONCURRENT PERMANENCY GOAL:**

24 ☐ Reunification

With:

25 ☐ Termination of Parental Rights and Adoption

By:

26 ☐ Guardianship

By:

27 ☐ Long Term Relative Placement

With:

28 ☐ Other Planned Permanent Living

With:

Arrangement

RATIONALE FOR PERMANENCY PLAN:

ESTHER has been in care since July 27, 2015. MS. SAEZ has verbalized a
desire to reunify with ESTHER. Due to the length of time ESTHER has been in
care the Department recommends that reunification with MS. SAEZ or MR.
RODRIGUEZ remain the primary goal at this time.

1 **PARENTS' PROGRESS:**

2 **Visitation:**

3 MS. SAEZ visited regularly with ESTHER from August 5, 2015 until September
4 30, 2015. Due to lack of attendance by natural parents visits were cancelled in
5 October 2015. MS. SAEZ contacted the Department December 14, 2015 and
6 requested visitation with ESTHER. As MS. SAEZ has not maintained contact
7 with the Department since that date, this Specialist has been unable to
8 coordinate visitation for MS. SAEZ and ESTHER.

9 MR. RODRIGUEZ visited regularly with ESTHER from August 5, 2015 until
10 September 30, 2015. Due to lack of attendance by natural parents visits were
11 cancelled in October 2015. As MR. RODRIGUEZ has not maintained contact
12 with the Department, this Specialist has been unable to coordinate visitation for
13 MR. RODRIGUEZ and ESTHER.

14 **Housing:**

15 MS. SAEZ reported December 14, 2015 she was living near Eastern and
16 Charleston. Her address is unknown as she has not maintained contact with
17 the Department.

18 It is unknown where MR. RODRIGUEZ is living as he has not maintained
19 contact with the Department.

20 **Employment:**

21 It is unknown if MS. SAEZ is employed as she has not maintained contact with
22 the Department.

23 It is unknown if MR. RODRIGUEZ is employed as he has not maintained
24 contact with the Department.

25 **Counseling:**

26 It is unknown if MS. SAEZ has engaged in services as she has not maintained
27 contact with the Department.

28 It is unknown if MR. RODRIGUEZ has engaged in services as he has not
maintained contact with the Department.

Parenting:

Parenting classes are not required in MS. SAEZ' S case plan. It is unknown if
MS. SAEZ has attended parenting classes as she has not maintained contact
with the Department.

Parenting classes are not required in MR. RODRIGUEZ'S case plan. It is
unknown if MR. RODRIGUEZ has attended parenting classes as he has not
maintained contact with the Department.

Other:

MS. SAEZ reported December 14, 2015 she has been out of state and that she
had surgery in California.

1 **CHILD(REN)'S CURRENT PLACEMENT:**

2 ESTHER is placed in a licensed DFS Foster Home. She has resided in this
3 placement since July 29, 2015.

4 This placement is within close proximity to the parent(s) for ESTHER
5 RODRIGUEZ.

6 This placement is the least restrictive for ESTHER RODRIGUEZ.

7 **CHILD(REN)'S WELL BEING:**

8 **Education**

9 ESTHER is an infant. She is too young to attend school and she does not
10 attend daycare.

11 **Placement**

12 ESTHER is placed in a licensed DFS Foster Home. She has resided in this
13 placement since July 29, 2015. She appears bonded to her foster family.

14 **Emotional/Counseling**

15 ESTHER is an infant. She is too young to attend counseling services.

16 **Medical/Dental**

17 ESTHER'S medical needs are met at Positively Kids. Her last appointment
18 was December 2, 2015. She is current on her immunizations and does not
19 require any ongoing medical treatment. The Department referred ESTHER to
20 an evaluation at Nevada Early Intervention services and the foster parents are
21 waiting to receive an appointment for an Assessment regarding ESTHER'S fine
22 motor skills and personal/social skills, which appear just below her age level.

23 **Safety**

24 The Department conducts announced and unannounced home visits to
25 ESTHER'S foster care placement at least every thirty days. The Department
26 also completes Permanency Services Placement Safety Checks and currently
27 has no concerns with regards to ESTHER'S current placement.

28 **Psychiatric Services --**

Is the child listed in report currently on any psychotropic medication?

No

Has a Court appointed a person to be legally responsible for the child's
psychiatric services?

No

When was the child's last appointment? Not Applicable

When will the child have an appointment? Not Applicable

1 **SIBLING CONTACT:**

- 2 ☐ Placed Together
3 ☐ Not Placed Together – Not Applicable

4 **REASONABLE EFFORTS TO ACHIEVE THE PERMANENCY PLAN:**

5 Reasonable Efforts have been made in order to achieve Permanency for ESTHER. These efforts include the following:

6 **On behalf of the parents:**

- 7 1. The Department referred MS. SAEZ to Drug Tests.
8 2. The Department referred MS. SAEZ to a Substance Abuse Assessment at
9 Community Counseling Center of Southern Nevada.
10 3. The Department provided MS. SAEZ with bus passes.
11 4. The Department coordinated visitation with MS. SAEZ and ESTHER.
12 5. The Department attempted to maintain contact with MS. SAEZ.
13 6. The Department conducted a Diligent Search as to MS. SAEZ.
14 7. The Department referred MR. RODRIGUEZ to Drug Tests.
15 8. The Department referred MR. RODRIGUEZ to a Substance Abuse
16 Assessment at Community Counseling Center of Southern Nevada.
17 9. The Department provided MR. RODRIGUEZ with bus passes.
18 10. The Department coordinated visitation with MR. RODRIGUEZ and
19 ESTHER.
20 11. The Department attempted to maintain contact with MR. RODRIGUEZ.
21 12. The Department conducted a Diligent Search as to MR. RODRIGUEZ.

22 **On behalf of the child(ren):**

- 23 1. The Department conducts announced and unannounced home visits to
24 ensure ESTHER'S safety and well-being and that her needs are being met.
25 2. The Department provided Medicaid for ESTHER.
26 3. The Department completed the Initial Social Summary for ESTHER.
27 4. The Department ordered medical records as to ESTHER.
28 5. The Department referred ESTHER to Nevada Early Intervention Services.

29 **GOALS FOR THE NEXT REVIEW PERIOD:**

- 30 1. The Department will assist MS. SAEZ in obtaining needed services to fulfill
31 her Case Plan objectives.
32 2. The Department will assist MR. RODRIGUEZ in obtaining needed services
33 to fulfill his Case Plan objectives.
34 3. The Department will continue to order medical records and perform Social
35 Summary updates as to ESTHER.
36 4. The Department will continue to make needed referrals for any services
37 ESTHER may need.
38 5. The Department will continue to conduct announced and unannounced
home visits to ensure the safety and well-being of ESTHER.

1 **SUMMARY AND RECOMMENDATIONS:**

2 ESTHER was placed into Protective Custody July 27, 2015.

3 MS. SAEZ was consistent in her visitation with ESTHER from August 5, 2015
4 until September 30, 2015. MS. SAEZ was referred to a Substance Abuse
5 Assessment at Community Counseling Center of Southern Nevada in
6 September 2015. She has not scheduled an Assessment or engaged in
7 services. MS. SAEZ submitted to only one of the four Drug Tests she was
8 referred to. She was positive in her hair for Amphetamine (1200 pg/mg),
9 Methamphetamine (16857 pg/mg), and 6-Acetylmorphone (10667 pg/mg). MS.
10 SAEZ has not maintained consistent contact with the Department.

11 MR. RODRIGUEZ was consistent in his visitation with ESTHER from August 5,
12 2015 until September 30, 2015. MR. RODRIGUEZ was referred to a
13 Substance Abuse Assessment at Community Counseling Center of Southern
14 Nevada in September 2015. HE has not scheduled an Assessment or engaged
15 in services. MR. RODRIGUEZ has not submitted to any of the four Drug Tests
16 he was referred to. MR. RODRIGUEZ has not maintained contact with the
17 Department.

18 This specialist will continue to attempt to maintain contact with MS. SAEZ and
19 MR. RODRIGUEZ. This specialist will continue to assist MS. SAEZ and MR.
20 RODRIGUEZ with needed referrals to services that will encourage the desired
21 behavioral changed that are addressed in their Case Plans in order to facilitate
22 reunification. This specialist will continue to ensure that ESTHER'S needs are
23 met and will assist her placement in ensuring she remains stable, healthy, and
24 safe.

25 Therefore, it is respectfully recommended that ESTHER RODRIGUEZ remain a
26 Ward of the Court and that legal custody remains with the Department of
27 Family Services.

28 **CHILD SUPPORT:**

Not Applicable

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1 WHEREFORE, DEPARTMENT OF FAMILY SERVICES RESPECTFULLY
2 RECOMMENDS:

- 3 (1) That ESTHER RODRIGUEZ remain under the jurisdiction of the
4 Family Court and in the legal custody of the Clark County
5 Department of Family Services;
6 (2) That the efforts made by the Department of Family Services are
7 found to be reasonable efforts as outlined in this report;
8 (3) That this matter be brought back for Formal Review in six months.

Submitted By:

9 

10 KRISTINA QUINLAN
11 CASE MANAGER
12 CLARK COUNTY
13 DEPARTMENT OF FAMILY SERVICES


14 DARRYL GLOVER
15 SUPERVISOR

16 DATE: January 19, 2016
17 COURT CASE NO.: J-15-337398-P1
18 SITE: Perm Central B
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Hay servicios gratis de ayuda con otros idiomas. Para pedir un intérprete, llame por favor al Coordinador
de Servicios de Intérpretes al 671-4578

Free language assistance services are available. To request an interpreter, please call the Language
Assistance Coordinator at 671-4578.

EXHIBIT "A"

Case Plan Information			
Case: 1407636 - SAEZ, NELLIE	Opened Date: 07-26-2015		Closed Date:
Status: Supervisor Approved	Effective: 09-11-2015		Review Due: 03-11-2016
Author: CARDIEL, MARTHA	Approved: 10-29-2015- WILLIAMS, HUBZETTA		Court Approved:
Plan Created: 09/13/2015 15:00:25	Plan Last Modified: 09/13/2015 15:00:25		Court Case: J-15-337398-P1
Permanency Goal Summary			
Child	Goal	Targeted Completion	**Prevent Removal**
2112526 - RODRIGUEZ, ESTHER	Reunification	03-11-2016	N

**For Permanency Goal A, the undersigned caseworker has determined that 'without the preventive services described in this Case Plan, the child(ren) are at imminent risk of removal and placement into foster care.' **

Assessment Summary
1. Describe the parent's perception of his/her problems and service needs.
Participant: SAEZ, NELLIE
Nellie fails to take her seizure medication as prescribed. She notes she does not like the way she feels when taking the medication. What Nellie does not realize is that her not taking her prescribed medication causes her to begin feeling light headed and will then have seizures more easily. At initial contact, when asked if she was using any illegal substances she quickly noted that she was not. Drug test from report date 8/10/15 show she tested positive in her drug hair analysis in amphetamines at a quantitation of 1,200 pg/mg and 15,857 ph/mg in methamphetamine's. Nellie cannot accept that she has a substance abuse problem and will note that her issues are more medical, however she fails to take her medication as prescribed. Nellie cannot see that her living with different people and moving constantly is not safe. She sees it as a matter of fact and seems content and at peace with her current situation.
2. Describe the strengths of the family and child(ren) that will help the family achieve their permanency goal.
Pedro has been able to hold a job and appears willing to engage in services. Nellie loves her daughter and will express that time and time again. Both parents have maintained their visit schedule at Child Haven. They both report they are ready to work on their Case Plan do whatever it takes to have their child safe and with them.
3. Describe assessed safety and/or risk factors identified with each parent. (Ensure these services are included in the Case Plan.)
Participant: SAEZ, NELLIE
Nellie has a substance abuse issue which in turn impedes her from being productive and being able to obtain steady verifiable income. Nellie has no stability in her life, she and Pedro do not have a stable residence and have shown that they couch surf. There appear to be drug use in the home in which the parents currently reside therefore, this is not a stable and appropriate placement for the child. Nellie does not take her prescribed medication as she should and therefore her seizures continue to occur. She also reports that she feels tired at times and has no energy. This needs to be assessed further by her physician to ensure she is taking the right dosage of medication and that the medication is serving its purpose at all times.
4. A history of services offered or provided to the family to prevent removal. If services were not provided, state why.
Multiple attempts were made to meet with the parents at the addresses reported to see if the home and the support that they noted was available was such that would be able to incorporate a Present Danger Plan and/or Safety Plan. When the home was visited, Nellie and Pedro were no longer there; additionally the people that were in the home were not of what appeared of a good reputable nature. The parents have been referred to Community Counseling for assessment of their drug use. The parents have been given bus passes so that they can attend visits with their child at Child Haven and have the ability to go to assessments.

Objective: Nellie Saez will address her housing needs by obtaining safe, reliable and appropriate housing for herself and his children.

Measurement for Success: Nellie Saez will demonstrate the ability to maintain housing for herself and her child(ren) to the assigned DFS caseworker. The assigned DFS caseworker will observe and verify stable housing by completing announced and unannounced home visits to the residence to ensure safety for the child(ren). Nellie Saez will provide assigned DFS caseworker necessary paperwork to verify residence.

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will maintain a residence that is free from any environmental hazards and that meets the safety needs of the child(ren).	SAEZ, NELLIE	09-11-2015	03-11-2016	
If Nellie Saez chooses to have any other adults (18 years of age or older) living in the residence, she will provide the DFS caseworker with names and all information requested prior to moving in to ensure the child(ren)'s safety.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will provide DFS caseworker with necessary paperwork (i.e. rental agreement, mortgage bill) to verify residence, if requested.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Nellie Saez will seek assistance to obtain housing, if needed, through the Clark County Housing Authority (451-8041), City of Las Vegas Housing Authority (922-6800), or North Las Vegas Housing Authority (649-2451).	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will ensure that all utilities are in working order at all times in the residence.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will cooperate and maintain consistent contact with the assigned DFS caseworker.

Measurement for Success: Nellie Saez will notify assigned DFS caseworker of any and all changes within 48 hours. Nellie Saez will be available for home visits and/or make arrangements with the assigned DFS caseworker to schedule home visits. Nellie Saez will maintain phone contact with assigned DFS caseworker.

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will inform the DFS caseworker of any change in phone, address, employment, or household within 48 hours. Her case manager's information is Martha Cardiel, 121 S. Martin Luther King Blvd., Las Vegas NV 89106 (702) 435-7290, email: martha.cardiel@clarkcountynv.gov	SAEZ, NELLIE	09-11-2015	03-11-2016	
Upon reunification, Nellie Saez will allow the DFS caseworker unrestricted access to the child through announced and unannounced home visits.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will participate in announced/unannounced home visits and maintain phone contact with DFS caseworker or supervisor at least twice per month.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will inform the DFS caseworker of any police involvement, arrests, and incarcerations within 48 hours.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will permit DFS caseworker and any other DFS employee to enter her residence where the child is residing to evaluate the child's condition and the home environment.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will obtain and maintain legal, verifiable income that is sufficient enough to provide for the needs of her child.

Measurement for Success: Nellie Saez will have maintained legal, verifiable income on a consistent basis. Nellie Saez is able to ensure the basic needs of her child(ren) are met. Nellie Saez will provide proof of income and employment to assigned DFS caseworker.

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will obtain and maintain legal and verifiable income or employment or be the recipient of Welfare and/or Social Security benefits.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will provide proof of income and/or employment upon request by the DFS caseworker.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will provide the DFS caseworker with the name and contact information of her employer.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will access job training and referral services if necessary through Nevada Partners (399-5627), Nevada Job Connect (486-6200/486-0100), or Foundation for an Independent Tomorrow (FIT) (367-4348).	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will obtain and maintain legal and verifiable income or employment or be the recipient of Welfare and/or Social Security benefits.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will complete a substance abuse assessment and comply with any treatment recommendations.

Measurement for Success: Nellie Saez will complete a substance abuse assessment and follow the recommendations from the assessment. Nellie Saez will successfully complete the substance abuse program if indicated and provide the DFS worker with a Certificate of Completion. All drug testing's will be negative.

Objective Completion Result:

Action Step	For	Start	Target	Result
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Nellie Saez will remain engaged in services until discharged by the treatment provider and will remain active and participatory in all aspects of her plan until she has successfully completed her treatment.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will sign a release of information with DFS and the service providers so that her progress and compliance can be monitored accurately.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will review a list of approved service providers and advise the caseworker so that a referral for services can be made.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will submit to random hair and urine drug testing request by DFS or the service providers. Failure to submit when requested will be considered as a positive drug test result.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will address her physical health issues

Measurement for Success: Nellie Saez will comply with physical health treatment that is ascribed if indicated, Nellie Saez will follow the recommendations made by the treating physician.

Objective Completion
Result:

Action Step	For	Start	Target	Result
Nellie Saez will take medication prescribed to her by her physician as recommended.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will follow all recommendations of physician.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will sign release of confidential information.	SAEZ, NELLIE	09-11-2015	03-11-2016	
The service provider will provide written updates as requested by DFS	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: The Department of Family Services will ensure that the children's medical, emotions, social and developmental needs are being met,

Measurement for Success: The children are receiving all recommended services to meet their medical, emotional, social and developmental needs.

Objective Completion
Result:

Action Step	For	Start	Target	Result
The assigned Department Specialist will ensure that the child is receiving all necessary services and maintain communication with the service providers.	RODRIGUEZ, ESTHER	09-11-2015	03-11-2016	
The assigned Department Specialist will refer the children for all services deemed necessary.	RODRIGUEZ, ESTHER	09-11-2015	03-11-2016	

Child: 2112526 - RODRIGUEZ, ESTHER

Permanency Goal for this child: Reunification	Target Date: 03-11-2016
Concurrent Goal: Adoption	
Placement: SINGLETON, BRANDY AND ABRAHAM	
1. Describe the adjustment of the child to placement	
Esther has been adjusting well and is feeding with no issues as she continues to thrive. The foster mother notes that the child is progressing well. She is cognitive of her surroundings. She is quiet and does not smile or make as much baby noises for a baby her age, thus it is somewhat concerning, however the last visit, the medical staff did not address this as a concern.	
2. What medical, mental health, behavioral or educational care needs have been identified for this child?	
Esther is receiving services through Child Find and medical appointments maintained through Positively Kids. She has attended all of her required appointments by the foster mother. Esther has been noted as being healthy and meeting her milestones for a child of her age.	
3. What services are in place to ensure the above needs are met?	

Child is attended by Child Find and the foster mother takes Esther to all required appointments.

4. Describe the services provided to the caregiver to address the specific needs of the child.

A referral to Urban League was submitted in behalf of the foster parents.

5. How is the case worker going to monitor the child's care and services (including routine medical, behavioral and education care)?

Case worker monitors the child's care and services via visits, phone calls and e-mails with the foster mother.

6. Is this child placed in a NRS432B.3905 compliant placement? If not, explain why.

Education Information

Child	Current Grade	Started	Completed	Likely Graduation	School
2112526 - RODRIGUEZ, ESTHER					

This case plan is a collaborative effort between the family and the child welfare agency to discuss the circumstances that led to your child(ren)'s removal and the goals that are necessary for you to maintain your child(ren) in the home or to safely return your child(ren) to your home.

I have read and understand the Case Plan. I understand that the Case Plan is a living document which is subject to revision based on any risk and safety factors not previously identified. I agree to complete the tasks listed above with the case manager from the Clark County Department of Family Services (DFS).

DFS Permanency Worker

DFS Supervisor

Participant	Role	Signature
2112526 - RODRIGUEZ, ESTHER	Child	
2112524 - SAEZ, NELLIE	Parent	

In-Home Case:

☐ Please be advised that while you are entering into this agreement voluntarily, there are circumstances that result in harm to a child presented by both federal law and state law that may require the Clark County Department of Family Services to initiate legal proceedings to find a home for your children outside of your care.

Parent Initials: _____ Worker Initials: _____ Date Initialed: ____/____/____

☐ If you do not take the Action Steps and meet your Objectives that are stated in the case plan or follow through with the services offered and provided, DFS may take actions to protect and remove the child(ren) from your care and place them in foster care.

Parent Initials: _____ Worker Initials: _____ Date Initialed: ____/____/____

☐ This case plan will be reviewed every 30 days. New objectives can be added at the review to address any identified safety threats or any moderate or serious problems based on assessments.

Parent Initials: _____ Worker Initials: _____ Date Initialed: ____/____/____

Out of Home Case:

☐ The Adoption and Safe Families Act (ASFA) requires that all children in foster care must have a court approved permanency plan within 12 months after removal from the home. A court approved permanency plan will meet a child's basic health and safety needs in one of the following ways: Maintaining the children in the home/preventing removal, Reunification, Adoption, Legal Guardianship, Permanency placement with a relative, Other Planned Permanent Living Arrangement (OPPLA). As stated in the NRS 432B.590 if a child has been placed outside his home and has resided outside his home pursuant to that placement for 14 months of any 20 consecutive months, the best interest of the child must be presumed to be termination of parental rights and placement for adoption. The 14th month from the most recent removal is ____/20____ (month/year).

Parent Initials: _____ Worker Initials: _____ Date Initialed: ____/____/____

☐ Substantial achievement of these objectives identified in the case plan may not prevent a court from terminating your parental rights based on the legal factors, such as abandonment, neglect, parental unfitness or unreasonable risk of harm to the child. In addition the District Attorney's office or the Department of Family Services may request a waiver of reasonable efforts by the court based on the above plus the occurrence of previous adjudication and/or termination of parental rights by the court.

Parent Initials: _____ Worker Initials: _____ Date Initialed: ____/____/____

☐ This case plan will be reviewed with the family every 90 days, prior to reunification, or at the time the permanency goal(s) has changed. New objectives can be added at the review to address any identified safety threats or any moderate or serious problems based on assessments.

Parent Initials: _____ Worker Initials: _____ Date Initialed: ____/____/____

EXHIBIT "B"

Case Plan Information

Case: 1407636 - SAEZ, NELLIE	Opened Date: 07-26-2015	Closed Date:
Status: Supervisor Approved	Effective: 09-11-2015	Review Due: 03-11-2016
Author: CARDIEL, MARTHA	Approved: 10-29-2015- WILLIAMS, HUBZETTA	Court Approved:
Plan Created: 09/13/2015 15:00:25	Plan Last Modified: 09/13/2015 15:00:25	Court Case: J-15-337398-P1

Permanency Goal Summary

Child	Goal	Targeted Completion	**Prevent Removal**
2112526 - RODRIGUEZ, ESTHER	Reunification	03-11-2016	N

**For Permanency Goal A, the undersigned caseworker has determined that 'without the preventive services described in this Case Plan, the child(ren) are at imminent risk of removal and placement into foster care.' **

Assessment Summary**1. Describe the parent's perception of his/her problems and service needs.**

Participant: RODRIGUEZ, PEDRO

Pedro is a quiet yet responsive person and responds adequately when asked about his addictions. He reports that he wants to stop using heroin and wants to participate in therapy. However, when attempting to engage him to begin addressing his issues he becomes stagnant and has not been able to move forward. He was given several drug tests and as of yet there have been no results found in the drug testing site.

2. Describe the strengths of the family and child(ren) that will help the family achieve their permanency goal.

Pedro has been able to hold a job and appears willing to engage in services. Nellie loves her daughter and will express that time and time again. Both parents have maintained their visit schedule at Child Haven. They both report they are ready to work on their Case Plan do whatever it takes to have their child safe and with them.

3. Describe assessed safety and/or risk factors identified with each parent. (Ensure these services are included in the Case Plan.)

Participant: RODRIGUEZ, PEDRO

Pedro has a substance abuse issue which in turn impedes him from being productive and being able to obtain steady verifiable income. Pedro has no stability in his life, he and Nellie do not have a stable residence and have shown that they constantly couch surf. There appear to be drug use in the home in which the parents currently reside therefore, this is not a stable and appropriate placement for the child.

4. A history of services offered or provided to the family to prevent removal. If services were not provided, state why.

Multiple attempts were made to meet with the parents at the addresses reported to see if the home and the support that they noted was available was such that would be able to incorporate a Present Danger Plan and/or Safety Plan. When the home was visited, Nellie and Pedro were no longer there; additionally the people that were in the home were not of what appeared of a good reputable nature. The parents have been referred to Community Counseling for assessment of their drug use. The parents have been given bus passes so that they can attend visits with their child at Child Haven and have the ability to go to assessments.

Objective: Pedro Rodriguez will address his housing needs by obtaining safe, reliable and appropriate housing for himself and his child.**Measurement for Success:**

Pedro Rodriguez will demonstrate the ability to maintain housing for himself and his child(ren) to the assigned DFS caseworker. The assigned DFS caseworker will observe and verify stable housing by completing announced and unannounced home visits to the residence to ensure safety for the child(ren). Pedro Rodriguez will provide assigned DFS caseworker necessary paperwork to verify residence.

Objective Completion Result:

Action Step	For	Start	Target	Result
Pedro Rodriguez will maintain a residence that is free from any environmental hazards and that meets the safety needs of the child(ren).	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
If Pedro Rodriguez chooses to have any other adults (18 years of age or older) living in the residence, he will provide the DFS caseworker with names and all information requested prior to moving in to ensure the child(ren)'s safety.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will provide DFS caseworker with necessary paperwork (i.e. rental agreement, mortgage bill) to verify residence, if requested.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will seek assistance to obtain housing, if needed, through the Clark County Housing Authority (451-8041), City of Las Vegas Housing Authority (922-6800), or North Las Vegas Housing Authority (649-2451).	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

Pedro Rodriguez will ensure that all utilities are in working order at all times in the residence.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
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Objective: Pedro Rodriguez will cooperate and maintain consistent contact with the assigned DFS caseworker.

Measurement for Success: Pedro Rodriguez will notify assigned DFS caseworker of any and all changes within 48 hours. Pedro Rodriguez will be available for home visits and/or make arrangements with the assigned DFS caseworker to schedule home visits. Pedro Rodriguez will maintain phone contact with assigned DFS caseworker.

Objective Completion Result:

Action Step	For	Start	Target	Result
Pedro Rodriguez will inform the DFS caseworker of any change in phone, address, employment, or household within 48 hours. Pedro can contact his case manager, Martha Cardiel at 121 S. Martin Luther King Blvd, Las Vega NV 89106, phone number is 702-455-7290. E-mail is Martha.Cardiel@ClarkCountyNV.gov	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Upon reunification, Pedro Rodriguez will allow the DFS caseworker unrestricted access to the child through announced and unannounced home visits.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will participate in announced/unannounced home visits and maintain phone contact with DFS caseworker or supervisor at least twice per month.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will inform the DFS caseworker of any police involvement, arrests, and incarcerations within 48 hours.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will permit DFS caseworker and any other DFS employee to enter his residence where the child is residing to evaluate the child's condition and the home environment.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

Objective: Pedro Rodriguez will obtain and maintain legal, verifiable income that is sufficient enough to provide for the needs of his child(ren).

Measurement for Success: Pedro Rodriguez will have maintained legal, verifiable income on a consistent basis. Pedro Rodriguez is able to ensure the basic needs of his child(ren) are met. Pedro Rodriguez will provide proof of income and employment to assigned DFS caseworker.

Objective Completion Result:

Action Step	For	Start	Target	Result
Pedro Rodriguez will ensure all of the basic needs of his child are met.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will provide proof of income and/or employment upon request by the DFS caseworker.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will provide the DFS caseworker with the name and contact information of his employer.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will access job training and referral services if necessary through Nevada Partners (399-5627), Nevada Job Connect (486-0200/486-0100), or Foundation for an Independent Tomorrow (FIT) (367-4348).	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will obtain and maintain legal and verifiable income or employment or be the recipient of Welfare and/or Social Security benefits.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

Objective: Pedro Rodriguez will complete a substance abuse assessment and comply with any treatment recommendations.

Measurement for Success: Pedro Rodriguez will complete a substance abuse assessment and follow the recommendations from the assessment. Pedro Rodriguez will successfully complete the substance abuse program if indicated and provide the DFS worker with a Certificate of Completion. All drug testing will be negative.

Objective Completion Result:

Action Step	For	Start	Target	Result
Pedro Rodriguez will remain engaged in services until discharged by the treatment provider. He will ensure to follow through with all aspects of his treatment plan and will engage in this treatment plan. He will not deviate from this plan. He is to	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

attain a successful completion.				
Pedro Rodriguez will sign a release of information with DFS and the service providers so that his progress and compliance can be monitored accurately.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will review the list of BADA approved service providers and advise the caseworker so that a referral for services can be made.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	
Pedro Rodriguez will submit to random hair and urine drug testing request by DFS or the service providers.	RODRIGUEZ, PEDRO	09-11-2015	03-11-2016	

Objective: The Department of Family Services will ensure that the children's medical, emotions, social and developmental needs are being met.

Measurement for Success: The children are receiving all recommended services to meet their medical, emotional, social and developmental needs.

Objective Completion Result:

Action Step	For	Start	Target	Result
The assigned Department Specialist will ensure that the child is receiving all necessary services and maintain communication with the service providers.	RODRIGUEZ, ESTHER	09-11-2015	03-11-2016	
The assigned Department Specialist will refer the children for all services deemed necessary.	RODRIGUEZ, ESTHER	09-11-2015	03-11-2016	

Child: 2112526 - RODRIGUEZ, ESTHER

Permanency Goal for this child: Reunification

Concurrent Goal: Adoption

Target Date: 03-11-2016

Placement: SINGLETON, BRANDY AND ABRAHAM

1. Describe the adjustment of the child to placement

Esther has been adjusting well and is feeding with no issues as she continues to thrive. The foster mother notes that the child is progressing well. She is cognitive of her surroundings. She is quiet and does not smile or make as much baby noises for a baby her age, thus it is somewhat concerning, however the last visit, the medical staff did not address this as a concern.

2. What medical, mental health, behavioral or educational care needs have been identified for this child?

Esther is receiving services through Child Find and medical appointments maintained through Positively Kids. She has attended all of her required appointments by the foster mother. Esther has been noted as being healthy and meeting her milestones for a child of her age.

3. What services are in place to ensure the above needs are met?

Child is attended by Child Find and the foster mother takes Esther to all required appointments.

4. Describe the services provided to the caregiver to address the specific needs of the child.

A referral to Urban League was submitted in behalf of the foster parents.

5. How is the case worker going to monitor the child's care and services (including routine medical, behavioral and education care)?

Case worker monitors the child's care and services via visits, phone calls and e-mails with the foster mother.

6. Is this child placed in a NRS432B.3905 compliant placement? If not, explain why.

Education Information

Child	Current Grade	Started	Completed	Likely Graduation	School
2112326 - RODRIGUEZ, ESTHER					

This case plan is a collaborative effort between the family and the child welfare agency to discuss the circumstances that led to your child(ren)'s removal and the goals that are necessary for you to maintain your child(ren) in the home or to safely return your child(ren) to your home.

I have read and understand the Case Plan. I understand that the Case Plan is a living document which is subject to revision based on any risk and safety factors not previously identified. I agree to complete the tasks listed above with the case manager from the Clark County Department of Family Services (DFS).

DFS Permanency Worker

DFS Supervisor

Participant	Role	Signature
2112526 - RODRIGUEZ, ESTHER	Child	
2112525 - RODRIGUEZ, PEDRO	Parent	

In-Home Case:

☐ Please be advised that while you are entering into this agreement voluntarily, there are circumstances that result in harm to a child presented by both federal law and state law that may require the Clark County Department of Family Services to initiate legal proceedings to find a home for your children outside of your care.

Parent Initials: ____; Worker Initials: ____ Date Initialed: ____/____/____

☐ If you do not take the Action Steps and meet your Objectives that are stated in the case plan or follow through with the services offered and provided, DFS may take actions to protect and remove the child(ren) from your care and place them in foster care.

Parent Initials: ____; Worker Initials: ____ Date Initialed: ____/____/____

☐ This case plan will be reviewed every 30 days. New objectives can be added at the review to address any identified safety threats or any moderate or serious problems based on assessments.

Parent Initials: ____; Worker Initials: ____ Date Initialed: ____/____/____

Out of Home Case:

☐ The Adoption and Safe Families Act (ASFA) requires that all children in foster care must have a court approved permanency plan within 12 months after removal from the home. A court approved permanency plan will meet a child's basic health and safety needs in one of the following ways: Maintaining the children in the home/preventing removal, Reunification, Adoption, Legal Guardianship, Permanency placement with a relative, Other Planned Permanent Living Arrangement (OPPLA). As stated in the NRS 432B.590 if a child has been placed outside his home and has resided outside his home pursuant to that placement for 14 months of any 20 consecutive months, the best interest of the child must be presumed to be termination of parental rights and placement for adoption. The 14th month from the most recent removal is ____/20____ (month/year).

Parent Initials: ____; Worker Initials: ____ Date Initialed: ____/____/____

☐ Substantial achievement of those objectives identified in the case plan may not prevent a court from terminating your parental rights based on the legal factors, such as abandonment, neglect, parental unfitness or unreasonable risk of harm to the child. In addition the District Attorney's office or the Department of Family Services may request a waiver of reasonable efforts by the court based on the above plus the occurrence of previous adjudication and/or termination of parental rights by the court.

Parent Initials: ____; Worker Initials: ____ Date Initialed: ____/____/____

☐ This case plan will be reviewed with the family every 90 days, prior to reunification, or at the time the permanency goal(s) has changed. New objectives can be added at the review to address any identified safety threats or any moderate or serious problems based on assessments.

Parent Initials: ____; Worker Initials: ____ Date Initialed: ____/____/____

Agent/Monitor: **Agency:**
Division Number: **Client:** Clark County Dept. of Family Services

Collection Site:
Collector: **ANDREA GLASER**

SAMPLE INFORMATION:

Donor Name: **NELLIE SAEZ**
Donor Sex:
Donor ID#: **327628794**

Specimen ID: **3001160509**
Lab Sample ID: **7033549**
Type: **Hair and Urine**

Collected: **08/03/2015 04:56**
Received: **08/03/2015 11:04am**
Report Date: **08/10/2015 2:19pm**

EXHIBIT "C"

Test	Result	Quantitation	Screen Limit	GCMS Limit
AMPHETAMINES	NEGATIVE		1000 ng/mL	500 ng/mL
BARBITURATES	NEGATIVE		300 ng/mL	300 ng/mL
BENZODIAZEPINES	NEGATIVE		300 ng/mL	200 ng/mL
COCAINE	NEGATIVE		300 ng/mL	150 ng/mL
METHADONE	NEGATIVE		300 ng/mL	300 ng/mL
6-ACETYLMORPHINE	NEGATIVE		10 ng/mL	10 ng/mL
OXYCODONE	NEGATIVE		100 ng/mL	100 ng/mL
OPIATES	NEGATIVE		300 ng/mL	300 ng/mL
PCP	NEGATIVE		25 ng/mL	25 ng/mL
PROPOXYPHENE	NEGATIVE		300 ng/mL	300 ng/mL
MARIJUANA	NEGATIVE		50 ng/mL	15 ng/mL
HAIR DRUG ANALYSIS	POSITIVE			
Amphetamine	POSITIVE	1200 pg/mg		300 pg/mg
Methamphetamine	POSITIVE	16857 pg/mg		300 pg/mg
Benzoylscgonine	NEGATIVE			300 pg/mg
Cocaine	NEGATIVE			300 pg/mg
THC-COOH	NEGATIVE			300 pg/mg
6-Acetylmorphine	POSITIVE	10667 pg/mg		0.1 pg/mg
Codeine	NEGATIVE			500 pg/mg
Hydrocodone	NEGATIVE			500 pg/mg
Hydromorphone	NEGATIVE			500 pg/mg
Morphine	NEGATIVE			500 pg/mg
Oxycodone	NEGATIVE			500 pg/mg
Oxymorphone	NEGATIVE			500 pg/mg
Phencyclidine	NEGATIVE			500 pg/mg
VALIDITY CREATININE/SPGR	ACCEPTABLE			
VALIDITY pH	ACCEPTABLE			

CASE WORKER NAME: **MARTHA CARLIEL**
CASE WORKER PHONE NUMBER: **702-455-7290**
CASE NUMBER: **7407636**
DONOR DATE OF BIRTH: **03/17/72**

Ken Kodama

Name of Chemist/Analyst (Print or Type)



08/10/2015

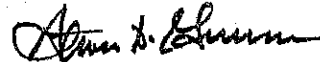
Signature of Chemist/Analyst

Date

Date: **01/18/2016 12:46:43**

Report ID:

STEVEN B. WOLFSON
DISTRICT ATTORNEY
Tanner Sharp
Deputy District Attorney
Juvenile Division
Nevada Bar No. 13018
601 North Pecos
Las Vegas, Nevada 89101
(702) 455-5320


CLERK OF THE COURT

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION - JUVENILE
CLARK COUNTY, NEVADA**

In the Matter of:

ESTHER RODRIGUEZ
Date of Birth: 06-15-2015
A Minor, 0 Years and 07 Months of Age

COURT CASE NO.: J-15-337398-P1
DEPT.: FAMILY JUVENILE
COURTROOM: HM NORHEIM - #14

OUT-OF-HOME PLACEMENT ORDER - Licensed Foster Home

This matter having come on for Permanency and Placement Review before the Family Court, Eighth Judicial District, County of Clark, State of Nevada, Clark County Department of Family Services, on this 26 day of January, 2016, with parent(s) NELLIE SAEZ being present and PEDRO RODRIGUEZ, not being present in Court, and subject minor(s) being available to the Court, and the Court finding that the minor(s) come(s) within the provisions of NRS 432B.410, 432B.550, 432B.580, 432B.590, and 432B.600, and good cause being shown;

THE COURT FINDS that continuation of the minor(s) in the home of the parent(s)/guardian(s), SAEZ, NELLIE and/or RODRIGUEZ, PEDRO, is contrary to the welfare of the child(ren);

1 **THE COURT FURTHER FINDS** that reasonable efforts have been made as cited
2 in the Permanency and Planning Review Report to prevent or eliminate the need for
3 removal of the child(ren) from SAEZ, NELLIE and/or RODRIGUEZ, PEDRO home;
4

5 **THE COURT FURTHER FINDS** that reasonable efforts have been made as cited
6 in the Permanency and Planning Review Report to make it possible for the child(ren) to
7 return to the home of SAEZ, NELLIE and/or RODRIGUEZ, PEDRO; accordingly,
8

9 **IT IS HEREBY RECOMMENDED** that ESTHER RODRIGUEZ is continued as
10 a Ward of the Family Court as a child In Need of Protection;
11

12 **IT IS FURTHER RECOMMENDED** that legal custody remains with the Clark
13 County Department of Family Services for placement until ESTHER RODRIGUEZ
14 reach(es) the statutory age as prescribed by law, or until further Order of the Court.
15 Control and custody is awarded with all necessary authority and power to furnish, provide,
16 and authorize care and services to the subject minor(s) as may seem necessary and
17 proper, and in the child(ren)'s best interest and welfare, including but not limited to: food,
18 clothing, shelter, education, and routine medical care and treatment;
19

20 **IT IS FURTHER RECOMMENDED** that the Clark County Department of Family
21 Services shall have legal authority to access and obtain any records that relate to the
22 child's well being to include but not limited to: medical, dental, educational, mental health,
23 and substance abuse;
24

25 **IT IS FURTHER RECOMMENDED** that the Permanency Plan goal of Reunification
26 as recommended by the Clark County Department of Family Services is in the
27 child(ren)'s best interest and shall be adopted by the Court;
28

IT IS FURTHER RECOMMENDED that continuation of reasonable efforts to
reunify ESTHER RODRIGUEZ with SAEZ, NELLIE and/or RODRIGUEZ, PEDRO, as
required by NRS 432B.393 is consistent with the Permanency Plan;

1 **IT IS FURTHER RECOMMENDED** that the following efforts that have been made
2 by the Clark County Department of Family Services to meet the permanency goal are
3 reasonable efforts:
4

- 5 1. The Department referred MS. SAEZ to Drug Tests.
- 6 2. The Department referred MS. SAEZ to a Substance Abuse Assessment at
7 Community Counseling Center of Southern Nevada.
- 8 3. The Department provided MS. SAEZ with bus passes.
- 9 4. The Department coordinated visitation with MS. SAEZ and ESTHER.
- 10 5. The Department attempted to maintain contact with MS. SAEZ.
- 11 6. The Department conducted a Diligent Search as to MS. SAEZ.
- 12 7. The Department referred MR. RODRIGUEZ to Drug Tests.
- 13 8. The Department referred MR. RODRIGUEZ to a Substance Abuse Assessment at
14 Community Counseling Center of Southern Nevada.
- 15 9. The Department provided MR. RODRIGUEZ with bus passes.
- 16 10. The Department coordinated visitation with MR. RODRIGUEZ and ESTHER.
- 17 11. The Department attempted to maintain contact with MR. RODRIGUEZ.
- 18 12. The Department conducted a Diligent Search as to MR. RODRIGUEZ.
- 19 13. The Department conducts announced and unannounced home visits to ensure
20 ESTHER'S safety and well-being and that her needs are being met.
- 21 14. The Department provided Medicaid for ESTHER.
- 22 15. The Department completed the Initial Social Summary for ESTHER.
- 23 16. The Department ordered medical records as to ESTHER.
- 24 17. The Department referred ESTHER to Nevada Early Intervention Services.

25 **IT IS FURTHER RECOMMENDED** that sibling visitation is not applicable;

26 **IT IS FURTHER RECOMMENDED** that:

27 ☒ Child Support is waived;

28 ☐ Child support is ordered in the amount of \$ _____ for

_____ per child;

IT IS FURTHER RECOMMENDED that the ESTHER RODRIGUEZ is placed
in a licensed foster home.

1 IT IS FURTHER FOUND AND RECOMMENDED that neither the physical
2 custodian(s) nor the parent(s) may remove the subject minor(s) from the State of Nevada
3 without the written consent of the Clark County Department of Family Services or by
4 Order of the Court;

5
6 IT IS FURTHER RECOMMENDED that this matter be reviewed on the 2nd
7 day of August, 20 16, at the hour of 1:30 p.m., Department:
8 Family Juvenile.

9 You are hereby notified that you have a right to a rehearing pursuant to Eighth
10 Judicial District Court Rule 1.46. An application for rehearing must be filed within five days
11 after receipt of the Referee's Findings and Recommendations.
12

13 Dated this 26th day of January, 20 16

14
15
16 JUVENILE HEARING MASTER
17 JON W. NORHEIM

18 IT IS SO ORDERED.

19 Dated this 26 day of January, 20 16

20
21 Charles J. Hoskin
22 DISTRICT JUDGE - JUVENILE
CHARLES J. HOSKIN

23 Submitted by:

Submitted by:

24 STEVEN B. WOLFSON
25 DISTRICT ATTORNEY

26 Kristina Quinlan
27 KRISTINA QUINLAN
CASE MANAGER
DEPARTMENT OF FAMILY SERVICES

28 By: [Signature]
Deputy District Attorney

COURT CASE NO.: J-15-337398-P1

Hay servicios gratis de ayuda con otros idiomas. Para pedir un intérprete, llame por favor al Coordinador de Servicios de Intérpretes al 671-4578.

Free language assistance services are available. To request an interpreter, please call the Language Assistance Coordinator at 671-4578.

CLARK COUNTY
DEPARTMENT OF FAMILY SERVICES
121 SOUTH MARTIN LUTHER KING BLVD.
LAS VEGAS, NEVADA 89106
(702) 455-7200

Electronically Filed
07/27/2016 03:22:45 PM


CLERK OF THE COURT

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION - JUVENILE
CLARK COUNTY, NEVADA**

In the Matter of:

ESTHER RODRIGUEZ
Date of Birth: 06-15-2015
A Minor 1 years, 01 Months of Age

COURT CASE NO.: J-15-337398-P1
DEPT.: FAMILY JUVENILE

REPORT FOR PERMANENCY AND PLACEMENT REVIEW

Date of Hearing: 08-02-2016

Time of Hearing: 01:30 PM

Courtroom: HM NORHEIM - #14

Attachment: A - Case Plan
B - DNA Test Results

CONCERNING:

Mother: NELLIE SAEZ
DOB: 03-17-1972
Address: Unknown

Father: Unknown
DOB:
Address:

Siblings: Not Applicable

☒ The Indian Child Welfare Act does not apply.
☐ The Indian Child Welfare Act does apply.

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NOTIFICATION OF HEARING AND TYPE OF SERVICE

Mother: In person June 28, 2016 and via regular and certified mail
to last 4 known addresses July 25, 2016
Father(s): Not Applicable
Current Placement: In person and via certified mail July 25, 2016
CASA: Not Applicable
Child's Attorney: Via email July 25, 2016
Mother's Attorney: Via email July 13, 2016
Father's Attorney: Not Applicable
Tribe: Not Applicable

REMOVAL DATE:

July 27, 2015

TRIAL HOME VISIT DATES:

Not Applicable

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Petition 1 in this matter cited:

(a) The mother to the minor child is NELLIE SAEZ; the father is PEDRO RODRIGUEZ;

(c) PEDRO RODRIGUEZ neglected the subject minor by engaging in the use of illegal substances, which rendered him unable to provide care for the subject minor when NELLIE SAEZ suffered a medical incident that likewise rendered her incapable of caring for the subject minor; PEDRO RODRIGUEZ admitted to regularly using illegal substances, and named heroin as his drug of choice;

(e) PEDRO RODRIGUEZ failed to submit to drug testing that was recommended by both CPS and the court;

(g) NELLIE SAEZ failed to submit to drug testing that was recommended by both CPS and the court;

(h) The subject minor is in need of protection in accordance with NRS 432B.330 as a result of the abuse/neglect described above.

**PREVIOUS COURT ORDER DEEMED EFFORTS BY THE DEPARTMENT
TO ACHIEVE THE PERMANENCY PLAN:**

- ☒ Were Reasonable Efforts
☐ Were Not Reasonable Efforts

For: ESTHER RODRIGUEZ
For:

PERMANENCY GOAL AND PROJECTED DATE OF ACHIEVEMENT:

- ☐ Reunification With:
☒ Termination of Parental Rights and Adoption By: Recruited Resource
☐ Guardianship By:
☐ Long Term Relative Placement With:
☐ Other Planned Permanent Living With:
Arrangement
Projected Date of Achievement:

CONCURRENT PERMANENCY GOAL:

- ☒ Reunification With: MS. SAEZ
☐ Termination of Parental Rights and Adoption By:
☐ Guardianship By:
☐ Long Term Relative Placement With:
☐ Other Planned Permanent Living With:
Arrangement

RATIONALE FOR PERMANENCY PLAN:

ESTHER has been in care since July 27, 2015. While MS. SAEZ has verbalized a desire to reunify with ESTHER she has not made efforts to do so. MS. SAEZ has not maintained consistent contact with the Department. During MS. SAEZ' last contact with the Department June 28, 2016 MS. SAEZ displayed erratic behaviors. It appeared she could not comprehend that she was speaking to this Specialist as she was insistent this Specialist was her previous worker. She has not demonstrated a willingness to engage in behavioral changes that will enable her to reunify with ESTHER. She continues to show a lack of action, cooperation, and follow through. Paternal relatives contacted the Department as to a possible ICPC; however they requested DNA testing prior to the ICPC. DNA testing was completed June 29, 2016 and proved that MR. RODRIGUEZ was not ESTHER'S biological father. At this time the identity of ESTHER'S father is unknown.

PARENTS' PROGRESS

Visitation

MS. SAEZ visited regularly with ESTHER from August 5, 2015 until September 30, 2015. Due to lack of attendance visits were cancelled in October 2015. MS. SAEZ contacted the Department December 14, 2015 and requested visitation with ESTHER. As she did not maintain contact with the Department this Specialist was unable to coordinate visitation at that time. MS. SAEZ contacted this Specialist February 19, 2016 and this Specialist coordinated

1 visitation to begin March 1, 2016. As MS. SAEZ did not maintain contact with
2 the Department and did not attend visitations the visits were removed from the
3 schedule. MS. SAEZ contacted and met with this Specialist June 28, 2016.
4 MS. SAEZ was to return July 1, 2016 to discuss scheduling visitations. MS.
5 SAEZ has not maintained contact with the Department and this Specialist has
6 been unable to coordinate visitation.

7 **Housing**

8 MS. SAEZ met with this Specialist June 28, 2016. This Specialist put MS.
9 SAEZ in touch with Safe Nest however MS. SAEZ reported she did not meet
10 the requirements to stay at Safe Nest. This Specialist discussed Shade Tree
11 Shelter with MS. SAEZ and MS. SAEZ reported she did not wish to stay in a
12 shelter. MS. SAEZ was to return July 1, 2016 to meet with this Specialist and
13 did not show up. It is unknown where MS. SAEZ is residing as she has not
14 maintained consistent contact with the Department.

15 **Employment**

16 This Specialist provided MS. SAEZ with contact information as to Nevada Job
17 Connect on February 19, 2016. In April 2016 this Specialist received
18 information that MS. SAEZ was working at a motel and that MS. SAEZ would
19 contact this Specialist to verify employment. In May 2016 this Specialist was
20 informed that MS. SAEZ was no longer working at the motel. It is unknown if
21 MS. SAEZ is employed as she has not maintained consistent contact with the
22 Department.

23 **Counseling**

24 This Specialist referred MS. SAEZ to Choices for a Substance Abuse
25 Assessment February 19, 2016. MS. SAEZ did not schedule an Assessment
26 appointment. This Specialist referred MS. SAEZ to drug testing February 19,
27 2016 and June 28, 2016. MS. SAEZ did not submit to the drug tests. It is
28 unknown if MS. SAEZ has engaged in services as she has not maintained
consistent contact with the Department.

29 **Parenting**

30 Parenting classes are not required in MS. SAEZ' Case Plan.

31 **Other**

32 **CHILD(REN)'S CURRENT PLACEMENT:**

33 ESTHER is placed in a licensed DFS Foster Home. She has resided in this
34 placement since July 29, 2015. This placement is not an adoptive resource.
35 The Department has identified an adoptive resource for ESTHER and is
36 working to transition her to this home in August.

37 This placement is within close proximity to the parent(s) for ESTHER
38 RODRIGUEZ.

This placement is the least restrictive for ESTHER RODRIGUEZ.

1 **CHILD(REN)'S WELL BEING:**

2 **Education**

3 ESTHER is an infant. She is too young to attend school and she does not
4 attend daycare.

5 **Placement**

6 ESTHER is placed in a licensed DFS Foster Home. She has resided in this
7 placement since July 29, 2015. This placement is not an adoptive resource
8 however the Department has identified an adoptive resource for ESTHER and
9 is working to transition her to this home in August.

10 **Emotional/Counseling**

11 ESTHER is one year old. She does not attend counseling services.

12 **Medical/Dental**

13 ESTHER'S medical needs are met at Positively Kids. Her last appointment
14 was July 14, 2016. She is current on her immunizations and does not require
15 any ongoing medical treatment.

16 **Safety**

17 The Department conducts announced and unannounced home visits to
18 ESTHER'S foster care placement at least every thirty days. The Department
19 also completes Permanency Services Placement Safety Checks and currently
20 has no concerns with regards to ESTHER'S current placement.

21 **Psychiatric Services –**

22 Is the child listed in report currently on any psychotropic medication?

23 No

24 Has a Court appointed a person to be legally responsible for the child's
25 psychiatric services?

26 No

27 When was the child's last appointment? Not Applicable

28 When will the child have an appointment? Not Applicable

29 **SIBLING CONTACT:**

30 ☐ Placed Together

31 ☒ Not Placed Together – Not Applicable

32 ...

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1 **REASONABLE EFFORTS TO ACHIEVE THE PERMANENCY PLAN:**

2 Reasonable Efforts have been made in order to achieve Permanency for
3 ESTHER. These efforts include the following:

4 **On behalf of the parents:**

- 5 1. The Department referred MS. SAEZ to Drug Tests.
- 6 2. The Department referred MS. SAEZ to a Substance Abuse Assessment at
7 Community Counseling Center of Southern Nevada.
- 8 3. The Department attempted to coordinate visitation as to MS. SAEZ and
9 ESTHER.
- 10 4. The Department attempted to maintain contact with MS. SAEZ.
- 11 5. The Department conducted a Diligent Search as to MS. SAEZ.

12 **On behalf of the child(ren):**

- 13 1. The Department conducts announced and unannounced home visits to
14 ensure ESTHER'S safety and well-being and that her needs are being met.
- 15 2. The Department provided Medicaid for ESTHER.
- 16 3. The Department ordered medical records for ESTHER.
- 17 4. The Department contact paternal relatives regarding a possible ICPC as to
18 ESTHER.
- 19 5. The Department coordinated DNA testing with paternal relatives and
20 ESTHER.
- 21 6. The Department located a potential adoptive resource as to ESTHER.

22 **GOALS FOR THE NEXT REVIEW PERIOD:**

- 23 1. The Department will attempt to maintain contact with MS. SAEZ in order to
24 assist her in obtaining needed services to fulfill her Case Plan objectives.
- 25 2. The Department will continue to order medical records and perform Social
26 Summary updates as to ESTHER.
- 27 3. The Department will continue to make needed referrals for any services
28 ESTHER may need.
4. The Department will continue to conduct announced and unannounced
home visits to ensure the safety and well-being of ESTHER.

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1 **SUMMARY AND RECOMMENDATIONS:**

2 ESTHER was placed in to Protective Custody July 27, 2015. MS. SAEZ has
3 verbalized a desire to reunify with ESTHER yet she has not made efforts to do
4 so. MS. SAEZ has not maintained consistent contact with the Department.
5 During MS. SAEZ' last contact with the Department June 28, 2016 MS. SAEZ
6 displayed erratic behaviors. It appeared she could not comprehend that she
7 was speaking to this Specialist as she was insistent this Specialist was her
8 previous worker. She has not demonstrated a willingness to engage in
9 behavioral changes that will enable her to reunify with ESTHER. She continues
10 to show a lack of action, cooperation, and follow through. Paternal relatives
11 contacted the Department as to a possible ICPC; however they requested DNA
12 testing prior to the ICPC. DNA testing was completed June 29, 2016 and
13 proved that MR. RODRIGUEZ was not ESTHER'S biological father. The
14 identity of ESTHER'S father is unknown.

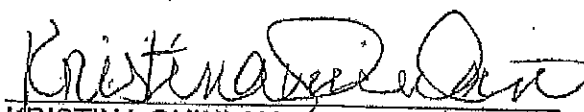
15 **CHILD SUPPORT:**

16 Not Applicable

17 **WHEREFORE, DEPARTMENT OF FAMILY SERVICES RESPECTFULLY**
18 **RECOMMENDS:**

- 19 (1) That ESTHER RODRIGUEZ remain under the jurisdiction of the
20 Family Court and in the legal custody of the Clark County
21 Department of Family Services;
22 (2) That the efforts made by the Department of Family Services are
23 found to be reasonable efforts as outlined in this report;
24 (3) That this matter be brought back for Formal Review in six months.

25 Submitted By:

26 

27 KRISTINA QUINLAN
28 CASE MANAGER
CLARK COUNTY
DEPARTMENT OF FAMILY SERVICES



DARRYL GLOVER
SUPERVISOR

DATE: July 27, 2016
COURT CASE NO.: J-15-337398-P1
SITE: Perm Central B

Case Plan Information			
Case: 1407636 - SAEZ, NELLIE	Opened Date: 07-26-2015	Closed Date:	
Status: Supervisor Approved	Effective: 03-12-2016	Review Due: 09-10-2016	
Author: QUINLAN, KRISTINA	Approved: 03-14-2016- GLOVER, DARRYL I	Court Approved:	
Plan Created: 04/05/2016 12:01:44	Plan Last Modified: 04/05/2016 12:01:44	Court Case: J-15-337398-P1	
Permanency Goal Summary			
Child	Goal	Targeted Completion	**Prevent Removal**
2112526 - RODRIGUEZ, ESTHER, B.	Remunification	03-11-2016	N

**For Permanency Goal A, the undersigned caseworker has determined that 'without the preventive services described in this Case Plan, the child(ren) are at imminent risk of removal and placement into foster care.' **

Assessment Summary
1. Describe the parent's perception of his/her problems and service needs.
Participant: SAEZ, NELLIE
Nellie fails to take her seizure medication as prescribed. She notes she does not like the way she feels when taking the medication. What Nellie does not realize is that her not taking her prescribed medication causes her to begin feeling light headed and will then have seizures more easily. At initial contact, when asked if she was using any illegal substances she quickly noted that she was not. Drug test from report date 8/10/15 show she tested positive in her drug hair analysis in amphetamines at a quantitation of 1,200 pg/mg and 16,857 pg/mg in methamphetamine's. Nellie cannot accept that she has a substance abuse problem and will note that her issues are more medical, however she fails to take her medication as prescribed. Nellie cannot see that her living with different people and moving constantly is not safe. She sees it as a matter of fact and seems content and at peace with her current situation.
2. Describe the strengths of the family and child(ren) that will help the family achieve their permanency goal.
Pedro has been able to hold a job and appears willing to engage in services. Nellie loves her daughter and will express that time and time again. Both parents have maintained their visit schedule at Child Haven. They both report they are ready to work on their Case Plan do whatever it takes to have their child safe and with them.
3. Describe assessed safety and/or risk factors identified with each parent. (Ensure these services are included in the Case Plan.)
Participant: SAEZ, NELLIE
Nellie has a substance abuse issue which in turn impedes her from being productive and being able to obtain steady verifiable income. Nellie has no stability in her life, she and Pedro do not have a stable residence and have shown that they couch surf. There appear to be drug use in the home in which the parents currently reside therefore, this is not a stable and appropriate placement for the child. Nellie does not take her prescribed medication as she should and therefore her seizures continue to occur. She also reports that she feels tired at times and has no energy. This needs to be assessed further by her physician to ensure she is taking the right dosage of medication and that the medication is serving its purpose at all times.
4. A history of services offered or provided to the family to prevent removal. If services were not provided, state why.
Multiple attempts were made to meet with the parents at the addresses reported to see if the home and the support that they noted was available was such that would be able to incorporate a Present Danger Plan and/or Safety Plan. When the home was visited, Nellie and Pedro were no longer there; additionally the people that were in the home were not of what appeared of a good reputable nature. The parents have been referred to Community Counseling for assessment of their drug use. The parents have been given bus passes so that they can attend visits with their child at Child Haven and have the ability to go to assessments.

Objective: Nellie Saez will address her housing needs by obtaining safe, reliable and appropriate housing for herself and his children.

Measurement for Success: Nellie Saez will demonstrate the ability to maintain housing for herself and her child(ren) to the assigned DFS caseworker. The assigned DFS caseworker will observe and verify stable housing by completing announced and unannounced home visits to the residence to ensure safety for the child(ren). Nellie Saez will provide assigned DFS caseworker necessary paperwork to verify residence.

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will maintain a residence that is free from any environmental hazards and that meets the safety needs of the child(ren).	SAEZ, NELLIE	09-11-2015	03-11-2016	
If Nellie Saez chooses to have any other adults (18 years of age or older) living in the residence, she will provide the DFS caseworker with names and all information requested prior to moving in to ensure the child(ren)'s safety.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will provide DFS caseworker with necessary paperwork (i.e. rental agreement, mortgage bill) to verify residence, if requested.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Nellie Saez will seek assistance to obtain housing, if needed, through the Clark County Housing Authority (451-8041), City of Las Vegas Housing Authority (922-6800), or North Las Vegas Housing Authority (649-2451).	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will ensure that all utilities are in working order at all times in the residence.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will cooperate and maintain consistent contact with the assigned DFS caseworker.

Measurement for Success: Nellie Saez will notify assigned DFS caseworker of any and all changes within 48 hours. Nellie Saez will be available for home visits and/or make arrangements with the assigned DFS caseworker to schedule home visits. Nellie Saez will maintain phone contact with assigned DFS caseworker.

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will inform the DFS caseworker of any change in phone, address, employment, or household within 48 hours. Her case manager's information is Martha Cardiel, 121 S. Martin Luther King Blvd., Las Vegas NV 89106 (702) 455-7290, email: martha.cardiel@clarkcountynv.gov	SAEZ, NELLIE	09-11-2015	03-11-2016	
Upon reunification, Nellie Saez will allow the DFS caseworker unrestricted access to the child through announced and unannounced home visits.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will participate in announced/unannounced home visits and maintain phone contact with DFS caseworker or supervisor at least twice per month.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will inform the DFS caseworker of any police involvement, arrests, and incarcerations within 48 hours.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will permit DFS caseworker and any other DFS employee to enter her residence where the child is residing to evaluate the child's condition and the home environment.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will obtain and maintain legal, verifiable income that is sufficient enough to provide for the needs of her child.

Measurement for Success: Nellie Saez will have maintained legal, verifiable income on a consistent basis. Nellie Saez is able to ensure the basic needs of her child(ren) are met. Nellie Saez will provide proof of income and employment to assigned DFS caseworker

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will obtain and maintain legal and verifiable income or employment or be the recipient of Welfare and/or Social Security benefits.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will provide proof of income and/or employment upon request by the DFS caseworker.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will provide the DFS caseworker with the name and contact information of her employer.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will access job training and referral services if necessary through Nevada Partners (399-5627), Nevada Job Connect (436-0200/436-0100), or Foundation for an Independent Tomorrow (FIT) (367-4348).	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will obtain and maintain legal and verifiable income or employment or be the recipient of Welfare and/or Social Security benefits.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will complete a substance abuse assessment and comply with any treatment recommendations.

Measurement for Success: Nellie Saez will complete a substance abuse assessment and follow the recommendations from the assessment. Nellie Saez will successfully complete the substance abuse program if indicated and provide the DFS worker with a Certificate of Completion. All drug testings will be negative.

Objective Completion Result:

Action Step	For	Start	Target	Result
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Nellie Saez will remain engaged in services until discharged by the treatment provider and will remain active and participatory in all aspects of her plan until she has successfully completed her treatment.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will sign a release of information with DFS and the service providers so that her progress and compliance can be monitored accurately.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will review a list of approved service providers and advise the caseworker so that a referral for services can be made.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will submit to random hair and urine drug testing request by DFS or the service providers. Failure to submit when requested will be considered as a positive drug test result.	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: Nellie Saez will address her physical health issues

Measurement for Success: Nellie Saez will comply with physical health treatment that is ascribed if indicated. Nellie Saez will follow the recommendations made by the treating physician.

Objective Completion Result:

Action Step	For	Start	Target	Result
Nellie Saez will take medication prescribed to her by her physician as recommended.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will follow all recommendations of physician.	SAEZ, NELLIE	09-11-2015	03-11-2016	
Nellie Saez will sign release of confidential information.	SAEZ, NELLIE	09-11-2015	03-11-2016	
The service provider will provide written updates as requested by DFS	SAEZ, NELLIE	09-11-2015	03-11-2016	

Objective: The Department of Family Services will ensure that the children's medical, emotional, social and developmental needs are being met.

Measurement for Success: The children are receiving all recommended services to meet their medical, emotional, social and developmental needs.

Objective Completion Result:

Action Step	For	Start	Target	Result
The assigned Department Specialist will refer the children for all services deemed necessary.	RODRIGUEZ, ESTHER, B.	09-11-2015	03-11-2016	
The assigned Department Specialist will ensure that the child is receiving all necessary services and maintain communication with the service providers.	RODRIGUEZ, ESTHER, B.	09-11-2015	03-11-2016	

Child: 2112526 - RODRIGUEZ, ESTHER, B.

Permanency Goal for this child: Reunification	Target Date: 03-11-2016
Concurrent Goal: Adoption	
Placement: SINGLETON, BRANDY AND ABRAHAM	
1. Describe the adjustment of the child to placement	
ESTHER appears bonded to her foster parents and foster siblings.	
2. What medical, mental health, behavioral or educational care needs have been identified for this child?	
ESTHER'S medical care is provided by Positively Kids. ESTHER has been noted as being healthy and meeting her milestones for a child of her age. NEIS assessed ESTHER and will re-assess in April 2016 to determine if any services are needed.	
3. What services are in place to ensure the above needs are met?	
ESTHER was assessed by NEIS, they assessed her as meeting developmental milestones, and will reassess in April 2016 to determine if services are needed.	

4. Describe the services provided to the caregiver to address the specific needs of the child.

A referral to Urban League was submitted in behalf of the foster parents. A referral was made to NEIS to determine if any services are needed.

5. How is the case worker going to monitor the child's care and services (including routine medical, behavioral and education care)?

DFS Caseworker visits ESTHER and foster parents monthly to monitor ESTHER'S safety and well-being and maintains regular communication with foster parents to determine if any additional services are needed.

6. Is this child placed in a NRS432B.3905 compliant placement? If not, explain why.

Yes, the child is under the age of 6 and placed in a foster home.

Education Information

Child	Current Grade	Started	Completed	Likely Graduation	School
2112526 - RODRIGUEZ, ESTHER, B.					

This case plan is a collaborative effort between the family and the child welfare agency to discuss the circumstances that led to your child(ren)'s removal and the goals that are necessary for you to maintain your child(ren) in the home or to safely return your child(ren) to your home.

I have read and understand the Case Plan. I understand that the Case Plan is a living document which is subject to revision based on any risk and safety factors not previously identified. I agree to complete the tasks listed above with the case manager from the Clark County Department of Family Services (DFS).

DFS Permanency Worker

DFS Supervisor

Participant	Role	Signature
2112526 - RODRIGUEZ, ESTHER, B.	Child	
2112524 - SAEZ, NELLIE	Parent	

In-Home Case:

☐ Please be advised that while you are entering into this agreement voluntarily, there are circumstances that result in harm to a child presented by both federal law and state law that may require the Clark County Department of Family Services to initiate legal proceedings to find a home for your children outside of your care.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

☐ If you do not take the Action Steps and meet your Objectives that are stated in the case plan or follow through with the services offered and provided, DFS may take actions to protect and remove the child(ren) from your care and place them in foster care.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

☐ This case plan will be reviewed every 30 days. New objectives can be added at the review to address any identified safety threats or any moderate or serious problems based on assessments.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

Out of Home Case:

☐ The Adoption and Safe Families Act (ASFA) requires that all children in foster care must have a court approved permanency plan within 12 months after removal from the home. A court approved permanency plan will meet a child's basic health and safety needs in one of the following ways: Maintaining the children in the home/preventing removal, Reunification, Adoption, Legal Guardianship, Permanency placement with a relative, Other Planned Permanent Living Arrangement (OPPLA). As stated in the NRS 432B.590 if a child has been placed outside his home and has resided outside his home pursuant to that placement for 14 months of any 20 consecutive months, the best interest of the child must be presumed to be termination of parental rights and placement for adoption. The 14th month from the most recent removal is ____/20____ (month/year).

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

☐ Substantial achievement of these objectives identified in the case plan may not prevent a court from terminating your parental rights based on the legal factors, such as abandonment, neglect, parental unfitness or unreasonable risk of harm to the child. In addition the District Attorney's office or the Department of Family Services may request a waiver of reasonable efforts by the court based on the above plus the occurrence of previous adjudication and/or termination of parental rights by the court.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____

☐ This case plan will be reviewed with the family every 90 days, prior to reunification, or at the time the permanency goal(s) has changed. New objectives can be added at the review to address any identified safety threats or any moderate or serious problems based on assessments.

Parent Initials: _____; Worker Initials: _____ Date Initialed: ____/____/____



P.O. Box 2230 Burlington, NC 27216 Telephone: (336) 584-5171 Relationship Report

EXHIBIT 4B

Account Information

Account Number: 27410020

CLARK COUNTY DFS

Acct Ref 1: 1407636

Acct Ref 2:

Acct Ref 3:

LAS VEGAS, NV 89106

LabCorp Case # COV-066824

Relationship

Child

Paternal Grandmother

Paternal Grandfather

Party

RODRIGUEZ, ESTHER

MUNOZ MERAZ, LEONOR

RODRIGUEZ ALVAREZ, EPIFANIO

Race

66R-2153-0

66S-2446-0

66S-2447-0

Hispanic

Hispanic

Date Collected

06/22/2016

06/24/2016

06/24/2016

DNA Analysis

	D3S1368	D7S820	VWA	FGA	D8S1179	D21S11	D18S51	D6S818	D13S317	D16S539
C	15, 16	10, 12	17, 18	19, 26	14, 15	31, 32, 2	13, 18	11, 12	8, 11	12, 13
PGM	15, 17	10, 11	18, 19	19, 23	14, 16	28, 29	13, 17	11, 13	8, 11	9, 10
PGF	15, 18	11, 12	18, 17	25	13, 15	27, 32	15, 17	11	10, 12	10, 11

DNA Analysis

	TH01	TPOX	CSF1PO	Penta D	F13A01	F13B	LPL	Penta E	FFSFP5
C	9, 9, 3	8	11, 12	12, 13	3, 2, 7	10	10, 12	8, 21	10, 11
PGM	7, 9, 3	8, 10	10, 12	10, 13	3, 2, 8	10	10	12, 21	12, 13
PGF	7	11	10	11	3, 2, 5	9, 10	10, 12	7, 17	11

DNA Analysis

	Penta C
C	12
PGM	11, 13
PGF	9, 13

Conclusion

Combined Paternity Index: 0 to 1

Probability of Paternity: 0.00% (Prior Probability = 0.5)

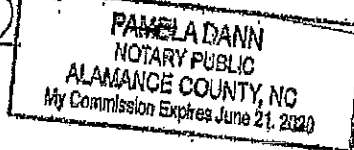
The results of the above testing on the alleged paternal grandparents, LEONOR MUNOZ MERAZ and EPIFANIO RODRIGUEZ ALVAREZ, indicate that they are not the biological grandparents of the child, ESTHER RODRIGUEZ, as they lack genetic markers that must come from the biological grandparents. There are exclusions in the following systems: D21S11, D16S539, Penta C. Assuming the alleged paternal grandparents are the biological parents of the alleged father, these results indicate that the alleged father is not the biological father of the child.

I, the undersigned Director, upon being duly sworn on oath, do depose and state that I read the foregoing report on the analysis of specimens from the above named individuals, signed by myself, and under penalties for perjury it is my belief that the facts and results therein are true and correct.

Gary M. Stuhlmeier, Ph.D., Director

State of North Carolina
County of Alamance

Pamela Dann



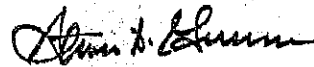
I, _____, certify that Gary M. Stuhlmeier, Ph.D. personally came before me this day and acknowledged that he (or she) is an employee of Laboratory Corporation of America Holdings, a corporation, and that as an employee being authorized to do so, executed the foregoing on behalf of the corporation.

Subscribed and sworn to [or affirmed] before me this _____ at Burlington, NC.

Notary Public

Laboratory Corporation of America Holdings is accredited by the AABB.

STEVEN B. WOLFSON
DISTRICT ATTORNEY
Tanner Sharp
Deputy District Attorney
Juvenile Division
Nevada Bar No. 13018
601 North Pecos
Las Vegas, Nevada 89101
(702) 455-5320


CLERK OF THE COURT

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION - JUVENILE
CLARK COUNTY, NEVADA**

In the Matter of:

ESTHER BELLA RODRIGUEZ
Date of Birth: 06-15-2015
A Minor, 1 Years and 01 Month(s) of
Age

COURT CASE NO.: J-15-337398-P1
DEPT.: FAMILY JUVENILE
COURTROOM: HM NORHEIM - #14

OUT-OF-HOME PLACEMENT ORDER - Licensed Foster Home

This matter having come on for Permanency and Placement Review before the Family Court, Eighth Judicial District, County of Clark, State of Nevada, Clark County Department of Family Services, on this 2 day of August, 2016, with parent(s) NELLIE SAEZ being present in Court, and subject minor(s) being available to the Court, and the Court finding that the minor(s) come(s) within the provisions of NRS 432B.410, 432B.550, 432B.580, 432B.590, and 432B.600, and good cause being shown;

THE COURT FINDS that continuation of the minor(s) in the home of the parent(s)/guardian(s), NELLIE SAEZ, is contrary to the welfare of the child(ren);

THE COURT FURTHER FINDS that reasonable efforts have been made as cited in the Permanency and Planning Review Report to prevent or eliminate the need for removal of the child(ren) from NELLIE SAEZ home;

1 **THE COURT FURTHER FINDS** that reasonable efforts have been made as cited
2 in the Permanency and Planning Review Report to make it possible for the child(ren) to
3 return to the home of NELLIE SAEZ; accordingly,
4

5 **IT IS HEREBY RECOMMENDED** that ESTHER BELLA RODRIGUEZ is
6 continued as a Ward of the Family Court as a child In Need of Protection;

7 **IT IS FURTHER RECOMMENDED** that legal custody remains with the Clark
8 County Department of Family Services for placement until ESTHER BELLA RODRIGUEZ
9 reach(es) the statutory age as prescribed by law, or until further Order of the Court.
10 Control and custody is awarded with all necessary authority and power to furnish, provide,
11 and authorize care and services to the subject minor(s) as may seem necessary and
12 proper, and in the child(ren)'s best interest and welfare, including but not limited to: food,
13 clothing, shelter, education, and routine medical care and treatment;
14

15 **IT IS FURTHER RECOMMENDED** that the Clark County Department of Family
16 Services shall have legal authority to access and obtain any records that relate to the
17 child's well being to include but not limited to: medical, dental, educational, mental health,
18 and substance abuse;
19

20 **IT IS FURTHER RECOMMENDED** that the Permanency Plan goal of Adoption as
21 recommended by the Clark County Department of Family Services is in the child(ren)'s
22 best interest and shall be adopted by the Court;

23 **IT IS FURTHER RECOMMENDED** that continuation of reasonable efforts to
24 reunify ESTHER BELLA RODRIGUEZ with NELLIE SAEZ, as required by NRS
25 432B.393 is not consistent with the Permanency Plan;
26

27 ...
28 ...
 ...

1 **IT IS FURTHER RECOMMENDED** that the following efforts that have been made
2 by the Clark County Department of Family Services to meet the permanency goal are
3 reasonable efforts:
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- 5 1. The Department referred MS. SAEZ to Drug Tests.
- 6 2. The Department referred MS. SAEZ to a Substance Abuse Assessment.
- 7 3. The Department attempted to coordinate visitation as to MS. SAEZ and ESTHER.
- 8 4. The Department attempted to maintain contact with MS. SAEZ.
- 9 5. The Department conducted a Diligent Search as to MS. SAEZ.
- 10 6. The Department conducts announced and unannounced home visits to ensure
11 ESTHER'S safety and well-being and that her needs are being met.
- 12 7. The Department provided Medicaid for ESTHER.
- 13 8. The Department ordered medical records for ESTHER.
- 14 9. The Department contacted paternal relatives regarding a possible ICPC as to
15 ESTHER.
- 16 10. The Department coordinated DNA testing with paternal relatives and ESTHER.
- 17 11. The Department located a potential adoptive resource as to ESTHER.

18 **IT IS FURTHER RECOMMENDED** that sibling visitation is not applicable;
19

20 **IT IS FURTHER RECOMMENDED** that:

21 ☒ Child Support is waived;

22 ☐ Child support is ordered in the amount of \$ _____ for
23

24 _____ for
25 per child;

26 **IT IS FURTHER RECOMMENDED** that the ESTHER BELLA RODRIGUEZ is
27 placed in a licensed foster home.

28 **IT IS FURTHER FOUND AND RECOMMENDED** that neither the physical
custodian(s) nor the parent(s) may remove the subject minor(s) from the State of Nevada
without the written consent of the Clark County Department of Family Services or by
Order of the Court;

1 IT IS FURTHER RECOMMENDED that this matter be reviewed on the 7th
2 day of February, 2017, at the hour of 1:00 p.m., Department:
3 Family Juvenile.
4

5 You are hereby notified that you have a right to a rehearing pursuant to Eighth
6 Judicial District Court Rule 1.46. An application for rehearing must be filed within five days
7 after receipt of the Referee's Findings and Recommendations.

8 Dated this 2nd day of August, 2016.
9

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11
12 JUVENILE HEARING WARDEN
13 JON W. NORHEIM

14 IT IS SO ORDERED.

15 Dated this 2 day of August, 2016.
16

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DISTRICT JUDGE - JUVENILE
CHARLES J. HOSKIN

Submitted by:

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28
Kristina Quinlan
KRISTINA QUINLAN
CASE MANAGER
DEPARTMENT OF FAMILY SERVICES

Submitted by:

STEVEN B. WOLFSON
DISTRICT ATTORNEY

By: [Signature]
Deputy District Attorney

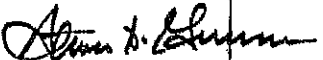
COURT CASE NO.: J-15-337398-P1

Hay servicios gratis de ayuda con otros idiomas. Para pedir un intérprete, llame por favor al Coordinador
de Servicios de Intérpretes al 621-4578.

Free language assistance services are available. To request an interpreter, please call the Language
Assistance Coordinator at 621-4578.

1 CLARK COUNTY
2 DEPARTMENT OF FAMILY SERVICES
3 121 SOUTH MARTIN LUTHER KING BLVD.
4 LAS VEGAS, NEVADA 89106
5 (702) 455-7200

Electronically Filed
01/30/2017 12:42:10 PM


CLERK OF THE COURT

6 **EIGHTH JUDICIAL DISTRICT COURT**
7 **FAMILY DIVISION - JUVENILE**
8 **CLARK COUNTY, NEVADA**

9 In the Matter of:

10 ESTHER BELLA RODRIGUEZ
11 Date of Birth: 06-15-2015
12 A Minor 1 years, 07 Months of Age

COURT CASE NO.: J-15-337398-P1
DEPT.: FAMILY JUVENILE

13 **REPORT FOR PERMANENCY AND PLACEMENT REVIEW**

14 Date of Hearing: 02-07-2017

15 Time of Hearing: 01:30 PM

16 Courtroom: HM NORHEIM - #14

17 Attachment:

18 **CONCERNING:**

19 Mother: NELLIE SAEZ
20 DOB: 03-17-1972
21 Address: Unknown

22 Father: UNKNOWN
23 DOB:
24 Address:

25 Siblings: The Department learned in October 2016 that ESTHER has a half-sibling in
26 the adoption process in California. ESTHER may have additional half-
27 siblings; their locations are unknown.

- 28 ☒ The Indian Child Welfare Act does not apply.
☐ The Indian Child Welfare Act does apply.

1 **NOTIFICATION OF HEARING AND TYPE OF SERVICE**

2 Mother: Not Applicable
3 Father(s): Not Applicable
4 Current Placement: Via email and certified mail January 24, 2017
5 CASA: Not Applicable
6 Child's Attorney: Via email and certified mail January 24, 2017
7 Mother's Attorney: Not Applicable
8 Father's Attorney: Not Applicable
9 Tribe: Not Applicable

10 **REMOVAL DATE:**

11 July 27, 2015

12 **TRIAL HOME VISIT DATES:**

13 Not Applicable

14 **REASON FOR CUSTODY AND COURT JURISDICTION (formally known as Wardship):**

15 Petition No. 1 in this Matter cited:

16 (a) The mother to the minor child is NELLIE SAEZ; the
17 father is PEDRO RODRIGUEZ;

18 (b) NELLIE SAEZ and PEDRO RODRIGUEZ were the
19 persons directly responsible for the welfare of the
20 subject minor pursuant to NRS 432B.130 at the time of
21 removal;

22 (c) PEDRO RODRIGUEZ neglected the subject minor by
23 engaging in the use of illegal substances, which
24 rendered him unable to provide care for the subject
25 minor when NELLIE SAEZ suffered a medical incident
26 that likewise rendered her incapable of caring for the
27 subject minor; PEDRO RODRIGUEZ admitted to regularly
28 using illegal substances, and named heroin as his drug
of choice;

(d) PEDRO RODRIGUEZ lacks the resources to provide
for the health and safety of the subject minor;

(e) PEDRO RODRIGUEZ failed to submit to drug testing
that was recommended by both CPS and the court;

(f) NELLIE SAEZ lacks the resources to provide for the
health and safety of the subject minor;

(g) NELLIE SAEZ failed to submit to drug testing that
was recommended by both CPS and the court;

(h) The subject minor is in need of protection in accordance with
NRS 432B.330 as a result of the abuse/neglect described above.

**PREVIOUS COURT ORDER DEEMED EFFORTS BY THE DEPARTMENT
TO ACHIEVE THE PERMANENCY PLAN:**

- ☒ Were Reasonable Efforts
☐ Were Not Reasonable Efforts

For: ESTHER RODRIGUEZ
For:

PERMANENCY GOAL AND PROJECTED DATE OF ACHIEVEMENT:

- ☐ Reunification
☒ Termination of Parental Rights and Adoption
☐ Guardianship
☐ Long Term Relative Placement
☐ Other Planned Permanent Living
Arrangement

With:
By: Current Foster Placement
By:
With:
With:

Projected Date of Achievement:

CONCURRENT PERMANENCY GOAL:

- ☐ Reunification
☐ Termination of Parental Rights and Adoption
☐ Guardianship
☐ Long Term Relative Placement
☐ Other Planned Permanent Living
Arrangement

With:
By:
By:
With:
With:

RATIONALE FOR PERMANENCY PLAN:

ESTHER has been in care since July 27, 2015. MS. SAEZ' parental rights and the rights of all potential fathers were terminated January 12, 2017. ESTHER has resided in her current foster placement since September 9, 2016. This placement is an adoptive resource.

PARENTS' PROGRESS:

Visitation

MS. SAEZ' parental rights were terminated January 12, 2017.

Housing

MS. SAEZ' parental rights were terminated January 12, 2017.

Employment

MS. SAEZ' parental rights were terminated January 12, 2017.

Counseling

MS. SAEZ' parental rights were terminated January 12, 2017.

Parenting

MS. SAEZ' parental rights were terminated January 12, 2017.

Other

The Department was contacted by MS. SAEZ' first cousin regarding possible placement of ESTHER in her home. An ICPC was submitted December 8, 2016 to the State of Georgia. The results are still pending.

1 **CHILD(REN)'S CURRENT PLACEMENT:**

2 ESTHER is placed in a licensed DFS Foster Home. She has resided in this
3 placement since September 9, 2016. She appears bonded to her foster
4 parents and comfortable in the home.

5 This placement is not within close proximity to the parent(s) for ESTHER
6 BELLA RODRIGUEZ.

7 This placement is the least restrictive for ESTHER BELLA RODRIGUEZ.

8 **CHILD(REN)'S WELL BEING:**

9 **Education**

10 ESTHER is not of school age. She attends daycare at Kiddie Academy
11 Mondays through Fridays from approximately 9:00 a.m. – 5:00 p.m. each day.

12 **Placement**

13 ESTHER is placed in a licensed DFS Foster Home. She has resided in this
14 placement since September 9, 2016. She appears bonded to her foster
15 parents and comfortable in the home. This placement is an adoptive resource.

16 **Emotional/Counseling**

17 ESTHER is not in need of counseling services at this time. ESTHER has a
18 good temperament. She is a happy and loving child. ESTHER does appear to
19 have a slight delay in speech and a referral to Nevada Early Intervention
20 Services (NEIS) was submitted January 23, 2017.

21 **Medical/Dental**

22 ESTHER'S medical needs are met at Positively Kids. Her immunizations are
23 current and she has no ongoing medical concerns at this time.

24 **Safety**

25 The Department conducts announced and unannounced home visits to
26 ESTHER'S foster care placement at least every thirty days. The Department
27 completes Permanency Services Placement Safety Checks and currently has
28 no concerns with regards to ESTHER'S current placement.

Psychiatric Services –

Is the child listed in report currently on any psychotropic medication?

No

Has a Court appointed a person to be legally responsible for the child's
psychiatric services?

Not Applicable

When was the child's last appointment? Not Applicable

When will the child have an appointment? Not Applicable

1 **SIBLING CONTACT:**

2 ☐ Placed Together

3 ☒ Not Placed Together – The Department learned in October 2016 that
4 ESTHER has a half-sibling in the adoption process in California. ESTHER may
have additional half-siblings; their locations are unknown.

5 **REASONABLE EFFORTS TO ACHIEVE THE PERMANENCY PLAN:**

6 Reasonable Efforts have been made in order to achieve Permanency for
ESTHER. These efforts include the following:

7 **On behalf of the parents:**

- 8 1. The Parental Rights were terminated January 12, 2017.

9 **On behalf of the child(ren):**

- 10 1. The Department conducts announced and unannounced home visits at
11 least every thirty days to ensure ESTHER'S safety and well-being and that
her needs are being met.
- 12 2. The Department provided Medicaid for ESTHER.
- 13 3. The Department ordered ESTHER'S medical records.
- 14 4. The Department updated ESTHER'S Social Summary.
- 15 5. The Department submitted an ICPC as to ESTHER'S maternal cousin.
- 16 6. The Department referred ESTHER to Nevada Early Intervention Services
17 (NEIS).
- 18 7. The Department maintains contact with ESTHER'S caregivers between in-
person visits to monitor her progress in placement and assist with referrals
as needed.

19 **GOALS FOR THE NEXT REVIEW PERIOD:**

- 20 1. The Department will continue to conduct announced and unannounced
home visits to ensure ESTHER'S safety and well-being and that her needs
are being met.
- 21 2. The Department will continue to order medical records and perform Social
22 Summary updates as to ESTHER.
- 23 3. The Department will continue to make needed referrals for services for
ESTHER.
- 24 4. Permanency will be established for ESTHER.

25 ...

26 ...

27 ...

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...

...

1 **SUMMARY AND RECOMMENDATIONS:**

2 ESTHER was brought in to care July 27, 2015 and placed in Protective
3 Custody due to concerns of abuse and neglect. ESTHER has resided in her
4 current foster placement since September 9, 2016. This placement is an
5 adoptive resource. MS. SAEZ' parental rights and the rights of all potential
6 fathers were terminated January 12, 2017. The Department was contacted by
7 ESTHER'S maternal cousin in October of 2016 and an ICPC as to the cousin
8 was submitted December 8, 2016. The results of the ICPC are still pending.

9 The Department respectfully recommends that ESTHER BELLA RODRIGUEZ
10 remain a Ward of the Court and placed in her current foster placement.

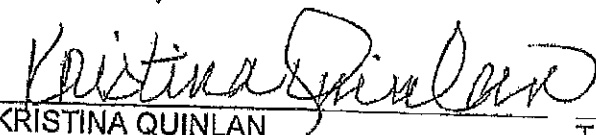
11 **CHILD SUPPORT:**


12 Not Applicable

13 **WHEREFORE, DEPARTMENT OF FAMILY SERVICES RESPECTFULLY
14 RECOMMENDS:**

- 15 (1) That ESTHER BELLA RODRIGUEZ remain under the jurisdiction
16 of the Family Court and in the legal custody of the Clark County
17 Department of Family Services;
18 (2) That the efforts made by the Department of Family Services are
19 found to be reasonable efforts as outlined in this report;
20 (3) That this matter be brought back for Formal Review in six months.

21 Submitted By:

22 
23 KRISTINA QUINLAN
24 CASE MANAGER
25 CLARK COUNTY
26 DEPARTMENT OF FAMILY SERVICES

27 
28 TARYN LAMAISSON
SUPERVISOR

29 DATE: January 30, 2017
30 COURT CASE NO.: J-15-337398-P1
31 SITE: Central Perm F

Heather S. Simon
CLERK OF THE COURT

STEVEN B. WOLFSON
DISTRICT ATTORNEY
Tanner Sharp
Deputy District Attorney
Juvenile Division
Nevada Bar No. 13018
601 North Pecos
Las Vegas, Nevada 89101
(702) 455-5320

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION - JUVENILE
CLARK COUNTY, NEVADA**

In the Matter of:

ESTHER BELLA RODRIGUEZ
Date of Birth: 06-15-2015
A Minor, 1 Years and 07 Month(s) of
Age.

COURT CASE NO.: J-15-337398-P1
DEPT.: FAMILY JUVENILE
COURTROOM: HM NORHEIM - #14

OUT-OF-HOME PLACEMENT ORDER - Licensed Foster Home

This matter having come on for Permanency and Placement Review before the Family Court, Eighth Judicial District, County of Clark, State of Nevada, Clark County Department of Family Services, on this 7 day of February, 2017 with parent(s) NELLIE SAEZ not being present in Court, and subject minor(s) being available to the Court, and the Court finding that the minor(s) come(s) within the provisions of NRS 432B.410, 432B.550, 432B.580, 432B.590, and 432B.600, and good cause being shown;

THE COURT FINDS that continuation of the minor(s) in the home of the parent(s)/guardian(s), SAEZ, NELLIE , is contrary to the welfare of the child(ren);

1 **THE COURT FURTHER FINDS** that reasonable efforts have been made as cited in
2 the Permanency and Planning Review Report to prevent or eliminate the need for removal of
3 the child(ren) from SAEZ, NELLIE home;
4

5 **THE COURT FURTHER FINDS** that reasonable efforts have been made as cited
6 in the Permanency and Planning Review Report to make it possible for the child(ren) to
7 return to the home of SAEZ, NELLIE ; accordingly,
8

9 **IT IS HEREBY RECOMMENDED** that ESTHER BELLA RODRIGUEZ is
10 continued as a Ward of the Family Court as a child in Need of Protection;
11

12 **IT IS FURTHER RECOMMENDED** that legal custody remains with the Clark
13 County Department of Family Services for placement until ESTHER BELLA RODRIGUEZ
14 reach(es) the statutory age as prescribed by law, or until further Order of the Court.
15 Control and custody is awarded with all necessary authority and power to furnish, provide,
16 and authorize care and services to the subject minor(s) as may seem necessary and
17 proper, and in the child(ren)'s best interest and welfare, including but not limited to: food,
18 clothing, shelter, education, and routine medical care and treatment;
19

20 **IT IS FURTHER RECOMMENDED** that the Clark County Department of Family
21 Services shall have legal authority to access and obtain any records that relate to the
22 child's well being to include but not limited to: medical, dental, educational, mental health,
23 and substance abuse;
24

25 **IT IS FURTHER RECOMMENDED** that the Permanency Plan goal of Adoption as
26 recommended by the Clark County Department of Family Services is in the child(ren)'s
27 best interest and shall be adopted by the Court;
28

29 **IT IS FURTHER RECOMMENDED** that continuation of reasonable efforts to
30 reunify ESTHER BELLA RODRIGUEZ with SAEZ, NELLIE , as required by NRS
31 432B.393 is not consistent with the Permanency Plan;
32

1 **IT IS FURTHER RECOMMENDED** that the following efforts that have been made
2 by the Clark County Department of Family Services to meet the permanency goal are
3 reasonable efforts:
4

- 5 1. The Parental Rights were terminated January 12, 2017.
- 6 2. The Department conducts announced and unannounced home visits at least every
7 thirty days to ensure ESTHER'S safety and well-being and that her needs are
8 being met.
- 9 3. The Department provided Medicaid for ESTHER.
- 10 4. The Department ordered ESTHER'S medical records.
- 11 5. The Department updated ESTHER'S Social Summary.
- 12 6. The Department submitted an ICPC as to ESTHER'S maternal cousin.
- 13 7. The Department referred ESTHER to Nevada Early Intervention Services.
- 14 8. The Department maintains contact with ESTHER'S caregivers between in-person
15 visits to monitor her progress in placement and assist with referrals as needed.

16 **IT IS FURTHER RECOMMENDED** that sibling visitation is not applicable;

17 **IT IS FURTHER RECOMMENDED** that:

18 ☒ Child Support is waived;

19 ☐ Child support is ordered in the amount of \$_____ for
20 _____

21 per child;

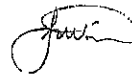
22 **IT IS FURTHER RECOMMENDED** that the ESTHER BELLA RODRIGUEZ is
23 placed in a licensed foster home.

24 **IT IS FURTHER FOUND AND RECOMMENDED** that neither the physical
25 custodian(s) nor the parent(s) may remove the subject minor(s) from the State of Nevada
26 without the written consent of the Clark County Department of Family Services or by
27 Order of the Court;
28

1 **IT IS FURTHER RECOMMENDED** that this matter be reviewed on the 8th Day of
2 August, 2017, 1:30 PM Department: Family Juvenile.

3
4 You are hereby notified that you have a right to a rehearing pursuant to Eighth
5 Judicial District Court Rule 1.46. An application for rehearing must be filed within five days
6 after receipt of the Referee's Findings and Recommendations.

7
8 Dated this 7th day of February, 2017.

9 

10
11 JUVENILE HEARING MASTER

12
13 **IT IS SO ORDERED.**

14 Dated this 7th day of February, 2017.

15 

16
17 DISTRICT JUDGE - JUVENILE


18
19 Submitted by:

20
21 KRISTINA
22 QUINLAN
23 CASE MANAGER
24 DEPARTMENT OF FAMILY SERVICES

25 Submitted by:

26 STEVEN B. WOLFSON
27 DISTRICT ATTORNEY

28 By:



Deputy District Attorney

COURT CASE NO.: J-15-337398-P1

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Hay servicios gratis de ayuda con otros idiomas. Para pedir un intérprete, llame por favor al Coordinador
de Servicios de Intérpretes al 671-4578.

1 **ORD**

2 **STEVEN B. WOLFSON**
3 **District Attorney**
4 **Nevada State Bar No. 1565**
5 **TANNER SHARP**
6 **Deputy District Attorney**
7 **Nevada State Bar No. 13018**
8 **Juvenile Division**
9 **601 N. Pecos Rd., Ste. 470**
10 **Las Vegas, Nevada 89101**
11 **(702) 455-5320**

COPY

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Alvin D. Laramie

CLERK OF THE COURT

8 **DISTRICT COURT**
9 **FAMILY DIVISION - JUVENILE**
10 **CLARK COUNTY, NEVADA**

11 In the Matter of:

12 **ESTHER RODRIGUEZ**
13 **DOB: 06-15-2015**

14 **Minor under 18 Years of Age**

CASE NO. J-15-337398-P1
DEPT: FAMILY JUVENILE
COURTROOM: 14

15 **HEARING MASTER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**
16 **RECOMMENDATIONS**

17 This matter came before the Court for an evidentiary hearing on placement on April 13, 2017
18 and April 14, 2017. Present in Court was the Department of Family Services, represented by Kristina
19 Quinlan; Tanner Sharp, Esq. in behalf of the Clark County District Attorney's Office; maternal relatives
20 Stephanie and Joe Rozier; foster parents Philip and Regina Rivera; and, Raymond McKay, Esq.
21 attorney for the subject minor.
22

23 The Court, having reviewed the testimony and evidence offered during the hearing, the record in
24 this matter, relevant statutes, and oral argument, and good cause being shown, makes the following
25 findings and recommendation:

26 **THE COURT HEREBY FINDS** that the Department should have located the Rozier's earlier
27 as they had contact with Esther's adult, half sibling Carolina and as Carolina had contact with the
28 Rozier's.

RECEIVED

APR 25 2017

JUVENILE DIVISION

1 **THE COURT FURTHER FINDS** that the Department should have notified the Rivera's
2 sooner as to possible placement with the Rozier's.

3 **THE COURT FURTHER FINDS** that both the Rivera's and the Rozier's are credible
4 witnesses. The Court finds that the two Department employees were inconsistent in their testimony with
5 regard to the information relayed to the Rozier's regarding placement of Esther. As such, the Court
6 does not find the Department's testimony credible as to that issue alone.
7

8 **THE COURT FURTHER FINDS** that the Rozier's demonstrated a reasonable excuse for the
9 delay in coming forward and requesting placement of Esther.

10 **THE COURT FURTHER FINDS** that both the Rivera's and the Rozier's are extremely good
11 and dedicated parents.

12 **THE COURT FURTHER FINDS** that both the Rivera's and the Rozier's have good, strong
13 family connections. That both are family oriented and would give Esther the opportunity to have a large
14 extended family.
15

16 **THE COURT FURTHER FINDS** that both the Rivera's and the Rozier's have well thought
17 out plans for Esther's education, moral upbringing, and social interaction.

18 **THE COURT FURTHER FINDS** that both the Rivera's and the Rozier's have good
19 community involvement. That both are involved in church and other organizations.

20 **THE COURT FURTHER FINDS** that both the Rivera's and the Rozier's have more than
21 adequate resources to care for Esther.
22

23 **THE COURT FURTHER FINDS** that Esther is incredibly bonded with the Rivera's and that
24 the Rivera's have proven that they have the ability to care for Esther.

25 **THE COURT FURTHER FINDS** that the Rozier's have a biological family connection with
26 Esther and that it is highly likely that the Rozier's will end up with one of the siblings.
27

28 **THE COURT FURTHER FINDS** that the courts and legislature have determined that when
comparing bonding with biological, family connection, family connection is the overriding

1 consideration and the family is where the child should be placed, despite the trauma that Esther will
2 experience with a fourth removal.

3 Therefore,

4 **THE COURT RECOMMENDS** that the subject minor be placed with the Rozier's on the
5 following two conditions: (1) Rozier's must provide proof that they have the requisite familial
6 relationship with Esther as represented in court and (2) the Rozier's must comply with the trauma
7 minimization transition as outlined by the Department during the hearing. Placement will not take place
8 should these conditions not be met.
9

10
11 **IT IS SO RECOMMENDED** on this 25th day of April, 2017.

12
13
14 
15 **HEARING MASTER** 

14 *****

15 *****

16 **NOTICE OF RIGHT TO FILE OBJECTION TO MASTER'S RECOMMENDATIONS**

17 Objections to the Hearing Master's Recommendations are governed by EDCR 1.46. No
18 Recommendations by the Hearing Master will become effective until expressly approved by the
19 Presiding Juvenile District Court Judge. The Applicant has five (5) days after receipt of this
20 Hearing Master's Recommendations to apply to the Presiding Juvenile District Court Judge for
Approval being entered by the District Court.


21 *****

22 *****

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RECEIPT OF SERVICE

Tanner L. Sharp, District Attorney for the State of Nevada, does hereby acknowledge receipt of
HEARING MASTER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
RECOMMENDATIONS this ____ day of April, 2017.

By: 
TANNER L. SHARP
Nevada Bar No. 13018
Deputy District Attorney

CERTIFICATE OF SERVICE

I hereby certify that service of the above and foregoing HEARING MASTER'S FINDINGS OF
FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS, was made this 1st day of April,
2017, by electronic mailing and/or facsimile and/or depositing a copy in the U.S. Mail, postage pre-
paid, addressed to:

RAYMOND MCKAY, ESQ.

STEPHANIE AND JOE ROZIER
229 BRITTANY COURT
MACON, GEORGIA 31216

KRISTINA QUINLAN (DFS)

BY 

An employee of the District Attorney's Office
Juvenile Division

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Juvenile Protection**COURT MINUTES****May 23, 2017**

J-15-337398-P1

Saez, Nellie, Mother

May 23, 2017	2:00 PM	Objection
--------------	---------	-----------

HEARD BY:	Giuliani, Cynthia N.	COURTROOM:	Courtroom 22
PARTIES:			
State of Nevada:		Attorney: Sharp, Tanner L.	
Not Present: Rivera, Philip; Rivera, Regina		Attorney: Mills, Byron	
Not Present: Rodriguez, Esther		Attorney: Children's Attorney	
Project			
COURT CLERK:	Paul D. Donahue		
JOURNAL ENTRIES			
(Esther Rodriguez) Department of Family & Juvenile Services			

(Esther Rodriguez) Department of Family Services (DFS) represented by Kristina Quinlan. Maternal relatives, present. Foster parents present. Children's Attorney Project (CAP) Attorney Amy Honodel, present. Attorney John Blackmon, present.

Court reviewed the Response and Joinder in OPEN COURT.

Attorney Blackmon noted Attorney Mills should have not been allowed to file a Joinder.

State noted Attorney Blackmon should not be a party in this case. State further noted concern with not having minor moved to Georgia. State advised the Court minor is placed with her sibling. State requested a Stay.

Following statements, Court stated its FINDINGS and ORDERED, Hearing Master Norheim's Decision is AFFIRMED. States Objection is DENIED. Permanency Planning Hearing STANDS.

FUTURE HEARINGS:	
	08/30/2016 11:00 AM Motion Vacated - Moot Courtroom 14
	08/08/2017 1:30 PM Permanency Planning Hearing Courtroom 14 Norheim, Jon

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.